MISSISSIPPI LEGISLATURE

By: Representative Mitchell

To: Penitentiary; Appropriations

HOUSE BILL NO. 1181

AN ACT TO AMEND SECTION 45-33-37, MISSISSIPPI CODE OF 1972, TO REQUIRE EVERY OFFENDER COMMITTED TO THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO HAVE A BLOOD SAMPLE TAKEN FOR PURPOSES OF DNA IDENTIFICATION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 45-33-37, Mississippi Code of 1972, is amended as follows:

45-33-37. (1) The Mississippi Crime Laboratory shall develop a plan for and establish a deoxyribonucleic acid (DNA) identification system. In implementing the plan, the Mississippi Crime Laboratory shall purchase the appropriate equipment. The DNA identification system as established in this section shall be compatible with that utilized by the Federal Bureau of Investigation.

(2) Every individual convicted of a sex offense or in the custody of the Mississippi Department of Corrections for a sex offense as defined in Section 45-33-23 shall submit a biological sample for purposes of DNA identification analysis before release from or transfer to a state correctional facility or county jail or other detention facility.

(3) Any person having a duty to register under Section 45-33-25 for whom a DNA analysis is not already on file shall submit a biological sample for purposes of DNA identification analysis within five (5) working days after registration.

(4) From and after January 1, 2004, every offender placed in the custody of the Mississippi Department of Corrections shall have a blood sample drawn for purposes of DNA identification analysis within ten (10) days of being committed to the
department. The DNA files shall be maintained by the Mississippi Crime Laboratory in accordance with the specific policies and procedures of the agency.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.