

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 566**

**By Senator(s) Committee**

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

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8        SECTION 1. Section 99-3-7, Mississippi Code of 1972, is  
9 amended as follows:

10        99-3-7. (1) An officer or private person may arrest any  
11 person without warrant, for an indictable offense committed, or a  
12 breach of the peace threatened or attempted in his presence; or  
13 when a person has committed a felony, though not in his presence;  
14 or when a felony has been committed, and he has reasonable ground  
15 to suspect and believe the person proposed to be arrested to have  
16 committed it; or on a charge, made upon reasonable cause, of the  
17 commission of a felony by the party proposed to be arrested. And  
18 in all cases of arrests without warrant, the person making such  
19 arrest must inform the accused of the object and cause of the  
20 arrest, except when he is in the actual commission of the offense,  
21 or is arrested on pursuit.

22        (2) Any law enforcement officer may arrest any person on a  
23 misdemeanor charge without having a warrant in his possession when  
24 a warrant is in fact outstanding for that person's arrest and the  
25 officer has knowledge through official channels that the warrant  
26 is outstanding for that person's arrest. In all such cases, the  
27 officer making the arrest must inform such person at the time of

28the arrest the object and cause therefor. If the person arrested  
29so requests, the warrant shall be shown to him as soon as  
30practicable.

31 (3) Any law enforcement officer shall arrest a person with  
32or without a warrant when he has probable cause to believe that  
33the person has, within twenty-four (24) hours of such arrest,  
34knowingly committed a misdemeanor which is an act of domestic  
35violence or knowingly violated provisions of an ex parte  
36protective order, protective order after hearing or court-approved  
37consent agreement entered by a chancery, county, justice or  
38municipal court pursuant to the Protection from Domestic Abuse  
39Law, Sections 93-21-1 through 93-21-29, Mississippi Code of 1972,  
40or a restraining or protective order entered by a foreign court of  
41competent jurisdiction to protect an applicant from domestic  
42violence as defined by Section 97-3-7 that require such person to  
43absent himself from a particular geographic area, or prohibits  
44such person from being within a specified distance of another  
45person or persons.

46 (4) As used in subsection (3) of this section, the phrase  
47"misdemeanor which is an act of domestic violence" shall mean one  
48or more of the following acts between family or household members  
49who reside together or formerly resided together, current or  
50former spouses, persons who have a biological or legally adopted  
51child together or persons who have or have had a dating  
52relationship within the past five (5) years:

53 (a) Simple domestic violence within the meaning of  
54Section 97-3-7;

55 (b) Disturbing the family or public peace within the  
56meaning of Section 97-35-9, 97-35-11, 97-35-13 or 97-35-15; or

57 (c) Stalking within the meaning of Section 97-3-107.

58 (5) Any arrest made pursuant to subsection (3) of this  
59section shall be designated as domestic assault or domestic  
60violence on both the arrest docket and the incident report.

61 SECTION 2. This act shall take effect and be in force from  
62and after July 1, 2000.

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

1 AN ACT TO AMEND SECTION 99-3-7, MISSISSIPPI CODE OF 1972, TO  
2 REVISE WARRANTLESS ARRESTS IN DOMESTIC VIOLENCE; AND FOR RELATED  
3 PURPOSES.