

By: Senator(s) Ross

To: Judiciary, Division B

SENATE BILL NO. 2091

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 JOYRIDING, 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, even in the absence of any intent to  
10 convert it or to deprive the owner of possession or ownership, and  
11 any person who knowingly shall aid and abet in the taking  
12 possession or taking away of the motor vehicle, even if the person  
13 was only a passenger in the vehicle at any time during the  
14 possessing or taking away of it, shall be guilty of a felony and  
15 shall be punished by commitment to the Department of Corrections  
16 for not more than ten (10) years.

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

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

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

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