

West's Annotated Mississippi Code

Title 97. Crimes

Chapter 45. Computer Crimes and Identity Theft (Refs & Annos)

Miss. Code Ann. § 97-45-5

§ 97-45-5. Offenses against computer users

Currentness

(1) An offense against computer users is the intentional:

(a) Denial to an authorized user, without consent, of the full and effective use of or access to a computer, a computer system, a computer network or computer services; or

(b) Use or disclosure to another, without consent, of the numbers, codes, passwords or other means of access to a computer, a computer system, a computer network or computer services.

(2) Whoever commits an offense against computer users when the damage or loss or attempted damage or loss amounts to a value of less than One Thousand Dollars (\$1,000.00) may be punished, upon conviction, by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment for not more than six (6) months in the county jail, or by both if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both. The total value of property taken, stolen or carried away by the person from a single victim shall be aggregated in determining the gravity of the offense. Any person convicted of a third or subsequent offense under this subsection where the value of the property is not less than Five Hundred Dollars (\$500.00), shall be imprisoned in the Penitentiary for a term not exceeding three (3) years or fined an amount not exceeding One Thousand Dollars (\$1,000.00), or both.

(3) Whoever commits an offense against computer users when the damage or loss amounts to a value of One Thousand Dollars (\$1,000.00) or more but less than Five Thousand Dollars (\$5,000.00), may be punished, upon conviction, by a fine of not more than Ten Thousand Dollars (\$10,000.00), or imprisonment for not more than five (5) years, or by both such fine and imprisonment.

(4) Whoever commits an offense against computer users when the damage or loss amounts to a value of Five Thousand Dollars (\$5,000.00) or more but less than Twenty-five Thousand Dollars (\$25,000.00), may be punished, upon conviction, by a fine of not more than Ten Thousand Dollars (\$10,000.00), or imprisonment for not more than ten (10) years, or by both such fine and imprisonment.

(5) Whoever commits an offense against computer users when the damage or loss amounts to a value of Twenty-five Thousand Dollars (\$25,000.00) or more, may be punished, upon conviction, by a fine of not more than Ten Thousand Dollars (\$10,000.00), or imprisonment for not more than twenty (20) years, or by both such fine and imprisonment.

Credits

Laws 1985, Ch. 319, § 3, eff. July 1, 1985. Amended by [Laws 2014, Ch. 457 \(H.B. No. 585\)](#), § 32, eff. July 1, 2014.

Miss. Code Ann. § 97-45-5, MS ST § 97-45-5

The Statutes and Constitution are current with laws from the 2021 Regular Session effective through July 1, 2021. Some statute sections may be more current, see credits for details. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

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