

By: Senator(s) Hill, Dearing, Parker,
Blackwell

To: Judiciary, Division B

SENATE BILL NO. 2474

1 AN ACT TO CREATE NEW SECTION 45-49-1, MISSISSIPPI CODE OF
2 1972, TO CREATE THE MISSISSIPPI COMPANION ANIMAL ABUSE REGISTRY
3 ACT TO APPLY TO DOMESTICATED DOGS AND CATS; TO CREATE NEW SECTION
4 45-49-3, MISSISSIPPI CODE OF 1972, TO ENACT DEFINITIONS; TO CREATE
5 NEW SECTION 45-49-5, MISSISSIPPI CODE OF 1972, TO REQUIRE CREATION
6 OF AN ONLINE REGISTRY OF OFFENDERS; TO CREATE NEW SECTION 45-49-7,
7 MISSISSIPPI CODE OF 1972, TO ALLOW THE PROMULGATION OF RULES FOR
8 THE IMPLEMENTATION OF THE ACT; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** The following shall be codified as Section
11 45-49-1, Mississippi Code of 1972:40-39-101.

12 45-49-1. This chapter shall be known and may be cited as the
13 "Mississippi Companion Animal Abuser Registration Act."

14 **SECTION 2.** The following shall be codified as Section
15 45-49-3, Mississippi Code of 1972:

16 45-49-3. As used in this chapter:

17 (a) "Abuser" or "animal abuser" means a person who has
18 been convicted in this state of committing an animal abuse offense
19 against a companion animal;

20 (b) "Animal" means a companion animal that is a
21 domesticated dog or cat that comes within the purview of the



22 Mississippi Dog and Cat Pet Protection Law of 2011, Section
23 97-41-16;

24 (c) "Animal abuse offense" means:

25 (i) Cruelty to a domesticated dog or cat under
26 Section 97-41-16;

27 (ii) Animal fighting under either Section
28 97-41-18, which prohibits fighting between canines and hogs, or
29 Section 97-41-19, which prohibits dog fights; and

30 (iii) Injury or killing of a public service animal
31 under Section 97-41-23;

32 (d) "Companion animal" means any dog, defined as any
33 live dog of the species *Canis familiaris*, or cat, defined as any
34 live cat of the species *Felis catus*, and does not include any
35 animal other than domesticated dogs and cats;

36 (e) "Conviction" means a judgment entered by a
37 Mississippi court upon a plea of guilty, a plea of *nolo*
38 *contendere*, or a finding of guilt by a jury or the court,
39 notwithstanding any pending appeal or habeas corpus proceeding
40 arising from the judgment. "Conviction" includes a disposition of
41 pretrial diversion or nonadjudication under Section 99-15-26;

42 **SECTION 3.** The following shall be codified as Section
43 45-49-5, Mississippi Code of 1972:

44 45-49-5. (1) The Mississippi Bureau of Investigation shall
45 post a publicly accessible list on its website of any person
46 convicted of an animal abuse offense on or after January 1, 2019.



47 (2) (a) The list shall include a photograph taken of the
48 convicted animal abuser as part of the booking process, the animal
49 abuser's full legal name, and other identifying data as the
50 Mississippi Bureau of Investigation determines is necessary to
51 properly identify the animal abuser and to exclude innocent
52 persons.

53 (b) The list shall not include the abuser's social
54 security number, driver's license number, or any other state or
55 federal identification number.

56 (3) Every clerk of court shall forward a copy of the
57 judgment and date of birth of all persons convicted of an animal
58 abuse offense to the Mississippi Bureau of Investigation within
59 sixty (60) calendar days of the date of judgment.

60 (4) (a) Upon a person's first conviction for an animal
61 abuse offense, the Mississippi Bureau of Investigation shall
62 maintain the person's name and other identifying information,
63 described in subsection (2) of this section, on the list published
64 under subsection (1) of this section for ten (10) years following
65 the date of conviction, after which time the Mississippi Bureau of
66 Investigation shall remove the person's name and identifying
67 information from the list if the person is not convicted of
68 another animal abuse offense during that ten-year period.

69 (b) Upon a person's subsequent conviction for an animal
70 abuse offense, the Mississippi Bureau of Investigation shall
71 maintain the person's name and other identifying information,



72 described in subsection (2) of this section, on the list published
73 under subsection (1) of this section permanently.

74 (5) The Mississippi Bureau of Investigation shall remove the
75 person's name and identifying information from the registry list
76 if the sole offense for which the person is required to be subject
77 to the mandates of the registry is expunged under Section
78 99-19-71.

79 **SECTION 4.** The following shall be codified as Section
80 45-49-7, Mississippi Code of 1972:

81 45-49-7. The Mississippi Bureau of Investigation may
82 promulgate rules to effectuate the purposes of this chapter. The
83 rules shall be promulgated in accordance with the Mississippi
84 Administrative Procedures Law, Chapter 43, Title 25, Mississippi
85 Code of 1972.

86 **SECTION 5.** This act shall take effect and be in force from
87 and after January 1, 2019.

