

By: Senator(s) Harden, Jackson (11th),
Williamson

To: Judiciary, Division B

SENATE BILL NO. 2757

1 AN ACT TO AMEND SECTIONS 45-35-5 AND 45-35-7, MISSISSIPPI
2 CODE OF 1972, TO CLARIFY THE RIGHT OF IMMIGRANTS TO OBTAIN A
3 NONDRIVER'S IDENTIFICATION CARD; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 45-35-5, Mississippi Code of 1972, is
6 amended as follows:

7 45-35-5. Data for the issuance of an identification card
8 shall include a birth certificate or other document to establish
9 the age and identity of the applicant, the social security number
10 of the applicant unless the applicant is not a United States
11 citizen and does not have one, and such other identifying data as
12 is required on an application for issuance of a driver's license.

13 **SECTION 2.** Section 45-35-7, Mississippi Code of 1972, is
14 amended as follows:

15 45-35-7. (1) Except as provided in subsection (3) of this
16 section, each applicant for an original identification card issued
17 pursuant to this chapter who is entitled to issuance of such a
18 card shall be issued a four-year card. Each card shall expire at
19 midnight on the last day of the cardholder's birth month.

20 (2) Except as provided in subsection (3) of this section,
21 all renewal identification cards shall be for four-year periods
22 and may be renewed any time during the birth month of the
23 cardholder upon application and payment of the required fee.

24 (3) (a) Any applicant who is blind, as defined in Section
25 43-6-1, upon payment of the fee prescribed in this section, shall
26 be issued an original identification card which shall remain valid
27 for a period of ten (10) years. All renewal identification cards

28 issued to such persons shall also be valid for a period of ten
29 (10) years.

30 (b) Any applicant who is not a United States citizen,
31 whether in the United States or Mississippi with documents or not,
32 and who does not possess a social security number issued by the
33 United States government, upon payment of the fee prescribed in
34 this section, shall be issued an original identification card
35 which shall remain valid for a period of one (1) year from date of
36 issuance. All renewal identification cards issued to such persons
37 shall also be valid for a period of one (1) year from date of
38 issuance.

39 (4) A fee of Eleven Dollars (\$11.00) shall be collected for
40 the issuance of an original or renewal identification card plus
41 the applicable photograph fee as provided in subsection (5) of
42 this section. The fee of Eleven Dollars (\$11.00) shall be
43 deposited into the State General Fund. The photograph fee shall
44 be deposited into a special photograph fee account or the State
45 General Fund as provided under subsection (5) of this section.

46 (5) The Commissioner of Public Safety, by rule or
47 regulation, shall establish an identification card photograph fee
48 which shall be the actual cost of the photograph rounded off to
49 the next highest dollar. Monies collected for the photograph fee
50 shall be deposited into a special photograph fee account which the
51 Department of Public Safety shall use to pay the actual cost of
52 producing the photographs. Any monies collected in excess of the
53 actual costs of the photography shall be deposited to the General
54 Fund of the State of Mississippi.

55 (6) Any person who, for medical reasons, surrenders his
56 unexpired driver's license, and any person whose unexpired
57 driver's license is suspended for medical reasons by the
58 Commissioner of Public Safety under Section 63-1-53(e), may be
59 issued an identification card without payment of a fee. The
60 identification card shall be valid for a period of four (4) years

61 from its date of issue. All renewals of such card shall be
62 subject to the fees prescribed in subsections (4) and (5) of this
63 section.

64 (7) The department shall maintain a record of all
65 identification cards issued, except for those cards cancelled,
66 surrendered or denied renewal.

67 (8) (a) Any male who is at least eighteen (18) years of age
68 but less than twenty-six (26) years of age and who applies for an
69 identification card or a renewal of an identification card under
70 this chapter shall be registered in compliance with the
71 requirements of Section 3 of the Military Selective Service Act,
72 50 USCS Appx 451 et seq., as amended.

73 (b) The department shall forward in an electronic
74 format the necessary personal information of the applicant to the
75 Selective Service System. The applicant's submission of the
76 application shall serve as an indication that the applicant either
77 has already registered with the Selective Service System or that
78 he is authorizing the department to forward to the Selective
79 Service System the necessary information for registration. The
80 commissioner shall notify the applicant on, or as a part of, the
81 application that his submission of the application will serve as
82 his consent to registration with the Selective Service System, if
83 so required. The commissioner also shall notify any male
84 applicant under the age of eighteen (18) that he will be
85 registered upon turning age eighteen (18) as required by federal
86 law.

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