

By: Representative Green

To: Transportation

HOUSE BILL NO. 541

1 AN ACT TO AMEND SECTIONS 45-35-3, 45-35-5, 45-35-7 AND
2 45-35-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI
3 DEPARTMENT OF PUBLIC SAFETY SHALL ISSUE IDENTIFICATION CARDS TO
4 RETIRED OR FORMER MEMBERS OF THE MISSISSIPPI LEGISLATURE; TO
5 PROVIDE THAT SUCH CARDS SHALL BE ISSUED WITHOUT FEE; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 45-35-3, Mississippi Code of 1972, is
9 amended as follows:

10 45-35-3. (1) Any person six (6) years of age or older may
11 be issued an identification card by the department which is
12 certified by the registrant and attested by the commissioner as to
13 true name, correct age and such other identifying data as required
14 by Section 45-35-5.

15 (2) The department shall issue an identification card to
16 each retired or former member of the Mississippi Legislature who
17 requests that such card be issued. The identification card must
18 be certified by the registrant and attested by the commissioner as
19 to true name, correct age and such other identifying data as
20 required by Section 45-35-5.

21 **SECTION 2.** Section 45-35-5, Mississippi Code of 1972, is
22 amended as follows:

23 45-35-5. Data for the issuance of an identification card
24 shall include a birth certificate or other document to establish
25 the age and identity of the applicant, the social security number
26 of the applicant, proof that the applicant is a retired or former
27 member of the Mississippi Legislature if the applicant requests
28 issuance of an identification card under Section 45-35-3(2), and



29 such other identifying data as is required on an application for
30 issuance of a driver's license.

31 **SECTION 3.** Section 45-35-7, Mississippi Code of 1972, is
32 amended as follows:

33 45-35-7. (1) Except as provided in subsection (3) or
34 subsection (4) of this section, each applicant for an original
35 identification card issued pursuant to this chapter who is
36 entitled to issuance of such a card shall be issued a four-year
37 card. Each card shall expire at midnight on the last day of the
38 cardholder's birth month.

39 (2) Except as provided in subsection (3) or subsection (4)
40 of this section, all renewal identification cards shall be for
41 four-year periods and may be renewed any time during the birth
42 month of the cardholder upon application and payment of the
43 required fee.

44 (3) (a) Any applicant who is blind, as defined in Section
45 43-6-1, upon payment of the fee prescribed in this section, shall
46 be issued an original identification card which shall remain valid
47 for a period of ten (10) years. All renewal identification cards
48 issued to such persons shall also be valid for a period of ten
49 (10) years.

50 (b) Any applicant who is not a United States citizen
51 and who does not possess a social security number issued by the
52 United States government, upon payment of the fee prescribed in
53 this section, shall be issued an original identification card
54 which shall remain valid for a period of one (1) year from date of
55 issuance. All renewal identification cards issued to such persons
56 shall also be valid for a period of one (1) year from date of
57 issuance.

58 (4) An identification card issued to an applicant under
59 Section 45-35-3(2) shall not expire and shall be issued to the
60 applicant without charge or fee.



61 (5) Except as provided in subsection (4) of this section, a
62 fee of Eleven Dollars (\$11.00) shall be collected for the issuance
63 of an original or renewal identification card plus the applicable
64 photograph fee as provided in subsection (6) of this section. The
65 fee of Eleven Dollars (\$11.00) shall be deposited into the State
66 General Fund. The photograph fee shall be deposited into a
67 special photograph fee account or the State General Fund as
68 provided under subsection (6) of this section.

69 (6) The Commissioner of Public Safety, by rule or
70 regulation, shall establish an identification card photograph fee
71 for all identification cards except those issued under Section
72 45-35-3(2) or those for which no fee is required under subsection
73 (7) of this section. The photograph fee shall be the actual cost
74 of the photograph rounded off to the next highest dollar. Monies
75 collected for the photograph fee shall be deposited into a special
76 photograph fee account which the Department of Public Safety shall
77 use to pay the actual cost of producing the photographs. Any
78 monies collected in excess of the actual costs of the photography
79 shall be deposited to the General Fund of the State of
80 Mississippi.

81 (7) Any person who, for medical reasons, surrenders his
82 unexpired driver's license, and any person whose unexpired
83 driver's license is suspended for medical reasons by the
84 Commissioner of Public Safety under Section 63-1-53(e), may be
85 issued an identification card without payment of a fee. The
86 identification card shall be valid for a period of four (4) years
87 from its date of issue. All renewals of such card shall be
88 subject to the fees prescribed in subsections (5) and (6) of this
89 section.

90 (8) The department shall maintain a record of all
91 identification cards issued, except for those cards cancelled,
92 surrendered or denied renewal.



93 (9) (a) Any male who is at least eighteen (18) years of age
94 but less than twenty-six (26) years of age and who applies for an
95 identification card or a renewal of an identification card under
96 this chapter shall be registered in compliance with the
97 requirements of Section 3 of the Military Selective Service Act,
98 50 USCS Appx 451 et seq., as amended.

99 (b) The department shall forward in an electronic
100 format the necessary personal information of the applicant to the
101 Selective Service System. The applicant's submission of the
102 application shall serve as an indication that the applicant either
103 has already registered with the Selective Service System or that
104 he is authorizing the department to forward to the Selective
105 Service System the necessary information for registration. The
106 commissioner shall notify the applicant on, or as a part of, the
107 application that his submission of the application will serve as
108 his consent to registration with the Selective Service System, if
109 so required. The commissioner also shall notify any male
110 applicant under the age of eighteen (18) that he will be
111 registered upon turning age eighteen (18) as required by federal
112 law.

113 **SECTION 4.** Section 45-35-9, Mississippi Code of 1972, is
114 amended as follows:

115 45-35-9. (1) If an identification card issued under this
116 chapter is lost, destroyed or mutilated, or a new name is
117 required, the person to whom it was issued may obtain a duplicate
118 by furnishing satisfactory proof of such fact to the department.
119 The same identifying data shall be furnished for a duplicate as
120 for an original card. Except as otherwise provided in this
121 subsection, a fee of Three Dollars (\$3.00) plus the applicable
122 photograph fee shall be collected for the first duplicate card
123 issued and a fee of Eight Dollars (\$8.00) plus the applicable
124 photograph fee shall be collected for the second and each
125 subsequent duplicate copy. However, whenever a duplicate copy of



126 an identification card is issued only because a new name is
127 required and the previously issued identification card is returned
128 to the department, the fee for the issuance of such duplicate
129 shall be Three Dollars (\$3.00) plus the applicable photograph fee,
130 regardless of whether the duplicate is the first, second or
131 subsequent duplicate copy. No fee shall be collected for the
132 issuance of duplicate cards for identification cards issued under
133 Section 45-35-3(2). All fees collected under this section, except
134 photograph fees, shall be deposited into the State General Fund.
135 Photograph fees collected under this section shall be deposited
136 into a special photograph fee account or into the State General
137 Fund in the same manner as photograph fees collected from the
138 issuance of drivers' licenses under Section 63-1-43.

139 (2) Any person who loses an identification card and who,
140 after obtaining a duplicate, finds the original card shall
141 promptly surrender the original card to the department.

142 **SECTION 5.** This act shall take effect and be in force from
143 and after July 1, 2003.

