

By: Representatives Clarke, Thomas

To: Corrections;
Appropriations

HOUSE BILL NO. 951

1 AN ACT TO AMEND SECTION 45-33-37, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY CONVICTED OFFENDER MAY REQUEST THE USE OF DNA
3 IDENTIFICATION ANALYSIS TO PROVE HIS INNOCENCE; AND FOR RELATED
4 PURPOSES.

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

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

8 45-33-37. (1) The Mississippi Crime Laboratory shall
9 develop a plan for and establish a deoxyribonucleic acid (DNA)
10 identification system. In implementing the plan, the Mississippi
11 Crime Laboratory shall purchase the appropriate equipment. The
12 DNA identification system as established herein shall be
13 compatible with that utilized by the Federal Bureau of
14 Investigation.

15 (2) From and after January 1, 1996, every individual
16 convicted of a sex offense or in the custody of the Mississippi
17 Department of Corrections for a sex offense as defined in Section
18 45-33-23 shall submit a biological sample for purposes of DNA
19 identification analysis before release from or transfer to a state
20 correctional facility or county jail or other detention facility.

21 (3) From and after January 1, 1996, any person having a duty
22 to register under Section 45-33-25 for whom a DNA analysis is not
23 already on file shall submit a biological sample for purposes of
24 DNA identification analysis within five (5) working days after
25 registration.

26 (4) From and after July 1, 2004, any convicted offender may
27 request the use of DNA identification analysis to prove his
28 innocence.

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