

By: Representative Fleming

To: Judiciary B

HOUSE BILL NO. 538

1 AN ACT TO CREATE A MISDEMEANOR OFFENSE OF KNOWINGLY HOUSING A  
2 SEX OFFENDER WHERE CHILDREN ARE PRESENT; TO PROVIDE PENALTIES FOR  
3 VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** It shall be unlawful to knowingly house a person  
6 convicted of a sex crime in any home where children are present  
7 and where such arrangement has not been approved by the sheriff of  
8 the county. Any person who violated the provisions of this act  
9 shall be guilty of a misdemeanor and, upon conviction, be fined  
10 One Thousand Dollars (\$1,000.00) and shall forfeit any TANF  
11 benefits for three (3) months. The Department of Human Services  
12 shall determine whether any children affected by violation of this  
13 section should be placed in another home or in foster care.

14 **SECTION 2.** This act shall take effect and be in force from  
15 and after July 1, 2004.