

By: Representatives Criswell, Hudson

To: Judiciary B

HOUSE BILL NO. 668

1 AN ACT TO AMEND SECTION 97-35-37, MISSISSIPPI CODE OF 1972,
 2 TO REVISE THE DEFINITION OF VAGRANCY; TO REVISE THE DUTY OF POLICE
 3 OFFICERS REGARDING VAGRANCY; TO AMEND SECTION 97-35-39,
 4 MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTY FOR VAGRANCY; TO
 5 REPEAL SECTIONS 97-35-29, 97-35-31, 97-35-33, 97-35-35 AND
 6 97-35-43, WHICH PROVIDE FOR THE DEFINITION, ARREST AND PENALTIES
 7 FOR PERSONS DEFINED AS "TRAMPS"; TO REPEAL SECTIONS 97-35-41,
 8 99-29-1, 99-29-3, 99-29-5, 99-29-7, 99-29-9, 99-29-11 AND
 9 99-29-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VAGRANCY
 10 PENALTIES AND PROCEEDINGS; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 97-35-37, Mississippi Code of 1972, is
 13 amended as follows:

14 97-35-37. * * *

15 (1) Any person found sleeping for more than one (1) hour or
 16 camping on public or private property without prior permission
 17 shall be considered a vagrant.

18 (2) A police officer is authorized to arrest any person
 19 defined as a vagrant by this section only if the officer warned
 20 the person to move from a certain location and such person refused
 21 to move from the location.



22 **SECTION 2.** Section 97-35-39, Mississippi Code of 1972, is
23 amended as follows:

24 97-35-39. * * * Upon conviction for being a vagrant, the
25 justice of the peace or mayor or police justice by whom such
26 person was tried shall commit the person to jail for not * * *
27 more than forty-eight (48) hours, or * * * fine such person in an
28 amount up to One Hundred Dollars (\$100.00).

29 **SECTION 3.** Sections 97-35-29, 97-35-31, 97-35-33, 97-35-35
30 and 97-35-43, which provide for the definition, arrest and
31 penalties for persons defined as "tramps," are repealed.

32 **SECTION 4.** Sections 97-35-41, 99-29-1, 99-29-3, 99-29-5,
33 99-29-7, 99-29-9, 99-29-11 and 99-29-13, which provide for
34 vagrancy penalties and proceedings, are repealed.

35 **SECTION 5.** This act shall take effect and be in force from
36 and after July 1, 2018.

