

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 857**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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 permanently or temporarily deprive  
11 the owner of possession or ownership, and any person who knowingly  
12 shall aid and abet in the taking possession or taking away of the  
13 motor vehicle, shall be guilty of a felony and shall be punished  
14 by commitment to the Department of Corrections for not more than  
15 ten (10) years.

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

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

22           (4) Any person who shall be convicted for a second or  
23 subsequent offense under this section shall be imprisoned in the

24 Penitentiary for a term not exceeding fifteen (15) years or shall  
25 be fined not more than Ten Thousand Dollars (\$10,000.00), or both.

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.