

By: Representative Blackmon

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1105

1 AN ACT TO AMEND SECTION 97-17-67, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE OFFENSE OF MALICIOUS MISCHIEF; TO REVISE PENALTIES;
3 AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-17-67, Mississippi Code of 1972, is
6 amended as follows:

7 97-17-67. (1) Every person who shall maliciously or
8 mischievously destroy, disfigure, or injure, or cause to be
9 destroyed, disfigured, or injured, any property of another, either
10 real or personal, shall be guilty of malicious mischief.

11 (2) If the value of the property destroyed, disfigured or
12 injured is Five Hundred Dollars (\$500.00) or less, it shall be a
13 misdemeanor punishable by a fine of not more than One Thousand
14 Dollars (\$1,000.00) or imprisonment not exceeding twelve (12)
15 months in the county jail, or both.

16 (3) If the value of the property destroyed, disfigured or
17 injured is in excess of Five Hundred Dollars (\$500.00), it shall
18 be a felony punishable by a fine not exceeding Ten Thousand
19 Dollars (\$10,000.00) or imprisonment in the Penitentiary not
20 exceeding five (5) years, or both.

21 (4) In all cases restitution to the victim for all damages
22 shall be ordered. The value of property destroyed, disfigured or
23 injured by the same party as part of a common crime against
24 multiple victims may be aggregated together and if the value
25 exceeds One Thousand Dollars (\$1,000.00), shall be a felony.

26 (5) For purposes of this statute, value shall be the cost of
27 repair or replacement of the property damaged or destroyed.



28 (6) Anyone who by any word, deed or act directly or
29 indirectly urges, aids, abets, suggests or otherwise instills in
30 the mind of another the will to so act shall be considered a
31 principal in the commission of said crime and shall be punished in
32 the same manner.

33 **SECTION 2.** This act shall take effect and be in force from
34 and after July 1, 2003.

