

By: Representative Carlton

To: Judiciary B

HOUSE BILL NO. 756

1 AN ACT TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972,  
2 TO PROHIBIT SEX OFFENDERS FROM ESTABLISHING RESIDENCY NEAR  
3 SCHOOLS, DAY CARE CENTERS, PARKS OR CERTAIN OTHER AREAS; AND FOR  
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 45-33-25, Mississippi Code of 1972, is  
7 amended as follows:

8 45-33-25. (1) Any person residing in this state who has  
9 been convicted of any sex offense or attempted sex offense or who  
10 has been acquitted by reason of insanity for any sex offense or  
11 attempted sex offense or twice adjudicated delinquent for any sex  
12 offense or attempted sex offense shall register with the  
13 Mississippi Department of Public Safety. Registration shall not  
14 be required for an offense that is not a registrable sex offense.  
15 The department shall provide the initial registration information  
16 as well as every change of address to the sheriff of the county of  
17 the residence address of the registrant through either written  
18 notice, electronic or telephone transmissions, or online access to  
19 registration information. Further, the department shall provide  
20 this information to the Federal Bureau of Investigation.  
21 Additionally, upon notification by the registrant that he intends  
22 to reside outside the State of Mississippi, the department shall  
23 notify the appropriate state law enforcement agency of any state  
24 to which a registrant is moving or has moved.

25 (2) Any person required to register under this chapter shall  
26 submit the following information at the time of registration:

27 (a) Name, including a former name which has been  
28 legally changed;

- 29 (b) Street address;
- 30 (c) Place of employment;
- 31 (d) Crime for which convicted;
- 32 (e) Date and place of conviction, adjudication or  
33 acquittal by reason of insanity;
- 34 (f) Aliases used;
- 35 (g) Social security number;
- 36 (h) Date and place of birth;
- 37 (i) Age, race, sex, height, weight, and hair and eye  
38 colors;
- 39 (j) A brief description of the offense or offenses for  
40 which the registration is required;
- 41 (k) Identifying factors;
- 42 (l) Anticipated future residence;
- 43 (m) Offense history;
- 44 (n) Photograph;
- 45 (o) Fingerprints;
- 46 (p) Documentation of any treatment received for any  
47 mental abnormality or personality disorder of the person;
- 48 (q) Biological sample;
- 49 (r) Name of any institution of higher learning at which  
50 the offender is employed, carries on a vocation (with or without  
51 compensation) or is enrolled as a student; and
- 52 (s) Any other information deemed necessary.

53 (3) For purposes of this chapter, a person is considered to  
54 be residing in this state if he maintains a permanent or temporary  
55 residence as defined in Section 45-33-23, including students,  
56 temporary employees and military personnel on assignment.

57 (4) Any person required to register under this chapter shall  
58 not establish a permanent or temporary residence in this state  
59 within five (5) miles of any school, school property, day care  
60 center, park or other area where children may be present. Failure

61 to comply with the provisions of this subsection shall be a  
62 violation of this chapter.

63       **SECTION 2.** This act shall take effect and be in force from  
64 and after its passage.