

By: Representative Snowden

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1151

1 AN ACT TO AMEND SECTION 97-23-19, MISSISSIPPI CODE OF 1972,
2 TO DEFINE INCORPORATED COMPANY FOR THE CRIME OF EMBEZZLEMENT; TO
3 REVISE PENALTIES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-23-19, Mississippi Code of 1972, is
6 amended as follows:

7 97-23-19. (1) Any director, agent, clerk, servant, or
8 officer of any incorporated company, or if any trustee or factor,
9 carrier or bailee, or any clerk, agent or servant of any private
10 person, shall embezzle or fraudulently secrete, conceal, or
11 convert to his own use, or make way with, or secrete with intent
12 to embezzle or convert to his own use, any goods, rights in
13 action, money, or other valuable security, effects, or property of
14 any kind or description which shall have come or been entrusted to
15 his care or possession by virtue of his office, place, or
16 employment, either in mass or otherwise, with a value of Five
17 Hundred Dollars (\$500.00) or more, he shall be guilty of felony
18 embezzlement, and, upon conviction thereof, shall be imprisoned in
19 the Penitentiary not more than ten (10) years, or fined not more
20 than Twenty-five Thousand Dollars (\$25,000.00), or both. If the
21 value of such goods, rights in action, money or other valuable
22 security, effects, or property of any kind is less than Five
23 Hundred Dollars (\$500.00), he shall be guilty of misdemeanor
24 embezzlement, and, upon conviction thereof, shall be imprisoned in
25 the county jail not more than six (6) months, or fined not more
26 than One Thousand Dollars (\$1,000.00), or both.

27 (2) For the purposes of this section "incorporated company"
28 includes all lawful entities created under Title 79.

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2007.