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Chapter No. 389

12/SS26/R496

JW / TB/EC

SENATE BILL NO. 2549

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2549

AN ACT TO AMEND SECTION 97-21-57, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT SELLING OR VENDING OF COUNTERFEIT GOODS IS PROHIBITED WHETHER DISCLOSURE IS MADE TO THE PURCHASER OR NOT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 97-21-57, Mississippi Code of 1972, is amended as follows:

97-21-57. (1) Every person who shall sell, vend, or possess with intent to sell or vend any goods, wares, or merchandise having thereon any forged or counterfeit stamp or label, imitating, resembling, or purporting to be the stamp or label of any mechanic or manufacturer, knowing the same to be forged or counterfeited, and resembling or purporting to be imitations of the stamps or labels of such mechanic or manufacturer * * * shall be punished as follows:

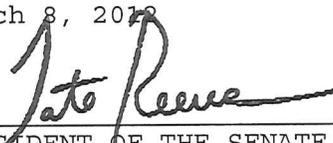
(a) If the goods or services to which the forged or counterfeit representation, likeness, similitude, copy, or imitation of the private stamp, wrappers, or labels are attached or affixed, or in connection with which they are used, or to which the offender intended they be attached or affixed, or in connection with which the offender intended they be used, have, in the aggregate, a retail value of the goods if they were not forged or counterfeited of One Thousand Dollars (\$1,000.00), or more, the person shall be guilty of a felony and, upon conviction, may be imprisoned for up to five (5) years and fined up to Ten Thousand Dollars (\$10,000.00); or

(b) If the goods or services to which the forged or counterfeit representation, likeness, similitude, copy, or imitation of the private stamp, wrappers, or labels are attached or affixed, or in connection with which they are used, or to which the offender intended they be attached or affixed, or in connection with which the offender intended they be used, have, in the aggregate, a retail value of the goods if they were not forged or counterfeited of less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor and, upon conviction, may be imprisoned for up to one (1) year and fined up to Five Thousand Dollars (\$5,000.00).

(2) Property used in any way to violate the provisions of this section shall be subject to forfeiture under Sections 97-21-101 and 97-21-103.

SECTION 2. This act shall take effect and be in force from and after July 1, 2012.

PASSED BY THE SENATE
March 8, 2012



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 5, 2012



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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