

76-8-203 Unofficial misconduct.

- (1) A person is guilty of unofficial misconduct if the person exercises or attempts to exercise any of the functions of a public office when the person:
- (a) has not taken and filed the required oath of office;
 - (b) has failed to execute and file a required bond;
 - (c) has not been elected or appointed to office;
 - (d) exercises any of the functions of his office after his term has expired and the successor has been elected or appointed and has qualified, or after his office has been legally removed; or
 - (e) knowingly withholds or retains from his successor in office or other person entitled to the official seal or any records, papers, documents, or other writings appertaining or belonging to his office or mutilates or destroys or takes away the same.
- (2) Unofficial misconduct is a class B misdemeanor.

Amended by Chapter 336, 2011 General Session