

By: Senator(s) Doxey

To: Judiciary, Division B

SENATE BILL NO. 2258

1 AN ACT TO AMEND SECTIONS 97-11-31 AND 99-19-18, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT THE PENALTY FOR EMBEZZLEMENT OF  
3 PUBLIC FUNDS AND DIVERSION OF THOSE FUNDS TO A KNOWN TERRORIST  
4 ORGANIZATION IS LIFE IN PRISON; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 97-11-31, Mississippi Code of 1972, is  
7 amended as follows:

8 97-11-31. Except as provided in Section 99-19-18, if any  
9 officer, or other person employed in any public office, shall  
10 commit any fraud or embezzlement therein, he shall be committed to  
11 the department of corrections for not more than ten (10) years, or  
12 be fined not more than Five Thousand Dollars (\$5,000.00), or both.

13 **SECTION 2.** Section 99-19-18, Mississippi Code of 1972, is  
14 amended as follows:

15 99-19-18. (1) When any person is convicted of a felony or  
16 felonies in which public funds in the amount of Ten Thousand  
17 Dollars (\$10,000.00) or more were unlawfully taken, obtained or  
18 misappropriated, the sentence imposed by the court shall include a  
19 minimum term of imprisonment of one (1) year in the custody of the  
20 Department of Corrections. Notwithstanding any other law to the  
21 contrary, the mandatory minimum term shall not be reduced or  
22 suspended nor shall such person be eligible for probation or  
23 parole before the expiration of one (1) year of incarceration.

24 (2) When any person is convicted of a felony or felonies in  
25 which public funds were unlawfully taken, obtained or  
26 misappropriated and the public funds were thereafter diverted to a  
27 known terrorist organization, the sentence imposed by the court

28 shall be imprisonment for life in the custody of the Department of  
29 Corrections.

30         **SECTION 3.** This act shall take effect and be in force from  
31 and after July 1, 2005.