

By: Representative Mayo

To: Transportation;  
Judiciary B

HOUSE BILL NO. 1211

1 AN ACT TO AMEND SECTIONS 45-33-25, 45-35-3 AND 63-1-35,  
2 MISSISSIPPI CODE OF 1972, TO REQUIRE DRIVER'S LICENSE  
3 IDENTIFICATION CARD OF A SEX OFFENDER TO BE DESIGNATED AS SUCH;  
4 AND FOR 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 who  
58 holds or applies for a Mississippi driver's license, commercial  
59 driver's license, intermediate license, driving permit or state  
60 identification card shall at the time of registering as a sex  
61 offender obtain a new license or permit, if eligible, that denotes

62 the individual is a registered sex offender. If an offender holds  
63 or applies for a state identification card pursuant to Section  
64 45-35-3, then the identification card shall denote that the  
65 individual is a registered sex offender.

66 **SECTION 2.** Section 45-35-3, Mississippi Code of 1972, is  
67 amended as follows:

68 45-35-3. (1) Any person six (6) years of age or older may  
69 be issued an identification card by the department which is  
70 certified by the registrant and attested by the commissioner as to  
71 true name, correct age and such other identifying data as required  
72 by Section 45-35-5.

73 (2) Whenever the department issues or renews an  
74 identification card to an individual with a duty to register as a  
75 sex offender pursuant to Section 45-33-25, the identification card  
76 shall bear a designation that identifies the care holder as a  
77 criminal sex offender.

78 (3) Identification cards issued to an individual with a duty  
79 to register as a sex offender pursuant to Section 45-33-25, shall  
80 bear a designation that identifies the card holder as a criminal  
81 sex offender.

82 **SECTION 3.** Section 63-1-35, Mississippi Code of 1972, is  
83 amended as follows:

84 63-1-35. (1) The Commissioner of Public Safety shall  
85 prescribe the form of licenses issued pursuant to this article  
86 which shall, among other features, include a driver's license  
87 number assigned by the Department of Public Safety which, at the  
88 option of the licensee, may or may not be the social security  
89 number of the licensee. A licensee who chooses not to use his  
90 social security number as his driver's license number, except as  
91 otherwise provided under subsection (2) of this section, shall  
92 list his social security number with the department which shall  
93 cross reference the social security number with the driver's  
94 license number for purposes of identification. Additionally, each

95 license shall bear a full face color photograph of the licensee in  
96 such form that the license and the photograph cannot be separated.  
97 Such photograph shall be taken so that one (1) exposure will  
98 photograph the applicant and the application simultaneously on the  
99 same film. The department shall use a process in the issuance of  
100 a license with a color photograph which shall prevent as nearly as  
101 possible any alteration, counterfeiting, duplication,  
102 reproduction, forging or modification of such license or the  
103 superimposition of a photograph without ready detection. Such  
104 photograph shall be replaced by the department at the time of  
105 renewal. Driver licenses, including photographs appearing  
106 thereon, may be renewed by electronic means according to rules and  
107 regulations promulgated by the commissioner. The Department of  
108 Public Safety may accept bank credit cards and debit cards in  
109 payment of fees for driver license renewals that are processed by  
110 electronic means and, if authorized by general law, may charge an  
111 additional fee for the use of such cards.

112 (2) The commissioner shall prescribe the form of licenses  
113 issued pursuant to this article to licensees who are not United  
114 States citizens and who do not possess a social security number  
115 issued by the United States government. The licenses of such  
116 persons shall include a number and/or other identifying features.

117 (3) Driver's licenses, driving permits, intermediate  
118 licenses and commercial driver's licenses issued to an individual  
119 with a duty to register as a sex offender pursuant to Section  
120 45-33-25 shall bear a designation that identifies the licensee as  
121 a criminal sex offender.

122 **SECTION 4.** This act shall take effect and be in force from  
123 and after July 1, 2006.