

By: Representatives Hale, Ford (54th), Ford (73rd), Goodin, Pigott To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1099

1 AN ACT TO PROHIBIT PHYSICALLY INCARCERATED OFFENDERS FROM
2 REQUESTING A NAME CHANGE OR GENDER TRANSITION; AND FOR RELATED
3 PURPOSES.

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

5 **SECTION 1.** For purposes of this act, the following words
6 shall have the meanings ascribed herein unless the context
7 otherwise requires:

8 (a) "Biological sex" means the biological indication of
9 male and female in the context of reproductive potential or
10 capacity, such as sex chromosomes, naturally occurring sex
11 hormones, gonads, and nonambiguous internal and external genitalia
12 present at birth, without regard to an individual's psychological,
13 chosen, or subjective experience of gender.

14 (b) "Change of name petition" means a petition to
15 change the legal name of an individual.

16 (c) "Gender" means the psychological, behavioral,
17 social and cultural aspects of being male or female.



(d) "Gender transition petition" means a petition to legally recognize an individual's transition from living as a gender that corresponds to his or her biological sex to identifying with and living as a gender different from his or her biological sex. "Gender transition petition" may include a change of an individual's name.

(e) "Offender" means any physically incarcerated person convicted of a crime or offense under the laws and ordinances of the state and its political subdivisions or the laws and regulations of the federal government.

SECTION 2. (1) (a) Except as otherwise provided in subsection (2), no offender shall have standing to file a change of name or gender transition petition with the chancery court;

(b) Except as otherwise provided in subsection (2), no chancellor shall grant a change of name or gender transition petition for an offender; and

(c) Except as otherwise provided in subsection (2), no chancery clerk shall file a change of name or gender transition petition for an offender.

(2) A chancellor may change the name of an offender if:

(a) A district attorney files a change of name petition on behalf of an offender;

(b) A sheriff of a county in which a person is incarcerated files a change of name petition on behalf of an offender;



43 (c) The commissioner of the Mississippi Department of
44 Corrections, or his or her designee, files a change of name
45 petition on behalf of an offender; or

46 (d) A Mississippi Department of Corrections Chaplain
47 files a change of name petition on behalf of an offender.

48 **SECTION 3.** This act shall take effect and be in force from
49 and after July 1, 2022.

