

By: Representatives Snowden, Sykes

To: Judiciary B

HOUSE BILL NO. 826

1 AN ACT TO AMEND SECTION 41-43-53, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE CRIMINAL PENALTIES FOR ANY PERSON, PARTNERSHIP
3 CORPORATION OR ORGANIZATION THAT EMBEZZLES OR FRAUDULENTLY OR
4 KNOWINGLY AND WILLFULLY MISAPPLIES OR CONVERTS PERPETUAL CARE
5 TRUST FUNDS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 41-43-53, Mississippi Code of 1972, is
8 amended as follows:

9 41-43-53. (1) Violation of any of the provisions of
10 Sections 41-43-31 through 41-43-53 by any person, partnership,
11 corporation or organization shall be punished by a fine of not
12 less than Five Hundred Dollars (\$500.00) nor more than One
13 Thousand Dollars (\$1,000.00) or by imprisonment in the county jail
14 for a period not exceeding one (1) year, or by both.

15 (2) Any person, partnership corporation or organization that
16 embezzles or fraudulently or knowingly and willfully misapplies or
17 converts perpetual care trust funds shall, upon conviction, be
18 punished by imprisonment in the custody of the Mississippi
19 Department of Corrections for a term of not more than ten (10)



20 years, or be fined not more than One Thousand Dollars (\$1,000.00)
21 and imprisoned in the county jail for not more than one (1) year.
22 Each such violation shall constitute a separate offense.

23 **SECTION 2.** This act shall take effect and be in force from
24 and after July 1, 2018.

