

By: Representative Mims

To: Judiciary B

HOUSE BILL NO. 491

1 AN ACT TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972,  
2 TO PROHIBIT SEX OFFENDERS FROM LIVING IN PUBLIC HOUSING; AND FOR  
3 RELATED PURPOSES.

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

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

7 45-33-25. (1) Any person residing in this state who has  
8 been convicted of any sex offense or attempted sex offense or who  
9 has been acquitted by reason of insanity for any sex offense or  
10 attempted sex offense or twice adjudicated delinquent for any sex  
11 offense or attempted sex offense shall register with the  
12 Mississippi Department of Public Safety. Registration shall not  
13 be required for an offense that is not a registrable sex offense.  
14 The department shall provide the initial registration information  
15 as well as every change of address to the sheriff of the county of  
16 the residence address of the registrant through either written  
17 notice, electronic or telephone transmissions, or online access to  
18 registration information. Further, the department shall provide  
19 this information to the Federal Bureau of Investigation.  
20 Additionally, upon notification by the registrant that he intends  
21 to reside outside the State of Mississippi, the department shall  
22 notify the appropriate state law enforcement agency of any state  
23 to which a registrant is moving or has moved.

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

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

- 28           (b) Street address of any permanent residence and of  
29 any current temporary residence within state or out of state;
- 30           (c) Date and 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) If the registrant's residence is a motor vehicle,  
44 trailer, mobile home or manufactured home, the registrant shall  
45 also provide vehicle identification number, license tag number,  
46 registration number and a description, including color scheme, of  
47 the motor vehicle, trailer, mobile home or manufactured home; if  
48 the registrant's place of residence is a vessel or houseboat, the  
49 registrant shall also provide the hull identification number,  
50 manufacturer's serial number, name of the vessel or houseboat,  
51 registration number and a description, including color scheme, of  
52 the vessel or houseboat;
- 53           (n) Vehicle make, model, color and license tag number;
- 54           (o) Offense history;
- 55           (p) Photograph;
- 56           (q) Fingerprints;
- 57           (r) Documentation of any treatment received for any  
58 mental abnormality or personality disorder of the person;
- 59           (s) Biological sample;

60 (t) Name of any public or private educational  
61 institution, including any secondary school, trade or professional  
62 institution or institution of higher education at which the  
63 offender is employed, carries on a vocation (with or without  
64 compensation) or is enrolled as a student, and the registrant's  
65 status;

66 (u) Copy of conviction or sentencing order for the sex  
67 offense for which registration is required; and

68 (v) Any other information deemed necessary.

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

73 (4) (a) A person required to register under this chapter  
74 shall not reside within one thousand five hundred (1,500) feet of  
75 the real property comprising a public or nonpublic elementary or  
76 secondary school or a child care facility.

77 (b) A person residing within one thousand five hundred  
78 (1,500) feet of the real property comprising a public or nonpublic  
79 elementary or secondary school or a child care facility does not  
80 commit a violation of this subsection if any of the following  
81 apply:

82 (i) The person is serving a sentence at a jail,  
83 prison, juvenile facility or other correctional institution or  
84 facility.

85 (ii) The person is subject to an order of  
86 commitment under Title 41, Mississippi Code of 1972.

87 (iii) The person established the subject residence  
88 prior to July 1, 2006, or the school or child care facility is  
89 located within one thousand five hundred (1,500) feet of the  
90 school or child care facility subsequent to the date the person  
91 established residency.

92 (iv) The person is a minor or a ward under a  
93 guardianship.

94 (5) A person required to register under this chapter shall  
95 not reside in any public housing.

96 **SECTION 2.** This act shall take effect and be in force from  
97 and after July 1, 2007.