

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2797

By Representative(s) Committee

47 **Amend by striking all after the enacting clause and inserting**
48 **in lieu thereof the following:**

49

50 SECTION 1. Section 45-33-21, Mississippi Code of 1972, is
51 codified as follows:

52 45-33-21. **Legislative findings and declaration of purpose.**

53 The Legislature finds that the danger of recidivism posed by
54 criminal sex offenders and the protection of the public from these
55 offenders is of paramount concern and interest to government. The
56 Legislature further finds that law enforcement agencies' efforts
57 to protect their communities, conduct investigations, and quickly
58 apprehend criminal sex offenders are impaired by the lack of
59 information shared with the public, which lack of information may
60 result in the failure of the criminal justice system to identify,
61 investigate, apprehend, and prosecute criminal sex offenders.

62 The Legislature further finds that the system of registering
63 criminal sex offenders is a proper exercise of the state's police
64 power regulating present and ongoing conduct. Comprehensive
65 registration and periodic address verification will provide law
66 enforcement with additional information critical to preventing
67 sexual victimization and to resolving promptly incidents involving
68 sexual abuse and exploitation. It will allow law enforcement
69 agencies to alert the public when necessary for the continued

70 protection of the community.

71 Persons found to have committed a sex offense have a reduced
72 expectation of privacy because of the public's interest in safety
73 and in the effective operation of government. In balancing
74 offenders' due process and other rights, and the interests of
75 public security, the Legislature finds that releasing such
76 information about criminal sex offenders to the general public
77 will further the primary governmental interest of protecting
78 vulnerable populations and, in some instances the public, from
79 potential harm.

80 Therefore, the state's policy is to assist local law
81 enforcement agencies' efforts to protect their communities by
82 requiring criminal sex offenders to register, to record their
83 addresses of residence, to be photographed and fingerprinted, and
84 to authorize the release of necessary and relevant information
85 about criminal sex offenders to the public as provided in this
86 act, which may be referred to as the Mississippi Sex Offenders
87 Registration Law.

88 SECTION 2. Section 45-33-23, Mississippi Code of 1972, is
89 codified as follows:

90 45-33-23. **Definitions.**

91 For the purposes of this chapter, the following words shall
92 have the meanings ascribed herein unless the context clearly
93 requires otherwise:

94 (a) "Conviction" shall mean that, regarding the
95 person's offense, there has been a determination or judgment of
96 guilt as a result of a trial or the entry of a plea of guilty or
97 nolo contendere, regardless of whether adjudication is withheld.
98 "Conviction of similar offenses" includes, but is not limited to,
99 a conviction by a federal or military tribunal, including a court
100 martial conducted by the Armed Forces of the United States, a
101 conviction for an offense committed on an Indian Reservation or
102 other federal property, and a conviction in any state of the
103 United States.

104 (b) "Jurisdiction" shall mean any state court, federal

105 court, military court or Indian tribunal.

106 (c) "Permanent residence" is defined as a place where
107 the person abides, lodges, or resides for a period of fourteen
108 (14) or more consecutive days.

109 (d) "Registration duties" means obtaining the
110 registration information required on the form specified by the
111 department as well as the photograph, fingerprints, and blood
112 sample of the registrant. Blood samples are to be forwarded to
113 the State Crime Laboratory pursuant to Section 45-33-37; the
114 photograph, fingerprints and other registration information are to
115 be forwarded to the Department of Public Safety within three (3)
116 days.

117 (e) "Responsible agency" is defined as the person or
118 government entity whose duty it is to obtain information from a
119 criminal sex offender upon conviction and to transmit that
120 information to the Mississippi Department of Public Safety.

121 (i) For a criminal sex offender being released
122 from the custody of the Department of Corrections, the responsible
123 agency is the Department of Corrections.

124 (ii) For a criminal sex offender being released
125 from a county jail, the responsible agency is the sheriff of that
126 county.

127 (iii) For a criminal sex offender being released
128 from a municipal jail, the responsible agency is the police
129 department of that municipality.

130 (iv) For a sex offender in the custody of youth
131 court, the responsible agency is the youth court.

132 (v) For a criminal sex offender who is being
133 placed on probation, including conditional discharge or
134 unconditional discharge, without any sentence of incarceration,
135 the responsible agency is the sentencing court.

136 (vi) For an offender who has been committed to a
137 mental institution following an acquittal by reason of insanity,
138 the responsible agency is the facility from which the offender is
139 released. Specifically, the director of said facility shall

140 notify the Department of Public Safety prior to the offender's
141 release.

142 (vii) For a criminal sex offender who is being
143 released from a jurisdiction outside this state or who has a prior
144 conviction in another state and who is to reside in this state,
145 the responsible agency is the Department of Public Safety.

146 (f) "Sex offense" means any of the following offenses:

147 (i) Section 97-3-53 relating to kidnapping, if the
148 victim was below the age of eighteen (18);

149 (ii) Section 97-3-65 relating to rape;

150 (iii) Section 97-3-71 relating to rape and assault
151 with intent to ravish;

152 (iv) Section 97-3-95 relating to sexual battery;

153 (v) Section 97-5-23 relating to the touching of a
154 child for lustful purposes;

155 (vi) Section 97-5-27 relating to the dissemination
156 of sexually oriented material to children;

157 (vii) Section 97-5-33 relating to the exploitation
158 of children;

159 (viii) Section 97-5-41 relating to the carnal
160 knowledge of a stepchild, adopted child or child of a cohabiting
161 partner;

162 (ix) Section 97-29-59 relating to unnatural
163 intercourse;

164 (x) Any other offense committed in another
165 jurisdiction, which, if committed in this state, would be deemed
166 to be such a crime without regard to its designation elsewhere; or

167 (xi) Any offense committed in another state for
168 which registration is required in that state.

169 (g) "Sexual predator" means a person who has been
170 convicted of a sex offense or offenses as described in Section
171 45-33-45 and who has been designated as a sexual predator
172 according to the terms of that section.

173 (h) "Temporary residence" is defined as a place where
174 the person abides, lodges, or resides for a period of fourteen

175 (14) or more days in the aggregate during any calendar year and
176 which is not the person's permanent address; for a person whose
177 permanent residence is not in this state, the place where the
178 person is employed, practices a vocation, or is enrolled as a
179 student for any period of time in the state; or a place where a
180 person routinely abides, lodges, or resides for a period of four
181 (4) or more consecutive or nonconsecutive days in any month and
182 which is not the person's permanent residence.

183 (i) "Department" unless otherwise specified is defined
184 as the Mississippi Department of Public Safety.

185 SECTION 3. Section 45-33-25, Mississippi Code of 1972, is
186 codified as follows:

187 45-33-25. **Registration with Mississippi Department of Public**
188 **Safety of all Convicted Sex Offenders; Registration Information.**

189 (1) Any person residing in this state who has been convicted
190 of any sex offense or attempted sex offense or who has been
191 acquitted by reason of insanity for any sex offense or attempted
192 sex offense or twice adjudicated delinquent for any sex offense or
193 attempted sex offense shall register with the Mississippi
194 Department of Public Safety. The department shall provide the
195 initial registration information as well as every change of
196 address to the sheriff of the county of the residence address of
197 the registrant through either written notice, electronic or
198 telephone transmissions, or online access to registration
199 information. Further, the department shall provide this
200 information to the Federal Bureau of Investigation. Additionally,
201 upon notification by the registrant that he intends to reside
202 outside the State of Mississippi, the department shall notify the
203 appropriate state law enforcement agency of any state to which a
204 registrant is moving or has moved.

205 (2) The following information shall be required for
206 registration:

- 207 (a) Name;
- 208 (b) Address;
- 209 (c) Place of employment;

- 210 (d) Crime for which convicted;
- 211 (e) Date and place of conviction, adjudication or
212 acquittal by reason of insanity;
- 213 (f) Aliases used;
- 214 (g) Social security number;
- 215 (h) Date of birth;
- 216 (i) Age, race, sex, height, weight, and hair and eye
217 colors;
- 218 (j) A brief description of the offense or offenses for
219 which the registration is required;
- 220 (k) Identifying factors;
- 221 (l) Anticipated future residence;
- 222 (m) Offense history;
- 223 (n) Photograph;
- 224 (o) Fingerprints;
- 225 (p) For sexual predators, documentation of any
226 treatment received for any mental abnormality or personality
227 disorder of the person;
- 228 (q) Blood sample; and
- 229 (r) Any other information deemed necessary.

230 (3) For purposes of this chapter, a person is considered to
231 be residing in this state if he maintains a permanent or temporary
232 residence as defined in Section 45-33-23, including students,
233 temporary employees and military personnel on assignment.

234 SECTION 4. Section 45-33-27, Mississippi Code of 1972, is
235 codified as follows:

236 45-33-27. Time Frame for Registration of Offenders.

237 (1) A person required to register on the basis of a
238 conviction, adjudication of delinquency or acquittal by reason of
239 insanity entered shall register within three (3) days of the date
240 of judgment unless the person is immediately confined or
241 committed, in which case the person shall register when released
242 in accordance with the procedures established by the department.
243 The court shall inform the person of the duty to register and
244 obtain the information required for registration and forward the

245 registration information to the department within three (3) days.

246 (2) If a person who is required to register under this
247 section is released from prison or placed on parole or supervised
248 release, the Department of Corrections shall perform the
249 registration duties at the time of release and forward the
250 registration information to the Department of Public Safety within
251 three (3) days.

252 (3) If a person required to register under this section is
253 placed on probation, the court, at the time of entering the order,
254 shall obtain the registration information and forward the
255 registration information to the Department of Public Safety within
256 three (3) days.

257 (4) Any person required to register who is neither
258 incarcerated, detained nor committed at the time the requirement
259 to register shall attach shall present himself to the county
260 sheriff who shall perform the registration duties and forward the
261 registration information to the Department of Public Safety within
262 three (3) days.

263 (5) An offender moving to or returning to this state from
264 another jurisdiction shall notify the Department of Public Safety
265 ten (10) days before the person first resides in or returns to a
266 county in this state and shall register with the department within
267 ten (10) days of first residing in or returning to a county of
268 this state. The offender must then present himself to the sheriff
269 of the county in which he intends to reside to provide the
270 required registration information.

271 (6) A person, other than a person confined in a correctional
272 or juvenile detention facility or involuntarily committed on the
273 basis of mental illness, who is required to register on the basis
274 of a sex offense for which a conviction, adjudication of
275 delinquency or acquittal by reason of insanity was entered prior
276 to July 1, 1995, shall register with the sheriff of the county in
277 which he resides no later than August 15, 2000.

278 SECTION 5. Section 45-33-29, Mississippi Code of 1972, is
279 codified as follows:

280 45-33-29. **Address Change Notification.**

281 Upon any change of address, an offender under this chapter
282 must notify the department in writing no less than ten (10) days
283 before he intends to first reside at the new address.

284 SECTION 6. Section 45-33-31, Mississippi Code of 1972, is
285 codified as follows:

286 45-33-31. **Reregistration.**

287 A registrant shall reregister every ninety (90) days by
288 submitting current information to the department verifying his
289 registration information, including address, telephone number,
290 place of employment, address of employment, and any other
291 registration information that may need to be verified.

292 (a) The Department of Public Safety shall mail a
293 nonforwardable verification form to the last reported address of
294 the person every ninety (90) days.

295 (b) The person shall mail the verification form to the
296 department within ten (10) days after receipt of the form
297 verifying that the person resides at the address last reported.

298 (c) If the person fails to mail the verification form
299 to the department within ten (10) days after receipt of the form,
300 the person shall be in violation of this section.

301 SECTION 7. Section 45-33-33, Mississippi Code of 1972, is
302 codified as follows:

303 45-33-33. **Failure to Register; Penalties and Enforcement.**

304 (1) The failure of an offender to provide any registration
305 or other information, including, but not limited to, initial
306 registration, reregistration or change of address information, as
307 required by this chapter, is a violation of the law.
308 Additionally, forgery of information or submission of information
309 under false pretenses is also a violation of the law.

310 (2) Unless otherwise specified, a violation of this chapter
311 shall be considered a felony and shall be punishable by a fine not
312 more than Five Thousand Dollars (\$5,000.00) or imprisonment in the
313 State Penitentiary for not more than five (5) years, or both fine
314 and imprisonment.

315 (3) Whenever it appears that an offender has failed to
316 comply with the duty to register or reregister, the department
317 shall promptly notify the sheriff of the county of the last known
318 address of the offender. Upon notification, the sheriff shall
319 attempt to locate the offender at his last known address.

320 (a) If the sheriff locates the offender he shall
321 enforce the provisions of this chapter. The sheriff shall then
322 notify the department with the current information regarding the
323 offender.

324 (b) If the sheriff is unable to locate the offender,
325 the sheriff shall promptly notify the department and initiate a
326 criminal prosecution against the offender for the failure to
327 register or reregister. The sheriff shall make the appropriate
328 transactions into the Federal Bureau of Investigation's
329 wanted-person database.

330 (4) A first violation of this chapter may result in the
331 arrest of the offender. Upon any second or subsequent violation
332 of this chapter, the offender shall be arrested for such
333 violation.

334 SECTION 8. Section 45-33-35, Mississippi Code of 1972, is
335 codified as follows:

336 **45-33-35. Central Registry of Offenders; Duties of Agencies**
337 **to Provide Information.**

338 (1) The Mississippi Department of Public Safety shall
339 maintain a central registry of sex offender information as defined
340 in Section 45-33-25 and shall adopt rules and regulations
341 necessary to carry out this section. The responsible agencies
342 shall provide the information required in Section 45-33-25 on a
343 form developed by the department to ensure accurate information is
344 maintained.

345 (2) Upon conviction, adjudication or acquittal by reason of
346 insanity of any sex offender, if the sex offender is not
347 immediately confined or not sentenced to a term of imprisonment,
348 the clerk of the court which convicted and sentenced the sex
349 offender shall inform the person of the duty to register and shall

350 perform the registration duties as described in Section 45-33-23
351 and forward the information to the department.

352 (3) Upon release from prison, placement on parole or
353 supervised release, the Department of Corrections shall inform the
354 person of the duty to register and shall perform the registration
355 duties as described in Section 45-33-23 and forward the
356 information to the Department of Public Safety.

357 (4) Upon release from confinement in a mental institution
358 following an acquittal by reason of insanity, the director of the
359 facility shall inform the offender of the duty to register and
360 shall notify the Department of Public Safety of the offender's
361 release.

362 (5) Upon release from a youthful offender facility, the
363 director of the facility shall inform the person of the duty to
364 register and shall perform the registration duties as described in
365 Section 45-33-23 and forward the information to the Department of
366 Public Safety.

367 (6) In addition to performing the registration duties, the
368 responsible agency shall:

369 (a) Inform the person having a duty to register that:

370 (i) The person shall report in writing any change
371 of address to the department ten (10) days before changing
372 address.

373 (ii) Any change of address to another state shall
374 be reported to the department in writing no less than ten (10)
375 days before the change of address. The offender shall comply with
376 any registration requirement in the new state.

377 (iii) The person must register in any state where
378 the person is employed, carries on a vocation, is stationed in the
379 military or is a student.

380 (iv) All address verifications must be returned to
381 the department within the required time period.

382 (b) Require the person to read and sign a form stating
383 that the duty of the person to register under this chapter has
384 been explained.

385 (c) Obtain or facilitate the obtaining of a blood
386 sample from every registrant as required by this chapter if such
387 blood sample has not already been provided to the Mississippi
388 Crime Lab.

389 SECTION 9. Section 45-33-37, Mississippi Code of 1972, is
390 codified as follows:

391 **45-33-37. DNA Identification System; Convicted Sex Offender**
392 **to Provide Blood Sample for Purposes of DNA Identification**
393 **Analysis.**

394 (1) The Mississippi Crime Laboratory shall develop a plan
395 for and establish a deoxyribonucleic acid (DNA) identification
396 system. In implementing the plan, the Mississippi Crime
397 Laboratory shall purchase the appropriate equipment. The DNA
398 identification system as established herein shall be compatible
399 with that utilized by the Federal Bureau of Investigation.

400 (2) From and after January 1, 1996, every individual
401 convicted of a sex offense or in the custody of the Mississippi
402 Department of Corrections for a sex offense as defined in Section
403 45-33-23 shall have a blood sample drawn for purposes of DNA
404 identification analysis before release from or transfer to a state
405 correctional facility or county jail or other detention facility.

406 (3) From and after January 1, 1996, any person having a duty
407 to register under Section 45-33-25 for whom a DNA analysis is not
408 already on file shall have a blood sample drawn for purposes of
409 DNA identification analysis within five (5) working days after
410 registration.

411 SECTION 10. Section 45-33-39, Mississippi Code of 1972, is
412 codified as follows:

413 **45-33-39. Notification to Defendant Charged with Sex**
414 **Offense; Notice Included on any Guilty Plea Form and Judgement and**
415 **Sentence Forms.**

416 (1) The court shall provide written notification to any
417 defendant charged with a sex offense as defined by this chapter of
418 the registration requirements of Sections 45-33-25 and 45-33-31.
419 Such notice shall be included on any guilty plea forms and

420 judgment and sentence forms provided to the defendant. The court
421 shall obtain a written acknowledgment of receipt on each occasion.

422 (2) A court imposing a sentence, disposition or order of
423 commitment following acquittal by reason of insanity shall notify
424 the offender of the registration requirements of Sections 45-33-25
425 and 45-33-31. The court shall obtain a written acknowledgment of
426 receipt on each occasion.

427 SECTION 11. Section 45-33-41, Mississippi Code of 1972, is
428 codified as follows:

429 45-33-41. **Notification to Inmates and Offenders by**
430 **Department of Corrections, County or Municipal Jails, and Juvenile**
431 **Detention Facilities; Victim Notification.**

432 (1) The Department of Corrections or any person having
433 charge of a county or municipal jail or any juvenile detention
434 facility shall provide written notification to an inmate or
435 offender in the custody of the jail or other facility due to a
436 conviction of or adjudication for a sex offense of the
437 registration requirements of Sections 45-33-25 and 45-33-31 at the
438 time of the inmate's or offender's confinement and release from
439 confinement and shall receive a signed acknowledgment of receipt
440 on both occasions.

441 (2) At least ten (10) days prior to the inmate's release
442 from confinement, the Department of Corrections shall notify the
443 victim of the offense or a designee of the immediate family of the
444 victim regarding the date when the offender's release shall occur,
445 provided a current address of the victim or designated family
446 member has been furnished in writing to the Director of Records
447 for such purpose.

448 SECTION 12. Section 45-33-43, Mississippi Code of 1972, is
449 codified as follows:

450 45-33-43. **Written Notification to Certain Applicants for a**
451 **Driver's License.**

452 At the time a person surrenders a driver's license from
453 another jurisdiction and makes an application for a driver's
454 license, the department shall provide the applicant with written

455 information on the registration requirements of this chapter.

456 SECTION 13. Section 45-33-45, Mississippi Code of 1972, is
457 codified as follows:

458 45-33-45. **Sexual Predator Designation.**

459 (1) The designation of a person as a sexual predator is
460 neither a sentence nor a punishment, but is simply a status
461 resulting from the conviction of certain crimes.

462 (2) An offender shall be designated a sexual predator in the
463 State of Mississippi if:

464 (a) The offender is convicted of any of the following
465 crimes on or after July 1, 1995.

466 (i) Section 97-3-65 relating to rape and carnal
467 knowledge of a child under fourteen (14) years of age;

468 (ii) Section 97-3-71 relating to rape and assault
469 with intent to ravish;

470 (iii) Section 97-3-95 relating to sexual battery;

471 (iv) Subsections (1) and (2) of Section 97-5-33
472 relating to the exploitation of children;

473 (v) Section 97-5-41 relating to the carnal
474 knowledge of a stepchild, adopted child or child of a cohabiting
475 partner; or

476 (vi) Any violation of a similar law of another
477 jurisdiction.

478 (b) The offender receives two (2) separate convictions
479 of any of the qualifying offenses as described in Section 45-33-23
480 as long as one (1) of the convictions was entered on or after July
481 1, 1995.

482 (c) The offender is twice adjudicated delinquent in a
483 youth court for the crime of rape pursuant to Section 97-3-65 or
484 sexual battery pursuant to Section 97-3-95.

485 (3) When an offender is before the court for sentencing for
486 one of the above qualifying offenses, the sentencing court shall
487 make a written finding at the time of sentencing that the offender
488 is a sexual predator based on a first conviction for the crimes
489 described in subsection (2)(a) above or a second conviction for

490 any of the qualifying offenses in this chapter. The court shall
491 submit a copy of the court order containing the written finding to
492 the department and also to the Department of Corrections, if the
493 offender is incarcerated.

494 (4) If the department, the Department of Corrections, or any
495 other law enforcement agency obtains information suggesting an
496 offender meets the "sexual predator" designation criteria, but has
497 not been designated as a sexual predator in writing by the court,
498 that agency shall notify the district attorney of the district in
499 which the offender resides. The district attorney shall then seek
500 a court order to obtain the designation.

501 (5) Any offender convicted as described in subsection (2) of
502 this section shall be required to maintain lifetime registration
503 without the opportunity to petition for removal from the sex
504 offender registry.

505 (6) The offender will be considered a sexual predator for
506 such convictions unless the conviction was set aside in any
507 post-conviction proceeding or the offender received a pardon or
508 similar relief. An offender who resides in Mississippi and who
509 has been designated a sexual predator, a sexually violent predator
510 or a similar designation in another state will be designated a
511 sexual predator in the Mississippi sex offender registry.

512 SECTION 14. Section 45-33-47, Mississippi Code of 1972, is
513 codified as follows:

514 45-33-47. **Petition for Relief from Duty to Register;**

515 **Grounds.**

516 (1) A sex offender with a duty to register under Section
517 45-33-25 shall only be relieved of the duty under subsection (2)
518 of this section.

519 (2) A person having a duty to register under Section
520 45-33-25 may petition the circuit court to be relieved of that
521 duty under the following conditions:

522 (a) The offender has maintained his registration for
523 not less than ten (10) years from the date of occurrence of at
524 least one (1) of the following: release from prison, placement on

525 parole, supervised release or probation.

526 (b) The offender has not been designated a sexual
527 predator.

528 (3) In determining whether to release an offender from the
529 obligation to register, the court shall consider the nature of the
530 registerable offense committed and the criminal and relevant
531 noncriminal behavior of the petitioner both before and after
532 conviction. The court may relieve the offender of the duty to
533 register only if the petitioner shows, by clear and convincing
534 evidence, that future registration of the petitioner will not
535 serve the purposes of this chapter.

536 SECTION 15. Section 45-33-49, Mississippi Code of 1972, is
537 codified as follows:

538 **45-33-49. Disclosure to Public; Notification of Schools and**
539 **Day Care Centers; Guidelines for Sheriffs as to Notification;**
540 **Maintenance of Records.**

541 (1) Records maintained pursuant to this chapter shall be
542 open to law enforcement agencies which shall be authorized to
543 release relevant and necessary information regarding sex offenders
544 to the public.

545 (2) The identity of a victim of an offense that requires
546 registration under this chapter shall not be released.

547 (3) A sheriff shall maintain records for registrants of the
548 county and shall make available to any person upon request the
549 name, address, place of employment, crime for which convicted,
550 date and place of conviction of any registrant, and any other
551 information deemed necessary for the protection of the public.
552 The sheriffs shall be responsible for verifying their respective
553 registries annually against the department's records to ensure
554 current information is available at both levels.

555 (4) Upon written request, the department may also provide to
556 any person the name, address, photograph, if available, place of
557 employment, crime for which convicted, date and place of
558 conviction of any registrant, and any other information deemed
559 necessary for the protection of the public. Additionally, the

560 department may utilize an internet website or other electronic
561 means to release the information.

562 (5) The Department of Education, the Mississippi Private
563 School Association and the Department of Health shall notify all
564 schools and licensed day care centers annually regarding the
565 availability upon request of this information.

566 (6) Nothing in this section shall be construed to prevent
567 law enforcement officers from notifying members of the public
568 exposed to danger of any circumstances or individuals that pose a
569 danger under circumstances that are not enumerated in this
570 section.

571 (7) Nothing in this chapter shall be construed to prevent
572 law enforcement officers from providing community notification of
573 any circumstances or individuals that pose or could pose a danger
574 under circumstances that are not enumerated in this chapter.

575 SECTION 16. Section 45-33-51, Mississippi Code of 1972, is
576 codified as follows:

577 45-33-51. **Misuse of Information; Penalties.**

578 (1) Any person who willfully misuses or alters public record
579 information relating to a sex offender or sexual predator,
580 including information displayed by law enforcement agencies on web
581 sites, shall be guilty of a misdemeanor and shall be punished by a
582 fine of not more than One Thousand Dollars (\$1,000.00) or
583 imprisonment in the county jail not more than six (6) months, or
584 both.

585 (2) The sale or exchange of sex offender information for
586 profit is prohibited. Any violation of this subsection (2) is a
587 misdemeanor and shall be punished by a fine of not more than One
588 Thousand Dollars (\$1,000.00) or imprisonment in the county jail
589 not more than six (6) months, or both.

590 SECTION 17. Section 45-33-53, Mississippi Code of 1972, is
591 codified as follows:

592 45-33-53. **Immunity from Civil Liability; Immunity for**
593 **Exercise of Discretion Under Act.**

594 (1) An elected public official, public employee, or public

595 agency is immune from civil liability for damages for any
596 discretionary decision to release relevant and necessary
597 information unless it is shown that the official, employee, or
598 agency acted with gross negligence or in bad faith. The immunity
599 provided under this section applies to the release of relevant
600 information to other employees or officials or to the general
601 public.

602 (2) Nothing in this chapter shall be deemed to impose any
603 liability upon or to give rise to a cause of action against any
604 public official, public employee, or public agency for failing to
605 release information as authorized in this section.

606 (3) Notwithstanding any other provision of law to the
607 contrary, any person who provides or fails to provide information
608 relevant to the procedures set forth in this chapter shall not be
609 liable therefor in any civil or criminal action. Nothing herein
610 shall be deemed to grant any such immunity to any person for his
611 willful or wanton act of commission or omission.

612 SECTION 18. Section 45-33-55, Mississippi Code of 1972, is
613 codified as follows:

614 45-33-55. **Exemptions for Expunction.**

615 Except for juvenile criminal history information that has
616 been sealed by order of the court, this chapter exempts sex
617 offenses from laws of this state or court orders authorizing the
618 destroying, expunging, purging or sealing of criminal history
619 records to the extent such information is authorized for
620 dissemination under this chapter.

621 SECTION 19. Section 45-33-57, Mississippi Code of 1972, is
622 codified as follows:

623 45-33-57. **Fees.**

624 The Department of Public Safety may adopt regulations to
625 establish fees to be charged for information requests.

626 SECTION 20. Sections 45-33-1, 45-33-3, 45-33-5, 45-33-7,
627 45-33-9, 45-33-11, 45-33-13, 45-33-15, 45-33-17 and 45-33-19,
628 Mississippi Code of 1972, which deal with the registration of
629 convicted sex offenders, are repealed.

630 SECTION 21. Sections 45-31-1, 45-31-3, 45-31-5, 45-31-7,
631 45-31-9, 45-31-11, 45-31-12, 45-31-13, 45-31-15, 45-31-17, and
632 45-31-19, Mississippi Code of 1972, which comprise the Sex Offense
633 Criminal History Record Information Act, are repealed.

634 SECTION 22. Section 43-21-255, Mississippi Code of 1972, is
635 amended as follows:

636 43-21-255. (1) Except as otherwise provided by this
637 section, all records involving children made and retained by law
638 enforcement officers and agencies or by the youth court prosecutor
639 and the contents thereof shall be kept confidential and shall not
640 be disclosed except as provided in Section 43-21-261.

641 (2) A child in the jurisdiction of the youth court and who
642 has been taken into custody for an act, which if committed by an
643 adult would be considered a felony or offenses involving
644 possession or use of a dangerous weapon or any firearm, may be
645 photographed or fingerprinted or both. Any law enforcement agency
646 taking such photographs or fingerprints shall immediately report
647 the existence and location of the photographs and fingerprints to
648 the youth court. Copies of fingerprints known to be those of a
649 child shall be maintained on a local basis only. Such copies of
650 fingerprints may be forwarded to another local, state or federal
651 bureau of criminal identification or regional depository for
652 identification purposes only. Such copies of fingerprints shall
653 be returned promptly and shall not be maintained by such agencies.

654 (3) Any law enforcement record involving children who have
655 been taken into custody for an act, which if committed by an adult
656 would be considered a felony and/or offenses involving possession
657 or use of a dangerous weapon including photographs and
658 fingerprints, may be released to a law enforcement agency
659 supported by public funds, youth court officials and appropriate
660 school officials without a court order under Section 43-21-261.
661 Law enforcement records shall be released to youth court officials
662 and to appropriate school officials upon written request. Except
663 as provided in subsection (4) of this section, any law enforcement
664 agency releasing such records of children in the jurisdiction of

665 the youth court shall immediately report the release and location
666 of the records to the youth court. The law enforcement agencies,
667 youth court officials and school officials receiving such records
668 are prohibited from using the photographs and fingerprints for any
669 purpose other than for criminal law enforcement and juvenile law
670 enforcement. Each law enforcement officer or employee, each youth
671 court official or employee and each school official or employee
672 receiving the records shall submit to the sender a signed
673 statement acknowledging his or her duty to maintain the
674 confidentiality of the records. In no instance shall the fact
675 that such records of children in the jurisdiction of the youth
676 court exist be conveyed to any private individual, firm,
677 association or corporation or to any public or quasi-public agency
678 the duties of which do not include criminal law enforcement or
679 juvenile law enforcement.

680 (4) When a child's driver's license is suspended for refusal
681 to take a test provided under the Mississippi Implied Consent Law,
682 the law enforcement agency shall report such refusal, without a
683 court order under Section 43-21-261, to the Commissioner of Public
684 Safety in the same manner as such suspensions are reported in
685 cases involving adults.

686 (5) All records involving a child convicted as an adult or
687 who has been twice adjudicated delinquent for a sex offense as
688 defined by Section 45-33-23, Mississippi Code of 1972, shall be
689 public and shall not be kept confidential.

690 SECTION 23. Section 43-21-261, Mississippi Code of 1972, is
691 amended as follows:

692 43-21-261. (1) Except as otherwise provided in this
693 section, records involving children shall not be disclosed, other
694 than to necessary staff of the youth court, except pursuant to an
695 order of the youth court specifying the person or persons to whom
696 the records may be disclosed, the extent of the records which may
697 be disclosed and the purpose of the disclosure. Such court orders
698 for disclosure shall be limited to those instances in which the
699 youth court concludes, in its discretion, that disclosure is

700 required for the best interests of the child, the public safety or
701 the functioning of the youth court and then only to the following
702 persons:

703 (a) The judge of another youth court or member of
704 another youth court staff;

705 (b) The court of the parties in a child custody or
706 adoption cause in another court;

707 (c) A judge of any other court or members of another
708 court staff;

709 (d) Representatives of a public or private agency
710 providing supervision or having custody of the child under order
711 of the youth court;

712 (e) Any person engaged in a bona fide research purpose,
713 provided that no information identifying the subject of the
714 records shall be made available to the researcher unless it is
715 absolutely essential to the research purpose and the judge gives
716 prior written approval, and the child, through his or her
717 representative, gives permission to release the information;

718 (f) The Mississippi Employment Security Commission, or
719 its duly authorized representatives, for the purpose of a child's
720 enrollment into the Job Corps Training Program as authorized by
721 Title IV of the Comprehensive Employment Training Act of 1973 (29
722 USCS Section 923 et seq.). However, no records, reports,
723 investigations or information derived therefrom pertaining to
724 child abuse or neglect shall be disclosed; and

725 (g) To any person pursuant to a finding by a judge of
726 the youth court of compelling circumstances affecting the health
727 or safety of a child and that such disclosure is in the best
728 interests of the child.

729 Law enforcement agencies may disclose information to the
730 public concerning the taking of a child into custody for the
731 commission of a delinquent act without the necessity of an order
732 from the youth court. The information released shall not identify
733 the child or his address unless the information involves a child
734 convicted as an adult.

735 (2) Any records involving children which are disclosed under
736 an order of the youth court and the contents thereof shall be kept
737 confidential by the person or agency to whom the record is
738 disclosed except as provided in the order. Any further disclosure
739 of any records involving children shall be made only under an
740 order of the youth court as provided in this section.

741 (3) Upon request, the parent, guardian or custodian of the
742 child who is the subject of a youth court cause or any attorney
743 for such parent, guardian or custodian, shall have the right to
744 inspect any record, report or investigation which is to be
745 considered by the youth court at a hearing, except that the
746 identity of the reporter shall not be released, nor the name of
747 any other person where the person or agency making the information
748 available finds that disclosure of the information would be likely
749 to endanger the life or safety of such person.

750 (4) Upon request, the child who is the subject of a youth
751 court cause shall have the right to have his counsel inspect and
752 copy any record, report or investigation which is filed with the
753 youth court.

754 (5) (a) The youth court prosecutor or prosecutors, the
755 county attorney, the district attorney, the youth court defender
756 or defenders, or any attorney representing a child shall have the
757 right to inspect any law enforcement record involving children.

758 (b) The Department of Human Services shall disclose to
759 a county prosecuting attorney or district attorney any and all
760 records resulting from an investigation into suspected child abuse
761 or neglect when the case has been referred by the Department of
762 Human Services to the county prosecuting attorney or district
763 attorney for criminal prosecution.

764 (c) Agency records made confidential under the
765 provisions of this section may be disclosed to a court of
766 competent jurisdiction.

767 (6) Information concerning an investigation into a report of
768 child abuse or child neglect may be disclosed by the Department of
769 Human Services without order of the youth court to any attorney,

770 physician, dentist, intern, resident, nurse, psychologist, social
771 worker, child care giver, minister, law enforcement officer,
772 public or private school employee making that report pursuant to
773 Section 43-21-353(1) if the reporter has a continuing professional
774 relationship with the child and a need for such information in
775 order to protect or treat the child.

776 (7) Information concerning an investigation into a report of
777 child abuse or child neglect may be disclosed without further
778 order of the youth court to any interagency child abuse task force
779 established in any county or municipality by order of the youth
780 court of that county or municipality.

781 (8) Names and addresses of juveniles twice adjudicated as
782 delinquent for an act which would be a felony if committed by an
783 adult or for the unlawful possession of a firearm shall not be
784 held confidential and shall be made available to the public.

785 (9) Names and addresses of juveniles adjudicated as
786 delinquent for murder, manslaughter, burglary, arson, armed
787 robbery, aggravated assault, any sex offense as defined in Section
788 45-33-23, for any violation of Section 41-29-139(a)(1) or for any
789 violation of Section 63-11-30, shall not be held confidential and
790 shall be made available to the public.

791 (10) The judges of the circuit and county courts, and
792 presentence investigators for the circuit courts, as provided in
793 Section 47-7-9, shall have the right to inspect any youth court
794 records of a person convicted of a crime for sentencing purposes
795 only.

796 (11) The victim of an offense committed by a child who is
797 the subject of a youth court cause shall have the right to be
798 informed of the child's disposition by the youth court.

799 (12) The Classification Committee of the State Department of
800 Corrections, as provided in Section 47-5-103, shall have the right
801 to inspect any youth court records, excluding abuse and neglect
802 records, of any offender in the custody of the department who as a
803 child or minor was a juvenile offender or was the subject of a
804 youth court cause of action, and the State Parole Board, as

805 provided in Section 47-7-17, shall have the right to inspect such
806 records when said offender becomes eligible for parole.

807 (13) The youth court shall notify the Department of Public
808 Safety of the name, and any other identifying information such
809 department may require, of any child who is adjudicated delinquent
810 as a result of a violation of the Uniform Controlled Substances
811 Law.

812 (14) The Administrative Office of Courts shall have the
813 right to inspect any youth court records in order that the number
814 of youthful offenders, abused, neglected, truant and dependent
815 children, as well as children in need of special care and children
816 in need of supervision, may be tracked with specificity through
817 the youth court and adult justice system, and to utilize tracking
818 forms for such purpose.

819 (15) Upon a request by a youth court, the Administrative
820 Office of Courts shall disclose all information at its disposal
821 concerning any previous youth court intakes alleging that a child
822 was a delinquent child, child in need of supervision, child in
823 need of special care, truant child, abused child or neglected
824 child, as well as any previous youth court adjudications for the
825 same and all dispositional information concerning a child who at
826 the time of such request comes under the jurisdiction of the youth
827 court making such request.

828 (16) In every case where an abuse or neglect allegation has
829 been made, the confidentiality provisions of this section shall
830 not apply to prohibit access to a child's records by any state
831 regulatory agency, any state or local prosecutorial agency or law
832 enforcement agency; provided, however, that no identifying
833 information concerning the child in question may be released to
834 the public by such agency except as otherwise provided herein.

835 (17) In every case where there is any indication or
836 suggestion of either abuse or neglect and a child's physical
837 condition is medically labeled as medically "serious" or
838 "critical" or a child dies, the confidentiality provisions of this
839 section shall not apply.

840 (18) Any member of a foster care review board designated by
841 the Department of Human Services shall have the right to inspect
842 youth court records relating to the abuse, neglect or child in
843 need of supervision cases assigned to such member for review.

844 SECTION 24. Section 37-3-51, Mississippi Code of 1972, is
845 amended as follows:

846 37-3-51. (1) Upon the conviction of any certificated
847 personnel as defined in Section 37-19-7, employed by a public or
848 private elementary or secondary school, of any felony, or of a sex
849 offense as defined in subsection (2) of this section, the district
850 attorney or other prosecuting attorney shall identify those
851 defendants for the circuit clerk. Each circuit clerk shall
852 provide the State Department of Education with notice of the
853 conviction of any such personnel of a felony or a sex offense.

854 (2) "Sex offense" shall mean any of the following offenses:

855 (a) Section 97-3-65, Mississippi Code of 1972, relating
856 to the carnal knowledge of a child under fourteen (14) years of
857 age;

858 (b) Section 97-3-95, Mississippi Code of 1972, relating
859 to sexual battery;

860 (c) Section 97-5-21, Mississippi Code of 1972, relating
861 to seduction of a child under age eighteen (18);

862 (d) Section 97-5-23, Mississippi Code of 1972, relating
863 to the touching of a child for lustful purposes;

864 (e) Section 97-5-27, Mississippi Code of 1972, relating
865 to the dissemination of sexually oriented material to children;

866 (f) Section 97-5-33, Mississippi Code of 1972, relating
867 to the exploitation of children;

868 (g) Section 97-5-41, Mississippi Code of 1972, relating
869 to the carnal knowledge of a stepchild, adopted child, or child of
870 a cohabitating partner;

871 (h) Section 97-29-59, Mississippi Code of 1972,
872 relating to unnatural intercourse; or

873 (i) Any other offense committed in another jurisdiction
874 which, if committed in this state, would be deemed to be such a

875 crime without regard to its designation elsewhere.

876 (3) In addition, the State Department of Education is
877 considered to be the employer of such personnel for purposes of
878 requesting a criminal * * * record background checks.

879 SECTION 25. Section 43-16-9, Mississippi Code of 1972, is
880 amended as follows:

881 43-16-9. Such notification shall be filed by the executive
882 director of the child residential home to the department upon
883 forms provided by the department and shall contain the following
884 information:

885 (a) Name, street address, mailing address and phone
886 number of the home.

887 (b) Name of the executive director and all staff
888 members of the home.

889 (c) Name and description of the agency or organization
890 operating the home, which shall include a statement as to whether
891 or not the agency or organization is incorporated.

892 (d) Name and address of the sponsoring organization of
893 the home, if applicable.

894 (e) The names of all children living at the home which
895 shall include the following personal data:

896 (i) Full name and a copy of the child's birth
897 certificate;

898 (ii) Name and address of parent(s) or guardian(s);
899 and

900 (iii) Name and address of other nearest relative.

901 (f) School(s) attended by the children served by such
902 home.

903 (g) Fire department or State Fire Marshal inspection
904 certificate.

905 (h) Local health department inspection certificate.

906 (i) Proof, to be shown by the sworn affidavit of the

907 executive director of the home, that the home has * * * performed

908 (i) * * * criminal * * * record background checks, and (ii) felony
909 conviction record information checks on all employees, prospective

910 employees, volunteers and prospective volunteers at such home, and
911 that such records are maintained to the extent permitted by law,
912 for every such employee, prospective employee, volunteer and
913 prospective volunteer.

914 (j) Proof, to be shown by the sworn affidavit of the
915 executive director of the home, that medical records are
916 maintained for each child.

917 SECTION 26. Section 43-20-8, Mississippi Code of 1972, is
918 amended as follows:

919 43-20-8. (1) The licensing agency shall have powers and
920 duties as set forth below in addition to other duties prescribed
921 under this chapter:

922 (a) Promulgate rules and regulations concerning the
923 licensing and regulation of child care facilities as defined
924 herein;

925 (b) Have the authority to issue, deny, suspend, revoke,
926 restrict or otherwise take disciplinary action against licensees
927 as provided for in this chapter;

928 (c) Set and collect fees and penalties as provided for
929 in this chapter; and

930 (d) Have such other powers as may be required to carry
931 out the provisions of this chapter.

932 (2) Child care facilities shall assure that parents have
933 welcome access to the child care facility at all times.

934 (3) Child care facilities shall require that, for any
935 current or prospective caregiver, current * * * criminal records
936 background checks and current child abuse registry checks are
937 obtained * * *. In order to determine the applicant's suitability
938 for employment, the applicant shall be fingerprinted. If no
939 disqualifying record is identified at the state level, the
940 fingerprints shall be forwarded by the Department of Public Safety
941 to the FBI for a national criminal history record check.

942 (4) The licensing agency shall require to be performed a
943 felony conviction records check, a sex offense criminal records
944 check and a child abuse registry check for any owner/operator of a

945 child care facility and any person living in a residence used for
946 child care. In order to determine the applicant's suitability for
947 employment, the applicant shall be fingerprinted. If no
948 disqualifying record is identified at the state level, the
949 fingerprints shall be forwarded by the Department of Public Safety
950 to the FBI for a national criminal history record check.

951 SECTION 27. Section 43-20-57, Mississippi Code of 1972, is
952 amended as follows:

953 43-20-57. (1) No person shall knowingly maintain a family
954 child care home if, in such family child care home, there resides,
955 works or regularly volunteers any person who:

956 (a) (i) Has a felony conviction for a crime against
957 persons;

958 (ii) Has a felony conviction under the Uniform
959 Controlled Substances Act;

960 (iii) Has a conviction for a crime of child abuse
961 or neglect;

962 (iv) Has a conviction for any sex offense as
963 defined in Section 45-33-23, Mississippi Code of 1972; or

964 (v) Any other offense committed in another
965 jurisdiction or any federal offense which, if committed in this
966 state, would be deemed to be such a crime without regard to its
967 designation elsewhere;

968 (b) Has been adjudicated a juvenile offender because of
969 having committed an act which if done by an adult would constitute
970 the commission of a felony and which is a crime against persons;

971 (c) Has had a child declared in a court order in this
972 or any other state to be deprived or a child in need of care based
973 on an allegation of physical, mental or emotional abuse or neglect
974 or sexual abuse;

975 (d) Has had parental rights terminated pursuant to
976 Section 93-15-101 et seq., Mississippi Code of 1972; or

977 (e) Has an infectious or contagious disease, as defined
978 by the State Department of Health pursuant to Section 41-23-1,
979 Mississippi Code of 1972.

980 (2) No person shall maintain a family child care home if
981 such person has been found to be a disabled person in need of a
982 guardian or conservator, or both.

983 (3) Any person who resides in the home and who has been
984 found to be a disabled person in need of a guardian or
985 conservator, or both, shall be included in the total number of
986 children allowed in care.

987 (4) In accordance with the provision of this subsection (4),
988 the State Department of Health shall have access to any court
989 orders or adjudications of any court of record, any records of
990 such orders or adjudications, criminal history record information
991 in the possession of the Mississippi Highway Safety Patrol or
992 court of this state concerning persons working, regularly
993 volunteering or residing in a family child care home. The
994 department shall have access to these records for the purpose of
995 determining whether or not the home meets the requirements of
996 Sections 43-20-51 through 43-20-65.

997 (5) No family child care home or its employees shall be
998 liable for civil damages to any person refused employment or
999 discharged from employment by reason of such home's compliance
1000 with the provisions of this section if such home acts in good
1001 faith to comply with this section.

1002 SECTION 28. Section 43-21-623, Mississippi Code of 1972, is
1003 amended as follows:

1004 43-21-623. Any juvenile who is adjudicated a delinquent on
1005 or after July 1, 1994, as a result of committing a sex offense as
1006 defined in Section 45-33-23 or any offense involving the crime of
1007 rape and placed in the custody of the Mississippi Department of
1008 Human Services, Office of Youth Services, shall be tested for HIV
1009 and AIDS. Such tests shall be conducted by the State Department
1010 of Health in conjunction with the Office of Youth Services,
1011 Mississippi Department of Human Services at the request of the
1012 victim or the victim's parents or guardian if the victim is a
1013 juvenile. The results of any positive HIV or AIDS tests shall be
1014 reported to the victim or the victim's parents or guardian if the

1015 victim is a juvenile as well as to the adjudicated offender. The
1016 State Department of Health shall provide counseling and referral
1017 to appropriate treatment for victims of a sex offense when the
1018 adjudicated offender tested positive for HIV or AIDS if the victim
1019 so requests.

1020 SECTION 29. Section 99-19-201, Mississippi Code of 1972, is
1021 amended as follows:

1022 99-19-201. The following terms shall have the meanings
1023 ascribed to them herein unless the context requires otherwise:

1024 (a) "AIDS" means acquired immunodeficiency syndrome,
1025 AIDS related complex and any similar disease.

1026 (b) "HIV" means the human immunodeficiency virus or any
1027 other identified causative agent of AIDS.

1028 (c) "Sex offense" means any offense described in
1029 Section 45-33-23 or any offense involving the crime of rape.

1030 (d) "Test" means a test to determine the presence of
1031 the AIDS disease or the presence of the antibody or antigen to HIV
1032 or the presence of HIV infection.

1033 SECTION 30. This act shall take effect and be in force from
1034 and after July 1, 2000.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE NEW SECTION 45-33-21, MISSISSIPPI CODE OF
2 1972, TO ENACT LEGISLATIVE FINDINGS AND MAKE A STATEMENT OF INTENT
3 AND PURPOSE; TO CREATE NEW SECTION 45-33-23, MISSISSIPPI CODE OF
4 1972, TO ENACT DEFINITIONS; TO CREATE NEW SECTION 45-33-25,
5 MISSISSIPPI CODE OF 1972, TO REQUIRE REGISTRATION WITH THE
6 MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY OF ALL CONVICTED SEX
7 OFFENDERS, AND TO PROVIDE WHAT INFORMATION IS REQUIRED FOR
8 REGISTRATION; TO CREATE NEW SECTION 45-33-27, MISSISSIPPI CODE OF
9 1972, TO ENACT DEADLINES FOR REGISTRATION; TO CREATE NEW SECTION
10 45-33-29, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT REGISTRANTS
11 PROVIDE NOTICE OF ANY CHANGE OF ADDRESS; TO CREATE NEW SECTION
12 45-33-31, MISSISSIPPI CODE OF 1972, TO REQUIRE PERIODIC
13 REREGISTRATION; TO CREATE NEW SECTION 45-33-33, MISSISSIPPI CODE
14 OF 1972, TO ENACT PENALTIES FOR FAILURE TO REGISTER; TO CREATE NEW
15 SECTION 45-33-35, MISSISSIPPI CODE OF 1972, TO CREATE A CENTRAL
16 SEX OFFENDER REGISTRY AND TO REQUIRE CERTAIN PERSONS TO PERFORM
17 REGISTRATION DUTIES; TO CREATE NEW SECTION 45-33-37, MISSISSIPPI
18 CODE OF 1972, TO REQUIRE A CONVICTED SEX OFFENDER TO PROVIDE A
19 BLOOD SAMPLE FOR PURPOSES OF DNA IDENTIFICATION ANALYSIS; TO
20 CREATE NEW SECTION 45-33-39, MISSISSIPPI CODE OF 1972, TO REQUIRE
21 NOTICE TO THOSE REQUIRED TO REGISTER; TO CREATE NEW SECTION
22 45-33-41, MISSISSIPPI CODE OF 1972, TO REQUIRE NOTICE TO
23 INCARCERATED PERSONS REQUIRED TO REGISTER; TO CREATE NEW SECTION

2445-33-43, MISSISSIPPI CODE OF 1972, TO REQUIRE WRITTEN NOTICE BE
25GIVEN TO DRIVER'S LICENSE APPLICANTS; TO CREATE NEW SECTION
2645-33-45, MISSISSIPPI CODE OF 1972, TO ENACT A DEFINITION OF
27"SEXUAL PREDATOR"; TO CREATE NEW SECTION 45-33-47, MISSISSIPPI
28CODE OF 1972, TO PROVIDE FOR A PETITION FOR RELIEF FROM THE DUTY
29TO REGISTER; TO CREATE NEW SECTION 45-33-49, MISSISSIPPI CODE OF
301972, TO PROVIDE FOR DISCLOSURE TO THE PUBLIC, SCHOOL AND DAY CARE
31CENTERS; TO CREATE NEW SECTION 45-33-51, MISSISSIPPI CODE OF 1972,
32TO ENACT PENALTIES FOR THE MISUSE OF REGISTRATION INFORMATION; TO
33CREATE NEW SECTION 45-33-53, MISSISSIPPI CODE OF 1972, TO PROVIDE
34IMMUNITY FROM CIVIL LIABILITY AND IN THE EXERCISE OF DISCRETION
35UNDER THE ACT; TO CREATE NEW SECTION 45-33-55, MISSISSIPPI CODE OF
361972, TO PROVIDE EXEMPTIONS FOR EXPUNCTION; TO CREATE NEW SECTION
3745-33-57, MISSISSIPPI CODE OF 1972, TO ALLOW THE DEPARTMENT OF
38PUBLIC SAFETY TO ESTABLISH FEES TO BE CHARGED FOR REQUESTS FOR
39INFORMATION; TO REPEAL SECTIONS 45-33-1 THROUGH 45-33-19,
40MISSISSIPPI CODE OF 1972, WHICH DEAL WITH THE REGISTRATION OF
41CONVICTED SEX OFFENDERS; TO REPEAL SECTIONS 45-31-1 THROUGH
4245-31-19, WHICH COMPRISE THE SEX OFFENSE CRIMINAL HISTORY RECORD
43INFORMATION ACT; TO AMEND SECTIONS 43-21-255, 43-21-261, 37-3-51,
4443-16-9, 43-20-8, 43-20-57, 43-21-623 AND 99-19-201, MISSISSIPPI
45CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.