

By: Senator(s) Fillingane, Blackwell,  
McLendon, Hill

To: Judiciary, Division B

SENATE BILL NO. 2099  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT THE CRIME OF MOTOR VEHICLE THEFT SHALL BE A  
3 FELONY; TO REVISE THE PENALTIES FOR THE COMMISSION OF MOTOR  
4 VEHICLE THEFT; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER  
5 THIS SECTION SHALL NOT BE REDUCED, SUSPENDED OR ELIGIBLE FOR  
6 PROBATION OR PAROLE; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 97-17-42, Mississippi Code of 1972, is  
9 amended as follows:

10 97-17-42. (1) Any person who shall, willfully and without  
11 authority, take possession of or take away a motor vehicle of any  
12 value belonging to another, with intent to either permanently or  
13 temporarily convert it or to permanently or temporarily deprive  
14 the owner of possession or ownership, and any person who knowingly  
15 shall aid and abet in the taking possession or taking away of the  
16 motor vehicle, shall be guilty of \* \* \* a felony and shall  
17 be \* \* \* fined not more than Ten Thousand Dollars (\$10,000.00), or  
18 imprisoned in the custody of the Department of Corrections for a  
19 term of not less than five (5) years but not to exceed twenty (20)  
20 years, or both.



21 (2) Any person convicted under this section who causes  
22 damage to any motor vehicle shall be ordered by the court to pay  
23 restitution to the owner or owners of the motor vehicle or  
24 vehicles damaged in the amount of damages caused to the vehicle  
25 and reasonable repair costs.

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

28 (4) Any person who shall be convicted for a second or  
29 subsequent offense under this section shall be fined not more than  
30 Twenty Thousand Dollars (\$20,000.00), or imprisoned in the \* \* \*  
31 custody of the Department of Corrections for a term \* \* \* of not  
32 less than ten (10) years but not to exceed forty (40) years, or  
33 both.

34 (5) Notwithstanding any other law to the contrary, the  
35 minimum terms imposed under this section shall not be reduced or  
36 suspended nor shall such person be eligible for probation or  
37 parole before the expiration of the minimum term of incarceration.

38 **SECTION 2.** This act shall take effect and be in force from  
39 and after July 1, 2023.

