

By: Senator(s) Blackwell, Branning, Carter, Caughman, DeBar, DeLano, Jackson (15th), McCaughn, McLendon, McMahan, Parker, Parks, Seymour, Sparks, Suber, Tate, Whaley, Younger

To: Judiciary, Division B

SENATE BILL NO. 2009
(As Passed the Senate)

1 AN ACT TO ENACT "CARLY'S LAW; TO CREATE NEW SECTION 45-33-63,
2 MISSISSIPPI CODE OF 1972, TO PROHIBIT FUTURE CONTACT WITH THE
3 CRIME VICTIM BY A CONVICTED SEX OFFENDER; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section
7 45-33-63, Mississippi Code of 1972:

8 45-33-63. (1) Except as otherwise provided in this section,
9 it is unlawful for a person required to register as a sex offender
10 under Section 45-33-25 to do or commit any of the following
11 actions with respect to the victim of the offense triggering the
12 duty to register under this chapter:

13 (a) Threaten, visit, assault, molest, abuse, injure, or
14 otherwise interfere with the victim;

15 (b) Follow the victim, including at the victim's
16 workplace;

17 (c) Harass the victim;

18 (d) Contact the victim by telephone, written
19 communication, or electronic means;



20 (e) Enter or remain present at the victim's residence,
21 school, or place of employment when the victim is present.

22 (2) This section does not apply if the court in which the
23 conviction was had, at the request of the victim or the parent,
24 guardian or conservator of the victim, enters an order allowing
25 contact with the victim. The court may enter such an order if the
26 court determines that reasonable grounds for the victim to fear
27 any future contact with the defendant no longer exist.

28 (3) A violation of this section is a felony punishable by a
29 fine of not more than Five Thousand Dollars (\$5,000.00) and
30 imprisonment in the custody of the Department of Corrections for
31 not less than five (5) nor more than ten (10) years.

32 (4) A law enforcement officer shall arrest and take into
33 custody a person, with or without a warrant or other process, if
34 the officer has probable cause to believe that the person
35 knowingly has violated this section.

36 (5) Nothing in this section shall be construed to affect the
37 issuance or enforcement of a criminal sexual assault protection
38 against a defendant who has been convicted under Section 97-3-65
39 or 97-3-95.

40 (6) This section shall be known as Carly's Law.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2020.

