

**Adopted  
AMENDMENT NO 2 PROPOSED TO**

**Senate Bill No. 2175**

**BY: Representative Horan**

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

8           **SECTION 1.** Section 97-17-70, Mississippi Code of 1972, is  
9 amended as follows:  
10           97-17-70. (1) A person commits the crime of receiving  
11 stolen property if he intentionally possesses, receives, retains  
12 or disposes of stolen property knowing that it has been stolen or  
13 having reasonable grounds to believe it has been stolen, unless  
14 the property is possessed, received, retained or disposed of with  
15 intent to restore it to the owner.



16 (2) The fact that the person who stole the property has not  
17 been convicted, apprehended or identified is not a defense to a  
18 charge of receiving stolen property.

19 (3) (a) Evidence that the person charged under this section  
20 stole the property that is the subject of the charge of receiving  
21 stolen property is not a defense to a charge under this section;  
22 however, dual charges of both stealing and receiving the same  
23 property shall not be brought against a single defendant in a  
24 single jurisdiction.

25 (b) Proof that a defendant stole the property that is  
26 the subject of a charge under this section shall be prima facie  
27 evidence that the defendant had knowledge that the property was  
28 stolen.

29 (4) Any person who shall be convicted of receiving stolen  
30 property which exceeds One Thousand Dollars (\$1,000.00) or more,  
31 but less than Five Thousand Dollars (\$5,000.00) in value and is  
32 not a motor vehicle shall be punished by imprisonment in the  
33 custody of the State Department of Corrections for a term not  
34 exceeding five (5) years or by a fine of not more than Ten  
35 Thousand Dollars (\$10,000.00), or both.

36 (5) Any person who shall be convicted of receiving stolen  
37 property which exceeds Five Thousand Dollars (\$5,000.00) or more,  
38 but less than Twenty-five Thousand Dollars (\$25,000.00) in value  
39 and is not a motor vehicle shall be punished by imprisonment in  
40 the custody of the State Department of Corrections for a term not



41 exceeding ten (10) years or by a fine of not more than Ten  
42 Thousand Dollars (\$10,000.00), or both.

43 (6) Any person who shall be convicted of receiving stolen  
44 property which exceeds Twenty-five Thousand Dollars (\$25,000.00)  
45 in value and is not a motor vehicle shall be punished by  
46 imprisonment in the custody of the State Department of Corrections  
47 for a term not less than five (5) years but not exceeding twenty  
48 (20) years or by a fine of not more than Ten Thousand Dollars  
49 (\$10,000.00), or both.

50 (7) Any person who shall be convicted of receiving stolen  
51 property which does not exceed One Thousand Dollars (\$1,000.00) in  
52 value and is not a motor vehicle may be punished by imprisonment  
53 in the county jail for not more than six (6) months or by a fine  
54 of not more than One Thousand Dollars (\$1,000.00), or both, if the  
55 court finds substantial and compelling reasons why the offender  
56 cannot be safely and effectively supervised in the community, is  
57 not amenable to community-based treatment, or poses a significant  
58 risk to public safety. If such a finding is not made, the court  
59 shall suspend the sentence of imprisonment and impose a period of  
60 probation not exceeding one (1) year or a fine of not more than  
61 One Thousand Dollars (\$1,000.00), or both. Any person convicted  
62 of a third or subsequent offense under this subsection where the  
63 value of the property is not less than Five Hundred Dollars  
64 (\$500.00), shall be imprisoned in the Penitentiary for a term not



65 exceeding three (3) years or fined an amount not exceeding One  
66 Thousand Dollars (\$1,000.00), or both.

67 (8) Any person who shall be convicted of receiving stolen  
68 property which is a motor vehicle under this section shall be  
69 punished by imprisonment in the custody of the State Department of  
70 Corrections for a term not less than five (5) years but not  
71 exceeding twenty (20) years or by a fine of not more than Ten  
72 Thousand Dollars (\$10,000.00), or both.

73 **SECTION 2.** This act shall take effect and be in force from  
74 and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

1 AN ACT TO AMEND SECTION 97-17-70, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT RECEIPT OF STOLEN PROPERTY VALUED AT A CERTAIN  
3 AMOUNT SHALL BE A FELONY WITH A MANDATORY MINIMUM TERM OF  
4 IMPRISONMENT; TO PROVIDE A MANDATORY SENTENCING RANGE FOR A PERSON  
5 CONVICTED OF THE RECEIPT OF STOLEN PROPERTY WHICH IS A MOTOR  
6 VEHICLE; AND FOR RELATED PURPOSES.

