

By: Representative Currie

To: Judiciary B

HOUSE BILL NO. 1482

1 AN ACT TO CREATE A REGISTRY OF PERSONS WHO HAVE COMMITTED AN
 2 OFFENSE AGAINST A PEACE OFFICER, INCLUDING AN ACT OF TERRORISM
 3 UNDER THE LAWS OF ANOTHER STATE OR FEDERAL LAW; TO DEFINE CERTAIN
 4 TERMS; TO PROVIDE THAT THE INFORMATION RECEIVED BY LOCAL LAW
 5 ENFORCEMENT AGENCIES UNDER THIS ACT SHALL BE FORWARDED TO THE
 6 MISSISSIPPI BUREAU OF INVESTIGATION FOR INCLUSION IN A CENTRAL
 7 REGISTRY; TO MAKE IT UNLAWFUL TO FAIL TO REGISTER UNDER THIS ACT
 8 IF REQUIRED TO; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** For the purposes of this act, the following terms
 11 shall have the meanings ascribed in this section, unless the
 12 context clearly indicates otherwise:

13 (1) "Bureau" means the Mississippi Bureau of Investigation
 14 of the Department of Public Safety.

15 (2) "Offense against a peace officer" means any of the
 16 following:

17 (a) Disarming of a peace officer.

18 (b) Aggravated assault upon a peace officer.

19 (c) Any of the following criminal offenses when the
 20 peace officer is engaged in the performance of his or her lawful



21 duties, or when the specific intent to commit the offense is
22 directly related to the victim's status as a peace officer:

- 23 (i) Solicitation for murder;
- 24 (ii) First degree murder;
- 25 (iii) Second degree murder;
- 26 (iv) Manslaughter;
- 27 (v) Aggravated battery;
- 28 (vi) Second degree battery;
- 29 (vii) Aggravated second degree battery;
- 30 (viii) Second degree kidnapping;
- 31 (ix) Simple kidnapping;
- 32 (x) Extortion;
- 33 (xi) Assault by drive-by shooting;
- 34 (xii) Illegal use of weapons or dangerous
35 instrumentalities;
- 36 (xiii) Terrorism;
- 37 (xiv) Aggravated assault with a firearm.

38 (d) A conviction for the offense under the laws of
39 another state or federal law which is equivalent to an offense
40 provided for in this subsection (2), or in the case where
41 Mississippi does not have a state criminal offense such as
42 terrorism.

43 (3) "Peace officer" means any peace officer, and includes
44 any constable, marshal, deputy marshal, sheriff, deputy sheriff,



45 commissioned police officer, commissioned wildlife enforcement
46 agent, and federal law enforcement officer.

47 **SECTION 2.** (1) Any adult residing in this state who has
48 pled guilty to, has been convicted of, or where adjudication has
49 been deferred or withheld for the perpetration or attempted
50 perpetration of any offense against a peace officer as defined in
51 Section 1 of this act shall register within ten (10) days of
52 establishing residence in Mississippi, or if a current resident,
53 within ten (10) days after release from confinement with the
54 sheriff of the county of the person's residence and with the chief
55 of police if the address of the residence is located in an
56 incorporated area which has a police department.

57 (2) Any person required to register pursuant to this section
58 shall provide the law enforcement agency as required by subsection
59 (1) of this section with his name, address of offender's place of
60 residence upon release from confinement, date of birth, social
61 security number, any aliases used by the offender, crime for which
62 the offender was convicted which gave rise to the requirement to
63 register under the provisions of this section, and date and place
64 of conviction. The sheriff of every county and the chief of
65 police of each municipality shall also record the fingerprints of
66 all persons who register with those law enforcement agencies in
67 accordance with this section.

68 (3) The law enforcement agency that receives information in
69 accordance with the provisions of this section shall forward such



70 information to the bureau for inclusion in a central registry as
71 provided in this act within five (5) days of receiving such
72 information.

73 (4) Any person required to register pursuant to this section
74 shall maintain his registration for a period of ten (10) years.

75 **SECTION 3.** When a person who is required to register under
76 the provisions of this act is released from prison, or placed
77 under parole, supervised release, or probation, the Department of
78 Corrections shall inform the person of the duty to register and
79 shall obtain the information required for such registration and
80 within five (5) days of obtaining the necessary information, shall
81 transmit this information to the bureau for inclusion in a central
82 registry as provided in this act. The department shall also
83 record the fingerprints of the person if they have not already
84 been obtained.

85 **SECTION 4.** (1) The bureau shall establish and maintain a
86 central registry to collect and disseminate information regarding
87 those offenders who are required to register in accordance with
88 this act. The bureau shall provide the information to all law
89 enforcement agencies in this state who request such information in
90 an effort to assist in the prevention of violence and protection
91 of peace officers.

92 (2) Once each year, the bureau shall mail a nonforwardable
93 verification form, not less than five (5) days prior to the
94 anniversary of the date of the offender's initial registration, to



95 the last reported address of each person subject to the provisions
96 of this section. The person subject to registration shall mail
97 the verification to the bureau within ten (10) days of receipt of
98 the verification form. If the bureau does not receive the
99 verification form within thirty (30) days, the bureau shall
100 immediately notify the sheriff of the county in which the person's
101 last reported address of residence is located.

102 **SECTION 5.** Any person who fails to register as required by
103 this act is guilty of a misdemeanor and shall, upon conviction, be
104 fined not more than Five Hundred Dollars (\$500.00), imprisoned for
105 not less than thirty (30) days nor more than ninety (90) days, or
106 both.

107 **SECTION 6.** No person shall have a cause of action against a
108 law enforcement agency or an employee thereof for any loss or
109 damage caused by any act or omission resulting from the
110 implementation of the provisions of this act. This limitation
111 shall not apply to any loss or damage caused by the willful and
112 wanton act or gross negligence of the agency or employee.

113 **SECTION 7.** This act shall take effect and be in force from
114 and after July 1, 2020.

