

By: Senator(s) Doty

To: Labor; Judiciary,  
Division B

SENATE BILL NO. 2654

1 AN ACT TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT A REGISTERED SEX OFFENDER SHALL BE DISQUALIFIED  
3 FROM SERVING AS A VOLUNTEER FIREFIGHTER; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 45-33-25, Mississippi Code of 1972, is  
6 amended as follows:

7 45-33-25. (1) (a) Any person having a permanent or  
8 temporary residence in this state or who is employed or attending  
9 school in this state who has been convicted of a registrable  
10 offense in this state or another jurisdiction or who has been  
11 acquitted by reason of insanity of a registrable offense in this  
12 state or another jurisdiction shall register with the responsible  
13 agency and the Mississippi Department of Public Safety.  
14 Registration shall not be required for an offense that is not a  
15 registrable sex offense or for an offender who is under fourteen  
16 (14) years of age. The department shall provide the initial  
17 registration information as well as every change of name, change  
18 of address, change of status at a school, or other change of



19 information as required by the department to the sheriff of the  
20 county of the residence address of the registrant, the sheriff of  
21 the county of the employment address, and the sheriff of the  
22 county of the school address, if applicable, and any other  
23 jurisdiction of the registrant through either written notice,  
24 electronic or telephone transmissions, or online access to  
25 registration information. Further, the department shall provide  
26 this information to the Federal Bureau of Investigation.  
27 Additionally, upon notification by the registrant that he intends  
28 to reside outside the State of Mississippi, the department shall  
29 notify the appropriate state law enforcement agency of any state  
30 to which a registrant is moving or has moved.

31 (b) Any person having a permanent or temporary  
32 residence or who is employed or attending school in this state who  
33 has been adjudicated delinquent for a registrable sex offense  
34 listed in this paragraph that involved use of force against the  
35 victim shall register as a sex offender with the responsible  
36 agency and shall personally appear at a Mississippi Department of  
37 Public Safety Driver's License Station within three (3) business  
38 days of registering with the responsible agency:

39 (i) Section 97-3-71 relating to rape and assault  
40 with intent to ravish;

41 (ii) Section 97-3-95 relating to sexual battery;

42 (iii) Section 97-3-65 relating to statutory rape;

43 or



44 (iv) Conspiracy to commit, accessory to the  
45 commission of, or attempt to commit any offense listed in this  
46 paragraph.

47 (2) Any person required to register under this chapter shall  
48 submit the following information at the time of registration:

49 (a) Name, including a former name which has been  
50 legally changed;

51 (b) Street address of all current permanent and  
52 temporary residences within state or out of state at which the sex  
53 offender resides or habitually lives, including dates of temporary  
54 lodgings. There is a presumption that a registrant owes a duty of  
55 updating registration information if:

56 (i) The registrant remains away from a registered  
57 address for seven (7) or more consecutive days; or

58 (ii) If the registrant remains at another address  
59 between the hours of 10:00 p.m. and 6:00 a.m. for more than seven  
60 (7) consecutive days;

61 (c) Date, place and address of employment, including as  
62 a volunteer or unpaid intern or as a transient or day laborer;

63 (d) Crime for which charged, arrested or convicted;

64 (e) Date and place of conviction, adjudication or  
65 acquittal by reason of insanity;

66 (f) Aliases used or nicknames, ethnic or tribal names  
67 by which commonly known;



68 (g) Social security number and any purported social  
69 security number or numbers;

70 (h) Date and place of birth and any purported date and  
71 place of birth;

72 (i) Age, race, sex, height, weight, hair and eye  
73 colors, and any other physical description or identifying factors;

74 (j) A brief description of the offense or offenses for  
75 which the registration is required;

76 (k) Driver's license or state or other jurisdiction  
77 identification card number, which license or card may be  
78 electronically accessed by the Department of Public Safety;

79 (l) Anticipated future residence;

80 (m) If the registrant's residence is a motor vehicle,  
81 trailer, mobile home or manufactured home, the registrant shall  
82 also provide vehicle identification number, license tag number,  
83 registration number and a description, including color scheme, of  
84 the motor vehicle, trailer, mobile home or manufactured home; if  
85 the registrant's place of residence is a vessel or houseboat, the  
86 registrant shall also provide the hull identification number,  
87 manufacturer's serial number, name of the vessel or houseboat,  
88 registration number and a description, including color scheme, of  
89 the vessel or houseboat, including permanent or frequent locations  
90 where the motor vehicle, trailer, mobile home, manufactured home,  
91 vessel or houseboat is kept;



92           (n) Vehicle make, model, color and license tag number  
93 for all vehicles owned or operated by the sex offender, whether  
94 for work or personal use, and the permanent or frequent locations  
95 where a vehicle is kept;

96           (o) Offense history;

97           (p) Photograph;

98           (q) Fingerprints and palm prints;

99           (r) Documentation of any treatment received for any  
100 mental abnormality or personality disorder of the person;

101           (s) Biological sample;

102           (t) Name of any public or private educational  
103 institution, including any secondary school, trade or professional  
104 institution or institution of higher education at which the  
105 offender is employed, carries on a vocation (with or without  
106 compensation) or is enrolled as a student, or will be enrolled as  
107 a student, and the registrant's status;

108           (u) Copy of conviction or sentencing order for the sex  
109 offense for which registration is required;

110           (v) The offender's parole, probation or supervised  
111 release status and the existence of any outstanding arrest  
112 warrants;

113           (w) Every online identity, screen name or username  
114 used, registered or created by a registrant;



115           (x) Professional licensing information which authorizes  
116 the registrant to engage in an occupation or carry out a trade or  
117 occupation;

118           (y) Information from passport and immigration  
119 documents;

120           (z) All telephone numbers, including, but not limited  
121 to, permanent residence, temporary residence, cell phone and  
122 employment phone numbers, whether landlines or cell phones; and

123           (aa) Any other information deemed necessary.

124           (3) For purposes of this chapter, a person is considered to  
125 be residing in this state if he maintains a permanent or temporary  
126 residence as defined in Section 45-33-23, including students,  
127 temporary employees and military personnel on assignment.

128           (4) (a) A person required to register under this chapter  
129 shall not reside within three thousand (3,000) feet of the real  
130 property comprising a public or nonpublic elementary or secondary  
131 school, a child care facility, a residential child-caring agency,  
132 a children's group care home or any playground, ballpark or other  
133 recreational facility utilized by persons under the age of  
134 eighteen (18) years.

135           (b) A person residing within three thousand (3,000)  
136 feet of the real property comprising a public or nonpublic  
137 elementary or secondary school or a child care facility does not  
138 commit a violation of this subsection if any of the following  
139 apply:



140 (i) The person is serving a sentence at a jail,  
141 prison, juvenile facility or other correctional institution or  
142 facility.

143 (ii) The person is subject to an order of  
144 commitment under Title 41, Mississippi Code of 1972.

145 (iii) The person established the subject residence  
146 before July 1, 2006.

147 (iv) The school or child care facility is  
148 established within three thousand (3,000) feet of the person's  
149 residence subsequent to the date the person established residency.

150 (v) The person established the subject residence  
151 between July 1, 2006, and January 1, 2014, in a location at least  
152 one thousand five hundred (1,500) feet from the school or child  
153 care facility.

154 (vi) The person is a minor or a ward under a  
155 guardianship.

156 (c) A person residing within three thousand (3,000)  
157 feet of the real property comprising a residential child-caring  
158 agency, a children's group care home or any playground, ballpark  
159 or other recreational facility utilized by persons under the age  
160 of eighteen (18) years does not commit a violation of this  
161 subsection if any of the following apply:

162 (i) The person established the subject residence  
163 before July 1, 2008.



164 (ii) The residential child-caring agency,  
165 children's group care home, playground, ballpark or other  
166 recreational facility utilized by persons under the age of  
167 eighteen (18) years is established within three thousand (3,000)  
168 feet of the person's residence subsequent to the date the person  
169 established residency.

170 (iii) The person established the subject residence  
171 between July 1, 2008, and January 1, 2014, in a location at least  
172 one thousand five hundred (1,500) feet from the residential  
173 child-caring agency, children's group care home, playground,  
174 ballpark or other recreational facility utilized by persons under  
175 the age of eighteen (18) years.

176 (iv) Any of the conditions described in subsection  
177 (4) (b) (i), (ii) or (vi) exist.

178 (5) The Department of Public Safety is required to obtain  
179 the text of the law defining the offense or offenses for which the  
180 registration is required.

181 (6) A person required to register under this chapter shall  
182 be disqualified from serving as a volunteer firefighter in the  
183 State of Mississippi.

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

