

By: Senator(s) Carlton

To: Judiciary

SENATE BILL NO. 2498

1 AN ACT TO AMEND SECTION 97-35-27, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE A DNA SAMPLE TO BE DRAWN FROM ALL CONVICTED FELONS; AND
3 FOR RELATED PURPOSES.

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

5 SECTION 1. Section 97-35-27, Mississippi Code of 1972, is
6 amended as follows:

7 97-35-27. (1) Any person who has been since January 1,
8 1960, or is hereafter convicted in any other state of any offense
9 which, if committed or attempted in this state, would have been
10 punishable as a felony, shall within thirty (30) days after the
11 effective date of this chapter or within thirty (30) days of his
12 coming into any county or city, or city and county in which he
13 resides or is temporarily domiciled for such length of time,
14 register with the chief of police of the city in which he resides
15 or the sheriff of the county if he resides in an unincorporated
16 area.

17 (2) Such registration shall consist of (a) a statement in
18 writing signed by such person, giving such information as may be
19 required by the Identification Bureau of the Mississippi Highway
20 Safety Patrol; (b) the fingerprints and photograph of such person;
21 and (c) a biological sample drawn or taken for purposes of DNA
22 identification analysis. Within three (3) days thereafter the
23 registering law enforcement agency shall forward such statement,
24 fingerprints, photograph and properly preserved biological sample
25 to the Identification Bureau of the Mississippi Highway Safety
26 Patrol.

27 (3) If any person required to register hereunder changes his
28 residence address he shall inform, in writing within ten (10)
29 days, the law enforcement agency with whom he last registered of
30 his new address. The law enforcement agency shall, within three
31 (3) days after receipt of such information, forward it to the
32 Identification Bureau of the Mississippi Highway Safety Patrol.
33 The Identification Bureau of the Mississippi Highway Safety Patrol
34 shall forward appropriate registration data to the law enforcement
35 agency having local jurisdiction of the new place of residence.

36 (4) Any person required to register under the provisions of
37 this section who shall violate any of the provisions thereof is
38 guilty of a misdemeanor and shall be punished by imprisonment in
39 the county jail not exceeding three (3) months, or by fine not
40 exceeding One Hundred Dollars (\$100.00), or both.

41 (5) The statements, photographs, fingerprints and DNA
42 identification information herein required shall not be open to
43 inspection by the public or by any person other than a regularly
44 employed peace or other law enforcement officer.

45 (6) Every individual convicted of a felony or in the custody
46 of the Mississippi Department of Corrections for a felony shall
47 have a biological sample drawn or taken for purposes of DNA
48 identification analysis before release from or transfer to a state
49 correctional facility or county jail or other detention facility,
50 and the court and the department shall be responsible for
51 informing such individuals of the duty to register imposed by this
52 section.

53 SECTION 2. This act shall take effect and be in force from
54 and after July 1, 2002.