

By: Representative Franks

To: Judiciary B

HOUSE BILL NO. 1005

1 AN ACT TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE INFORMATION REQUIRED OF SEX OFFENDERS UPON
3 REGISTRATION TO INCLUDE ONLINE IDENTITIES; AND FOR RELATED
4 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 having a permanent or temporary
9 residence in this state who has been convicted of any sex offense
10 or attempted sex offense or who has been acquitted by reason of
11 insanity for any sex offense or attempted sex offense or * * *
12 adjudicated delinquent for any sex offense or attempted sex
13 offense shall register with the Mississippi Department of Public
14 Safety. Registration shall not be required for an offense that is
15 not a registrable sex offense or for an offender who is under
16 fourteen (14) years of age. The department shall provide the
17 initial registration information as well as every change of
18 address to the sheriff of the county of the residence address of
19 the registrant through either written notice, electronic or
20 telephone transmissions, or online access to registration
21 information. Further, the department shall provide this
22 information to the Federal Bureau of Investigation. Additionally,
23 upon notification by the registrant that he intends to reside
24 outside the State of Mississippi, the department shall notify the
25 appropriate state law enforcement agency of any state to which a
26 registrant is moving or has moved.

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

- 29 (a) Name, including a former name which has been
30 legally changed;
- 31 (b) Street address of all current permanent * * *
32 and * * * temporary residences within state or out of state;
- 33 (c) Date, place and address of employment;
- 34 (d) Crime for which convicted;
- 35 (e) Date and place of conviction, adjudication or
36 acquittal by reason of insanity;
- 37 (f) Aliases used;
- 38 (g) Social security number;
- 39 (h) Date and place of birth;
- 40 (i) Age, race, sex, height, weight, and hair and eye
41 colors and any other physical description or identifying factors;
- 42 (j) Text of the law defining the offense or offenses
43 for which the registration is required;
- 44 (k) Driver's license or state identification card
45 number, which license may be electronically accessed by the
46 Department of Public Safety;
- 47 (l) Anticipated future residence;
- 48 (m) If the registrant's residence is a motor vehicle,
49 trailer, mobile home or manufactured home, the registrant shall
50 also provide vehicle identification number, license tag number,
51 registration number and a description, including color scheme, of
52 the motor vehicle, trailer, mobile home or manufactured home; if
53 the registrant's place of residence is a vessel or houseboat, the
54 registrant shall also provide the hull identification number,
55 manufacturer's serial number, name of the vessel or houseboat,
56 registration number and a description, including color scheme, of
57 the vessel or houseboat;
- 58 (n) Vehicle make, model, color and license tag number;
- 59 (o) Offense history;
- 60 (p) Photograph;

61 (q) Every online identity, screen name or user name
62 used, registered or created by a registrant;

63 (r) Fingerprints and palm prints;

64 (s) Documentation of any treatment received for any
65 mental abnormality or personality disorder of the person;

66 (t) Biological sample;

67 (u) Name of any public or private educational
68 institution, including any secondary school, trade or professional
69 institution or institution of higher education at which the
70 offender is employed, carries on a vocation (with or without
71 compensation) or is enrolled as a student, and the registrant's
72 status;

73 (v) Copy of conviction or sentencing order for the sex
74 offense for which registration is required; and

75 (w) Any other information deemed necessary.

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

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

84 (b) A person residing within one thousand five hundred
85 (1,500) feet of the real property comprising a public or nonpublic
86 elementary or secondary school or a child care facility does not
87 commit a violation of this subsection if any of the following
88 apply:

89 (i) The person is serving a sentence at a jail,
90 prison, juvenile facility or other correctional institution or
91 facility.

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

94 (iii) The person established the subject residence
95 prior to July 1, 2006, or the school or child care facility is
96 located within one thousand five hundred (1,500) feet of the
97 school or child care facility subsequent to the date the person
98 established residency.

99 (iv) The person is a minor or a ward under a
100 guardianship.

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