

By: Representatives Moore, Barnett, Chism, Ellington, Fillingane, Formby, Gunn, Janus, Martinson, Mims, Nicholson, Reeves, Simpson, Snowden, Staples, Turner, Zuber

To: Judiciary B

HOUSE BILL NO. 1301

1 AN ACT TO REQUIRE PERSONS CONVICTED OF SEX CRIMES TO DISCLOSE  
2 SUCH INFORMATION TO A VOLUNTEER ORGANIZATION BEFORE EMPLOYMENT  
3 PARTICIPATION; TO AMEND SECTION 45-33-49, MISSISSIPPI CODE OF  
4 1972, TO REQUIRE DISCLOSURE OF SEX CRIME OFFENDER INFORMATION TO  
5 VOLUNTEER ORGANIZATION, REGARDING OFFENDERS SEEKING EMPLOYMENT OR  
6 PARTICIPATION; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Any person who applies for employment or who  
9 volunteers services for any volunteer organization shall disclose  
10 any conviction for a sex crime to the organization. The  
11 organization shall supply such information to the membership of  
12 the organization. Any person who does not disclose such  
13 information to a volunteer organization shall be terminated from  
14 employment or terminated from volunteer participation.

15 **SECTION 2.** Section 45-33-49, Mississippi Code of 1972, is  
16 amended as follows:

17 45-33-49. (1) Records maintained pursuant to this chapter  
18 shall be open to law enforcement agencies which shall be  
19 authorized to release relevant and necessary information regarding  
20 sex offenders to the public.

21 (2) The identity of a victim of an offense that requires  
22 registration under this chapter shall not be released.

23 (3) A sheriff shall maintain records for registrants of the  
24 county and shall make available to any person upon request the  
25 name, address, place of employment, crime for which convicted,  
26 date and place of conviction of any registrant, and any other  
27 information deemed necessary for the protection of the public.  
28 The sheriffs shall be responsible for verifying their respective  
29 registries annually against the department's records to ensure

30 current information is available at both levels. The sheriffs  
31 shall provide registry information to all volunteer organizations  
32 in their respective counties. Such volunteer organizations shall  
33 disclose information to their membership regarding any registrant  
34 who seeks employment or participation in a volunteer organization.  
35 Any person employed by a volunteer organization who does not  
36 disclose such information shall be dismissed from such employment  
37 or participation.

38 (4) Upon written request, the department may also provide to  
39 any person the name, address, photograph, if available, date of  
40 photograph, place of employment, crime for which convicted, date  
41 and place of conviction of any registrant, hair, eye color,  
42 height, race, sex and date of birth of any registrant, and any  
43 other information deemed necessary for the protection of the  
44 public. Additionally, the department may utilize an Internet  
45 website or other electronic means to release the information.

46 (5) The Department of Education, the Mississippi Private  
47 School Association and the Department of Health shall notify all  
48 schools and licensed day care centers annually regarding the  
49 availability upon request of this information.

50 (6) Nothing in this section shall be construed to prevent  
51 law enforcement officers from notifying members of the public  
52 exposed to danger of any circumstances or individuals that pose a  
53 danger under circumstances that are not enumerated in this  
54 section.

55 (7) Nothing in this chapter shall be construed to prevent  
56 law enforcement officers from providing community notification of  
57 any circumstances or individuals that pose or could pose a danger  
58 under circumstances that are not enumerated in this chapter.

59 **SECTION 3.** This act shall take effect and be in force from  
60 and after July 1, 2004.