

By: Senator(s) White

To: Judiciary, Division B

SENATE BILL NO. 2060

1 AN ACT TO CREATE SECTION 97-1-2, MISSISSIPPI CODE OF 1972, TO
2 MAKE IT UNLAWFUL FOR ANY PERSON IN ANY MANNER, WITH OR WITHOUT
3 PAYMENT OR OFFER OF PAYMENT, TO SOLICIT ANOTHER TO COMMIT A CRIME;
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section
7 97-1-2, Mississippi Code of 1972:

8 97-1-2. (1) A person is guilty of solicitation to commit a
9 crime if with the purpose of promoting or facilitating its
10 commission he commands, encourages, requests or offers to pay
11 money or other consideration to another person to engage in
12 specific conduct that would constitute the crime or an attempt to
13 commit the crime or would establish his complicity in the
14 commission or attempted commission of the crime.

15 (2) It is immaterial under subsection (1) of this section
16 that the person soliciting fails to communicate with the person he
17 solicits to commit a crime if his conduct was designed to effect
18 such communication.

19 (3) It is an affirmative defense that the person, after
20 soliciting another to commit a crime, persuaded him not to do so
21 or otherwise prevented the commission of the crime under
22 circumstances manifesting a complete and voluntary renunciation of
23 criminal purpose.

24 (4) Upon conviction under this section, the person shall be
25 punished as follows:

26 (a) Except as provided in paragraph (b), if the crime
27 solicited constitutes a felony, by a fine of not more than Five

28 Thousand Dollars (\$5,000.00), by imprisonment for not more than
29 five (5) years, or both.

30 (b) If The crime solicited is murder or any felony
31 violation of the Uniform Controlled Substances Law, by a fine of
32 not more than Five Hundred Thousand Dollars (\$500,000.00),
33 imprisonment for not more than twenty (20) years, or both.

34 (c) If the crime solicited is a misdemeanor, by a fine
35 of not more than Five Hundred Dollars (\$500.00), confinement in
36 jail for not more than six (6) months, or both.

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