

By: Representative Monsour

To: Judiciary B

HOUSE BILL NO. 1284

1 AN ACT TO REQUIRE SEX OFFENDER REGISTRATION FEES; TO AMEND
 2 SECTION 45-33-27, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND
 3 SECTION 45-33-31, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE
 4 COLLECTION OF THE FEES; TO CREATE THE TROOP X TROOPER SCHOOL FUND;
 5 TO PROVIDE FOR THE DISTRIBUTION OF THE FEES; AND FOR RELATED
 6 PURPOSES.

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

8 **SECTION 1.** Section 45-33-27, Mississippi Code of 1972, is
 9 amended as follows:

10 45-33-27. (1) A person required to register on the basis of
 11 a conviction, adjudication of delinquency or acquittal by reason
 12 of insanity entered shall register with the responsible agency
 13 within three (3) business days of the date of judgment unless the
 14 person is immediately confined or committed, in which case the
 15 person shall register before release in accordance with the
 16 procedures established by the department. The responsible agency
 17 shall immediately forward the registration information to the
 18 Department of Public Safety. The person is also required to
 19 personally appear at a Department of Public Safety Driver's



20 License Station within three (3) days of registration with the
21 responsible agency and to obtain a sex offender registration card.

22 (2) If a person who is required to register under this
23 section is released from prison or placed on parole or supervised
24 release or in a restitution center or community work center, the
25 Department of Corrections shall perform the registration duties
26 before placement in a center or before release and immediately
27 forward the registration information to the Department of Public
28 Safety. The person is also required to personally appear at a
29 Department of Public Safety Driver's License Station within three
30 (3) days of release or placement in a restitution center or
31 community work center.

32 (3) If a person required to register under this section is
33 placed on probation, the court, at the time of entering the order,
34 shall register the person and immediately forward the registration
35 information to the Department of Public Safety. The person is
36 also required to personally appear at a Department of Public
37 Safety Driver's License Station within three (3) days of the entry
38 of the order.

39 (4) Any person required to register who is neither
40 incarcerated, detained nor committed at the time the requirement
41 to register attaches shall present himself to the county sheriff
42 to register within three (3) business days, and shall personally
43 appear at a Department of Public Safety Driver's License Station



44 within three (3) days of the time the requirement to register
45 attaches.

46 (5) An offender moving to or returning to this state from
47 another jurisdiction shall notify the Department of Public Safety
48 ten (10) days before the person first resides in or returns to
49 this state and shall present himself to the sheriff of the county
50 of his residence within three (3) business days after first
51 residing in or returning to a county of this state to provide the
52 required registration information. The person is also required to
53 register by personally appearing at a Department of Public Safety
54 Driver's License Station within three (3) days after first
55 residing in or moving to a county of this state. If the offender
56 fails to appear for registration as required in this state, the
57 department shall notify the other jurisdiction of the failure to
58 register.

59 (6) A person, other than a person confined in a correctional
60 or juvenile detention facility or involuntarily committed on the
61 basis of mental illness, who is required to register on the basis
62 of a sex offense for which a conviction, adjudication of
63 delinquency or acquittal by reason of insanity was entered shall
64 register with the sheriff of the county in which he resides * * *
65 within three (3) business days of first residing in or returning
66 to a county of this state.

67 (7) Every person required to register shall show proof of
68 domicile. The commissioner shall promulgate any rules and



69 regulations necessary to enforce this requirement and shall
70 prescribe the means by which such person may show domicile.

71 (8) Any driver's license photograph, I.D. photograph, sex
72 offender photograph, fingerprint, driver's license application
73 and/or anything submitted to the Department of Public Safety by a
74 known convicted sex offender, registered or not registered, can be
75 used by the Department of Public Safety or any other authorized
76 law enforcement agency for any means necessary in registration,
77 identification, investigation regarding their tracking or
78 identification.

79 (9) The department will assist local law enforcement
80 agencies in the effort to conduct address and other verifications
81 of registered sex offenders and will assist in the location and
82 apprehension of noncompliant sex offenders.

83 (10) Registrants must pay the registration fees set forth in
84 Section 45-33-31.

85 **SECTION 2.** Section 45-33-31, Mississippi Code of 1972, is
86 amended as follows:

87 45-33-31. (1) (a) Registrants who are in compliance with a
88 program of electronic monitoring under this chapter are required
89 to reregister annually.

90 (b) All other registrants are required to personally
91 appear at a Department of Public Safety Driver's License Station
92 to reregister every ninety (90) days.



93 (2) Reregistration includes the submission of current
94 information and photograph to the department and the verification
95 of registration information, including the street address and
96 telephone number of the registrant; name, street address and
97 telephone number of the registrant's employment or status at a
98 school, along with any other registration information that may
99 need to be verified and the payment of any required fees.

100 (3) A person who fails to reregister and obtain a renewal
101 sex offender registration card as required by this section commits
102 a violation of this chapter. The Department of Public Safety will
103 immediately notify any sheriff or other jurisdiction of any
104 changes in information including residence address, employment and
105 status at a school if that jurisdiction, county or municipality is
106 affected by the change.

107 (4) (a) Registrants who are required to register and
108 reregister on an annual basis must pay an annual registration fee
109 of One Hundred Sixty Dollars (\$160.00).

110 (b) Registrants who are required to register and
111 reregister on an quarterly basis must pay a registration fee of
112 Forty Dollars (\$40.00) per quarter.

113 (c) The collection of fees under this subsection (4)
114 are subject to all the provisions of Section 45-1-23.

115 (d) Of the fees collected under this subsection, Four
116 Dollars (\$4.00) of the quarterly fee and Sixteen Dollars (\$16.00)
117 of the annual fee shall be retained by the Department of Public



118 Safety to defray the cost of maintaining the sex offender
119 registry. The balance of Thirty-six Dollars (\$36.00) of the
120 quarterly fee or One Hundred Forty-four Dollars (\$144.00) of the
121 annual fee shall be deposited in the Troop X Trooper School Fund.

122 **SECTION 3.** There is created in the State Treasury a special
123 fund to be known as the Troop X Trooper School Fund. The purpose
124 of the fund shall be to provide funding for the Commissioner of
125 Public Safety and the Colonel of the Highway Patrol to conduct
126 trooper schools. Monies from the funds shall be distributed by
127 the State Treasurer upon warrants issued by the Commissioner of
128 Public Safety. The fund shall be a continuing fund, not subject
129 to fiscal-year limitations, and shall consist of:

130 (i) Monies appropriated by the Legislature for the
131 purposes of trooper training;

132 (ii) The interest accruing to the fund;

133 (iii) Monies received under the provisions of
134 Section 45-33-31;

135 (iv) Monies received from the federal government;

136 (v) Donations; and

137 (vi) Monies received from such other sources as
138 may be provided by law.

139 **SECTION 4.** This act shall take effect and be in force from
140 and after July 1, 2016.

