

**73-18-20.7 Unlawful control over vessels -- Penalties -- Effect of prior consent -- Accessory or accomplice.**

- (1) Any person who exercises unauthorized control over a vessel, not his own, without the consent of the owner or lawful custodian and with intent to temporarily deprive the owner or lawful custodian of possession of the vessel, is guilty of a class A misdemeanor.
- (2) An offense under this section is a third degree felony if the actor does not return the vessel to the owner or lawful custodian within 24 hours after the exercise of unauthorized control.
- (3) The consent of the owner or legal custodian of a vessel to its control by the actor is not in any case presumed or implied because of the owner's or legal custodian's consent on a previous occasion to the control of the vessel by the same or a different person.
- (4) Any person who assists in, or is a party or accessory to or an accomplice in, an unauthorized taking or operating of a vessel is guilty of a class A misdemeanor.

Enacted by Chapter 216, 1990 General Session