

By: Representative Varner

To: Judiciary B

HOUSE BILL NO. 1312

1 AN ACT TO AMEND SECTIONS 97-3-25 AND 97-3-35, MISSISSIPPI
2 CODE OF 1972, TO REVISE THE ELEMENTS OF MANSLAUGHTER TO INCLUDE
3 INCITING ANOTHER TO COMMIT SUICIDE; TO BRING FORWARD SECTION
4 97-3-33, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR
5 UNINTENTIONAL MANSLAUGHTER, FOR PURPOSES OF AMENDMENT; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 97-3-25, Mississippi Code of 1972, is
9 amended as follows:

10 97-3-25. (1) Except as otherwise provided in this section,
11 any person convicted of manslaughter shall be fined in a sum not
12 less than Five Hundred Dollars (\$500.00), or imprisoned in the
13 county jail not more than one (1) year, or both, or in the custody
14 of the Department of Corrections not less than two (2) years, nor
15 more than twenty (20) years.

16 (2) (a) A person is guilty of child homicide if:

17 (i) The person is found guilty of manslaughter in
18 circumstances where the killing, although without malice, was
19 intentional and not accidental; * * * or



(ii) The person is found guilty of manslaughter when he or she knowingly incites any person to commit suicide, including, but not limited to, through the use of telephone, social media or electronic communications, and such incitement results in the self-inflicted death of such person; and

(* * *iii) The perpetrator was over the age of twenty-one (21) years and the victim was a child under the age of eighteen (18) years.

(b) A person found guilty of child homicide shall be imprisoned in the custody of the Department of Corrections for a term not to exceed thirty (30) years.

SECTION 2. Section 97-3-35, Mississippi Code of 1972, is amended as follows:

97-3-35. (1) The killing of a human being, without malice, in the heat of passion, but in a cruel or unusual manner, or by the use of a dangerous weapon, without authority of law, and not in necessary self-defense, shall be manslaughter.

(2) The killing of a human being, when he or she knowingly incites any person to commit suicide, including, but not limited to, the use of telephone, social media or electronic communications, and such incitement results in the self-inflicted death of such person.

SECTION 3. Section 97-3-33, Mississippi Code of 1972, is brought forward as follows:



44 97-3-33. The involuntary killing of a human being by the
45 act, procurement, or culpable negligence of another, while such
46 human being is engaged in the commission of a trespass or other
47 injury to private rights or property, or is engaged in an attempt
48 to commit such injury, shall be manslaughter.

49 **SECTION 4.** This act shall take effect and be in force from
50 and after July 1, 2025.

