

By: Representatives Crawford, Baria, Paden,  
Hines, Faulkner

To: Judiciary B

HOUSE BILL NO. 1075  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 43-47-19, MISSISSIPPI CODE OF 1972,  
2 TO INCLUDE THE INTENTIONAL INFLECTION OF SEVERE MENTAL ANGUISH  
3 UPON A VULNERABLE PERSON AS A FELONY; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 43-47-19, Mississippi Code of 1972, is  
6 amended as follows:

7 43-47-19. (1) It shall be unlawful for any person to abuse,  
8 neglect or exploit any vulnerable person.

9 (2) (a) Any person who willfully commits an act or  
10 willfully omits the performance of any duty, which act or omission  
11 contributes to, tends to contribute to, or results in neglect,  
12 physical pain, injury, mental anguish, unreasonable confinement or  
13 deprivation of services which are necessary to maintain the mental  
14 or physical health of a vulnerable person, shall be guilty of a  
15 misdemeanor and, upon conviction thereof, shall be punished by a  
16 fine not to exceed One Thousand Dollars (\$1,000.00) or by  
17 imprisonment not to exceed one (1) year in the county jail, or by  
18 both such fine and imprisonment. Any accepted medical procedure



19 performed in the usual scope of practice shall not be a violation  
20 of this subsection.

21 (b) Any person who willfully exploits a vulnerable  
22 person, where the value of the exploitation is less than Two  
23 Hundred Fifty Dollars (\$250.00), shall be guilty of a misdemeanor  
24 and, upon conviction thereof, shall be punished by a fine not to  
25 exceed Five Thousand Dollars (\$5,000.00) or by imprisonment not to  
26 exceed one (1) year in the county jail, or by both such fine and  
27 imprisonment; where the value of the exploitation is Two Hundred  
28 Fifty Dollars (\$250.00) or more, the person who exploits a  
29 vulnerable person shall be guilty of a felony and, upon conviction  
30 thereof, shall be punished by imprisonment in the custody of the  
31 Department of Corrections for not more than ten (10) years.

32 (3) Any person who willfully inflicts physical pain or  
33 injury upon a vulnerable person shall be guilty of felonious abuse  
34 or battery, or both, of a vulnerable person and, upon conviction  
35 thereof, may be punished by imprisonment in the State Penitentiary  
36 for not more than twenty (20) years.

37 (4) Any person who willfully inflicts severe mental anguish  
38 upon a vulnerable person shall be guilty of a felony and shall be  
39 sentenced to not less than one (1) year nor more than five (5)  
40 years in the custody of the Department of Corrections and shall be  
41 fined not less than Two Thousand Dollars (\$2,000.00) nor more than  
42 Five Thousand Dollars (\$5,000.00).



43           ( \* \* \*5) For any third or subsequent misdemeanor conviction  
44 of any person violating any part of this section, the offenses  
45 being committed within a period of five (5) years, such person  
46 shall be guilty of a felony and shall be sentenced to not less  
47 than one (1) year nor more than five (5) years in the custody of  
48 the Department of Corrections and shall be fined not less than Two  
49 Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars  
50 (\$5,000.00).

51           ( \* \* \*6) Nothing contained in this section shall prevent  
52 proceedings against a person under any statute of this state or  
53 municipal ordinance defining any act as a crime or misdemeanor.

54           **SECTION 2.** This act shall take effect and be in force from  
55 and after July 1, 2019.

