

By: Representatives Watson, Scott (80th)

To: Judiciary B

HOUSE BILL NO. 870

1 AN ACT TO AMEND SECTION 93-21-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE DEFINITIONS IN THE PROTECTION FROM DOMESTIC ABUSE LAW; AND
3 FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 93-21-3, Mississippi Code of 1972, is
6 amended as follows:

7 93-21-3. As used in this chapter, unless the context
8 otherwise requires:

9 (a) "Abuse" means the occurrence of one or more of the
10 following acts between family or household members who reside
11 together or who formerly resided together or between individuals
12 who have, or who have had a dating relationship:

13 (i) Attempting to cause or intentionally,
14 knowingly or recklessly causing bodily injury or serious bodily
15 injury with or without a deadly weapon;

16 (ii) Placing, by physical menace or threat,
17 another in fear of imminent serious bodily injury; or

18 (iii) Criminal sexual conduct committed against a
19 minor within the meaning of Section 97-5-23.

20 (b) "Adult" means any person eighteen (18) years of age
21 or older, or any person under eighteen (18) years of age who has
22 been emancipated by marriage.

23 (c) "Court" means the chancery court, or the justice
24 court, municipal court or county court.

25 (d) "Dating relationship" means a social relationship
26 of a romantic or intimate nature; and where the existence of such

27 a relationship shall be determined based on consideration of the
28 following factors:

29 (i) The length of the relationship;

30 (ii) The type of the relationship; and

31 (iii) The frequency of interaction between the
32 persons involved in the relationship.

33 (e) "Family or household member" means spouses, former
34 spouses, persons living as spouses, parents and children, or other
35 persons related by consanguinity or affinity.

36 SECTION 2. This act shall take effect and be in force from
37 and after July 1, 2001.