

By: Representative Baria

To: Judiciary B

HOUSE BILL NO. 933

1 AN ACT TO AMEND SECTION 97-21-33, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE PENALTIES FOR CERTAIN FORGERIES; AND FOR RELATED  
3 PURPOSES.

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

5 **SECTION 1.** Section 97-21-33, Mississippi Code of 1972, is  
6 amended as follows:

7 97-21-33. (1) \* \* \* Except as provided in subsection (2)  
8 for an offense under Section 97-21-13, 97-21-15, 97-21-17 or  
9 97-21-23, a person convicted of forgery shall be penalized as  
10 follows:

11 (a) When the amount of value involved is under One  
12 Thousand Dollars (\$1,000.00), \* \* \* by imprisonment in the county  
13 jail for a term of not more than six (6) months, or by a fine of  
14 not more than One Thousand Dollars (\$1,000.00), or both, if the  
15 court finds substantial and compelling reasons why the offender  
16 cannot be safely and effectively supervised in the community, is  
17 not amenable to community-based treatment, or poses a significant  
18 risk to public safety. If such a finding is not made, the court



19 shall suspend the sentence of imprisonment and impose a period of  
20 probation not exceeding one (1) year or a fine of not more than  
21 One Thousand Dollars (\$1,000.00), or both. \* \* \* A person  
22 convicted of a third or subsequent offense \* \* \* of forgery that  
23 is not punishable under subsection (2) and where the value of the  
24 property is not less than Five Hundred Dollars (\$500.00), shall be  
25 punished by imprisonment in the \* \* \* custody of the Department of  
26 Corrections for a term not exceeding three (3) years or by a fine  
27 not exceeding One Thousand Dollars (\$1,000.00), or both.

28 ( \* \* \* b) \* \* \* When the amount of value involved is  
29 One Thousand Dollars (\$1,000.00) or more \* \* \* but less than Five  
30 Thousand Dollars (\$5,000.00), \* \* \* by imprisonment in the \* \* \*  
31 custody of the Department of Corrections for a term not more than  
32 five (5) years, or a fine of not more than Ten Thousand Dollars  
33 (\$10,000.00), or both.

34 ( \* \* \* c) \* \* \* When the amount of value involved is  
35 Five Thousand Dollars (\$5,000.00) or more \* \* \* but less than  
36 Twenty-five Thousand Dollars (\$25,000.00), \* \* \* by imprisonment  
37 in the \* \* \* custody of the Department of Corrections for a term  
38 not exceeding ten (10) years, or \* \* \* by a fine of not more than  
39 Ten Thousand Dollars (\$10,000.00), or both.

40 ( \* \* \* d) \* \* \* When the amount of value involved is  
41 Twenty-five Thousand Dollars (\$25,000.00) or more, \* \* \* by  
42 imprisonment in the \* \* \* custody of the Department of Corrections



43 for a term not exceeding twenty (20) years, or \* \* \* a fine of not  
44 more than Ten Thousand Dollars (\$10,000.00), or both. \* \* \*

45 (2) A person convicted of forgery under Section 97-21-13,  
46 97-21-15, 97-21-17 or 97-21-23 shall be guilty of a felony and  
47 shall be penalized as follows:

48 (a) When the amount of value involved is less than Five  
49 Thousand Dollars (\$5,000.00), by imprisonment in the custody of  
50 the Department of Corrections for a term of not more than five (5)  
51 years, or a fine of not more than Ten Thousand Dollars  
52 (\$10,000.00), or both;

53 (b) When the amount of value involved is Five Thousand  
54 Dollars (\$5,000.00) or more, but less than Twenty-five Thousand  
55 Dollars (\$25,000.00), by imprisonment in the custody of the  
56 Department of Corrections for a term not exceeding ten (10) years,  
57 or a fine of not more than Ten Thousand Dollars (\$10,000.00), or  
58 both;

59 (c) When the amount of value involved is Twenty-five  
60 Thousand Dollars (\$25,000.00) or more, by imprisonment for a term  
61 not exceeding twenty (20) years, or a fine of not more than Ten  
62 Thousand Dollars (\$10,000.00), or both.

63 (3) The total value of forgeries by the person from a single  
64 victim shall be aggregated in determining the gravity of the  
65 offense.

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

