

By: Representative Currie

To: Judiciary A

HOUSE BILL NO. 147

1 AN ACT TO PROHIBIT THE KNOWING AND WILLFUL TRANSPORT INTO THE  
2 STATE OF AN UNAUTHORIZED ALIEN; TO PROVIDE THAT SUCH CRIME SHALL  
3 BE A FELONY AND PRESCRIBE PENALTIES FOR SUCH; TO PROVIDE THAT THE  
4 FORGERY OF GOVERNMENT DOCUMENTS FOR UNAUTHORIZED ALIENS SHALL BE A  
5 CRIME; TO PROVIDE PENALTIES FOR VIOLATION OF SUCH; TO AMEND  
6 SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE  
7 DEPARTMENT OF PUBLIC SAFETY'S DUTIES TO ASSIST LOCAL LAW  
8 ENFORCEMENT IN EFFORTS TO ENFORCE STATE AND FEDERAL LAWS REGARDING  
9 UNAUTHORIZED ALIENS; TO AMEND SECTION 71-1-49, MISSISSIPPI CODE OF  
10 1972, TO CLARIFY THE PROHIBITION AGAINST UNAUTHORIZED ALIENS  
11 SERVING AS LABOR REPRESENTATIVES; TO AMEND SECTION 71-11-1,  
12 MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATE'S POSITION AGAINST  
13 PROVIDING STATE PUBLIC BENEFITS TO UNAUTHORIZED ALIENS; TO AMEND  
14 SECTION 71-11-3, MISSISSIPPI CODE OF 1972, TO INCREASE PENALTIES  
15 FOR VIOLATIONS OF E VERIFICATION FOR EMPLOYMENT; TO AMEND SECTION  
16 83-17-407, MISSISSIPPI CODE OF 1972, TO AUTHORIZE REJECTION OF A  
17 LICENSE FROM ANOTHER STATE IF THE HOLDER OF SUCH IS AN  
18 UNAUTHORIZED ALIEN; TO AMEND SECTION 41-9-67, MISSISSIPPI CODE OF  
19 1972, TO PROVIDE THAT STATISTICAL INFORMATION REGARDING THE NUMBER  
20 OF UNAUTHORIZED ALIENS SERVED BY HOSPITALS IS A PUBLIC RECORD; TO  
21 BRING FORWARD SECTIONS 97-3-54.1 AND 97-3-54.2, MISSISSIPPI CODE  
22 OF 1972, WHICH PROVIDE FOR HUMAN TRAFFICKING, FOR PURPOSES OF  
23 AMENDMENT; TO BRING FORWARD SECTIONS 63-1-19 AND 63-1-47,  
24 MISSISSIPPI CODE OF 1972, WHICH REGULATE DRIVER'S LICENSES, FOR  
25 PURPOSES OF AMENDMENT; TO BRING FORWARD SECTIONS 57-1-371 AND  
26 57-1-373, MISSISSIPPI CODE OF 1972, WHICH PROHIBIT CERTAIN LOANS  
27 AND BENEFITS TO EMPLOYERS FOUND GUILTY OF HIRING ILLEGAL  
28 IMMIGRANTS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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

30 **SECTION 1.** (1) Any person who knowingly and willfully  
31 transports into this state an unauthorized alien as defined by



32 Section 71-11-3, whom the person knows or should have known has  
33 entered the United States in violation of law shall be guilty of a  
34 felony, and upon conviction, shall be subject to imprisonment in  
35 the custody of the Department of Corrections for not less than one  
36 (1) year nor more than five (5) years, a fine of not less than One  
37 Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars  
38 (\$10,000.00), or both.

39 (2) Any person who shall forge or counterfeit any government  
40 document for an unauthorized alien as defined by Section 71 11 3  
41 with the intent to help the alien appear as a lawful citizen of  
42 the United States or this state shall be guilty of a felony and  
43 upon conviction, shall be subject to imprisonment in the custody  
44 of the Department of Corrections for not less than one (1) year  
45 nor more than five (5) years, a fine of not less than One Thousand  
46 Dollars (\$1,000.00) nor more than Ten Thousand Dollars  
47 (\$10,000.00), or both.

48 **SECTION 2.** Section 45-1-3, Mississippi Code of 1972, is  
49 amended as follows:

50 45-1-3. (1) When not otherwise specifically provided, the  
51 commissioner is authorized to make and promulgate reasonable rules  
52 and regulations to be coordinated, and carry out the general  
53 provisions of the Highway Safety Patrol \* \* \*, the Driver's  
54 License Law of 1938 and assist local law enforcement efforts to  
55 enforce state and federal laws against unauthorized aliens as  
56 defined by Section 71-11-3.



57 (2) The commissioner shall have the authority to administer  
58 oaths.

59 **SECTION 3.** Section 71-1-49, Mississippi Code of 1972, is  
60 amended as follows:

61 71-1-49. (1) No person who is an unauthorized alien as  
62 defined in Section 71-11-3, or who is or has been a member of the  
63 Communist Party, or who has been convicted of or served any part  
64 of a prison term resulting from his conviction of robbery,  
65 bribery, extortion, embezzlement, grand larceny, burglary, arson,  
66 violation of narcotics laws, murder, rape, assault with intent to  
67 kill, or conspiracy to commit any such crimes, shall serve:

68 (a) As an officer, director, trustee, member of any  
69 executive board or similar governing body, business agent,  
70 manager, organizer, or other employee (other than as an employee  
71 performing exclusively clerical or custodial duties) of any labor  
72 organization, or as a manager, or any person occupying a  
73 bargaining position with industry, or

74 (b) As a labor relations consultant either of a labor  
75 organization or of an employer or both, or as an officer,  
76 director, agent, or employee (other than as an employee performing  
77 exclusively clerical or custodial duties) of any group or  
78 association of employers dealing with any labor organization,  
79 during or for five (5) years after the termination of his  
80 membership in the Communist Party, or for five (5) years after  
81 such conviction, or after the end of such imprisonment. No labor



82 organization, group or association of employers, or officer  
83 thereof shall knowingly permit any person to assume or hold any  
84 office or paid position in violation of this section.

85 (2) Any person who willfully violates this section shall be  
86 guilty of a misdemeanor and, upon conviction thereof, be fined  
87 not \* \* \* less than One Thousand Dollars (\$1,000.00), nor more  
88 than Five Thousand Hundred Dollars (\$5,000.00) or imprisoned for  
89 not more than one (1) year, or both.

90 (3) For the purposes of this section, any person shall be  
91 deemed to have been "convicted" and under the disability of  
92 "conviction" from the date of the judgment of the trial court or  
93 the date of the final sustaining of such judgment on appeal,  
94 whichever is the later event, regardless of whether such  
95 conviction occurred before or after July 1, 1960.

96 **SECTION 4.** Section 71-11-1, Mississippi Code of 1972, is  
97 amended as follows:

98 71-11-1. The Legislature finds that when illegal immigrants  
99 have been sheltered and harbored in this state and encouraged to  
100 reside in this state through the benefit of work without verifying  
101 immigration status, these practices impede and obstruct the  
102 enforcement of federal immigration law, undermine the security of  
103 our borders, and impermissibly restrict the privileges and  
104 immunities of the citizens of Mississippi. The Legislature  
105 further finds that illegal immigration is encouraged when public  
106 agencies within this state provide and support public benefits



107 without verifying immigration status. The Legislature further  
108 finds that the Tenth Amendment to the United States Constitution  
109 reserves to the states those powers not delegated to the United  
110 States by the Constitution. Therefore, the Legislature declares  
111 that it is a compelling public interest of this state to  
112 discourage illegal immigration by requiring all agencies within  
113 this state to fully cooperate with federal immigration authorities  
114 in the enforcement of federal immigration laws. The Legislature  
115 also finds that other measures are necessary to ensure the  
116 integrity of various governmental programs and services.

117 **SECTION 5.** Section 71-11-3, Mississippi Code of 1972, is  
118 amended as follows:

119 71-11-3. (1) This chapter shall be known as the  
120 "Mississippi Employment Protection Act."

121 (2) The provisions of this section shall be enforced without  
122 regard to race, gender, religion, ethnicity or national origin.

123 (3) For the purpose of this section only, the following  
124 words shall have the meanings ascribed herein unless the content  
125 clearly states otherwise:

126 (a) "Employer" is any person or business that is  
127 required by federal or state law to issue a United States Internal  
128 Revenue Service Form W-2 or Form 1099 to report income paid to  
129 employed or contracted personnel in Mississippi, and shall include  
130 any public employer as defined by this subsection.



131 (b) "Employee" is any person or entity that is hired to  
132 perform work within the State of Mississippi and to whom a United  
133 States Internal Revenue Service Form W-2 or Form 1099 must be  
134 issued.

135 (c) "Third-party employer" is any person or company  
136 that provides workers for another person or company. This  
137 includes, but is not limited to, leasing companies and contract  
138 employers.

139 (d) "Status verification system" means the electronic  
140 verification of work authorization program of the Illegal  
141 Immigration Reform and Immigration Responsibility Act of 1996,  
142 Public Law 104-208, Division C, Section 403(a); 8 USC, Section  
143 1324a, and operated by the United States Department of Homeland  
144 Security, known as the E-Verify Program.

145 (e) "Unauthorized alien" means an alien as defined in  
146 Section 1324a(h) (3) of Title 8 of the United States Code.

147 (f) "Public employer" means every department, agency or  
148 instrumentality of the state or a political subdivision of the  
149 state.

150 (g) "Subcontractor" means a subcontractor, contract  
151 employee, staffing agency or any contractor regardless of its  
152 tier.

153 (4) (a) Employers in the State of Mississippi shall only  
154 hire employees who are legal citizens of the United States of  
155 America or are legal aliens. For purposes of this section, a



156 legal alien is an individual who was lawfully present in the  
157 United States at the time of employment and for the duration of  
158 employment, or was permanently residing in the United States under  
159 color of law at the time of employment and for the duration of  
160 employment.

161 (b) (i) Every employer shall register with and utilize  
162 the status verification system to verify the federal employment  
163 authorization status of all newly hired employees.

164 (ii) No contractor or subcontractor shall hire any  
165 employee unless the contractor or subcontractor registers and  
166 participates in the status verification system to verify the work  
167 eligibility status of all newly hired employees.

168 (iii) No contractor or subcontractor who enters  
169 into a contract with a public employer shall enter into such a  
170 contract or subcontract unless the contractor or subcontractor  
171 registers and participates in the status verification system to  
172 verify information of all newly hired employees.

173 (c) The provision of this section shall not apply to  
174 any contracts entered into on or before July 1, 2008.

175 (d) It shall be a discriminatory practice for an  
176 employer to discharge an employee working in Mississippi who is a  
177 United States citizen or permanent resident alien while retaining  
178 an employee who the employing entity knows, or reasonably should  
179 have known \* \* \* and who is working in Mississippi in a job  
180 category that requires equal skill, effort and responsibility, and



181 which is performed under similar working conditions, as defined by  
182 29 USC, Section 206(d)(1), as the job category held by the  
183 discharged employee.

184 (e) An employing entity which, on the date of the  
185 discharge in question, was enrolled in and used the status  
186 verification system to verify the employment eligibility of its  
187 employees in Mississippi \* \* \* shall be exempt from liability,  
188 investigation or suit arising from any action under this section.  
189 Proof of such verification shall be required by the employing  
190 entity.

191 (f) No cause of action for a violation of this section  
192 shall lie under any other Mississippi law but shall arise solely  
193 from the provisions of this section.

194 (5) Any employer that complies with the requirements of this  
195 section shall be held harmless by the Mississippi Department of  
196 Employment Security, provided the employer is not directly  
197 involved in the creation of any false documents, and provided that  
198 the employer did not knowingly and willfully accept false  
199 documents from the employee.

200 (6) (a) All third-party employers that conduct business in  
201 Mississippi shall register to do business in Mississippi with the  
202 Mississippi Department of Employment Security before placing  
203 employees into the workforce in Mississippi.





204 (b) Third-party employers shall provide proof of  
205 registration and any participation in the status verification  
206 system to any Mississippi employer with whom they do business.

207 (7) (a) State of Mississippi agencies and political  
208 subdivisions, public contractors \* \* \*, public subcontractors and  
209 private employers \* \* \* shall meet verification requirements.

210 ( \* \* \* b) (i) Any employer violating the provisions of  
211 this section shall be subject to the cancellation of any state or  
212 public contract, resulting in ineligibility for any state or  
213 public contract for up to three (3) years, the loss of any  
214 license, permit, certificate or other document granted to the  
215 employer by any agency, department or government entity in the  
216 State of Mississippi for the right to do business in Mississippi  
217 for up to one (1) year, or both.

218 (ii) The contractor or employer shall be liable  
219 for any additional costs incurred by the agencies and institutions  
220 of the State of Mississippi, or any of its political subdivisions,  
221 because of the cancellation of the contract or the loss of any  
222 license or permit to do business in the state.

223 (iii) Any person or entity penalized under this  
224 section shall have the right to appeal to the appropriate entity  
225 bringing charges or to the circuit court of competent  
226 jurisdiction.

227 ( \* \* \* c) The Department of Employment Security, State  
228 Tax Commission, Secretary of State, Department of Human Services



229 and the Attorney General shall have the authority to seek  
230 penalties under this section and to bring charges for  
231 noncompliance against any employer or employee.

232 (8) (a) There shall be no liability under this section in  
233 the following circumstances:

234 (i) An employer who hires an employee through a  
235 state or federal work program that requires verification of the  
236 employee's social security number and provides for verification of  
237 the employee's lawful presence in the United States in an  
238 employment-authorized immigration status;

239 (ii) Any candidate for employment referred by the  
240 Mississippi Department of Employment Security, if the Mississippi  
241 Department of Employment Security has verified the social security  
242 number and provides for verification of the candidate's lawful  
243 presence in the United States in an employment-authorized  
244 immigration status; or

245 (iii) Individual homeowners who hire workers on  
246 their private property for noncommercial purposes, unless required  
247 by federal law to do so.

248 (b) (i) Compliance with the sections of this statute  
249 shall not exempt the employer from regulations and requirements  
250 related to any federal laws or procedures related to employers.

251 (ii) This section shall not be construed as an  
252 attempt to preempt federal law.



253 (c) (i) It shall be a felony for any person to accept  
254 or perform employment for compensation knowing or in reckless  
255 disregard that the person is an unauthorized alien with respect to  
256 employment during the period in which the unauthorized employment  
257 occurred. Upon conviction, a violator shall be subject to  
258 imprisonment in the custody of the Department of Corrections for  
259 not less than one (1) year nor more than five (5) years, a fine of  
260 not less than One Thousand Dollars (\$1,000.00) nor more than Ten  
261 Thousand Dollars (\$10,000.00), or both.

262 (ii) For purposes of determining bail for persons  
263 who are charged under this section, it shall be a rebuttable  
264 presumption that a defendant who has entered and remains in the  
265 United States unlawfully is deemed at risk of flight for purposes  
266 of bail determination.

267 **SECTION 6.** Section 83-17-407, Mississippi Code of 1972, is  
268 amended as follows:

269 83-17-407. The commissioner may waive any license  
270 requirement for an applicant with a valid license from another  
271 state having license requirements substantially equivalent to  
272 those of this state, or an applicant with a certification from a  
273 person or entity approved by the commissioner that provides  
274 adjuster education and training and has met the standards as set  
275 forth by the commissioner regarding pre-licensing coursework and  
276 examination. No applicant with a valid license from another state  
277 shall be rejected solely on the basis that the individual is not a



278 resident of the United States of America; however, any applicant  
279 who is an unauthorized alien as defined by Section 71-11-3 shall  
280 be rejected.

281 **SECTION 7.** Section 41-9-67, Mississippi Code of 1972, is  
282 amended as follows:

283 41-9-67. (1) Except as otherwise provided by law, hospital  
284 records shall not constitute public records, and nothing contained  
285 in Sections 41-9-61 through 41-9-83 shall be deemed to impair any  
286 privilege of confidence conferred by law or the Mississippi Rules  
287 of Evidence on patients, their personal representatives or heirs,  
288 by Section 13-1-21, Mississippi Code of 1972.

289 (2) Hospitals shall maintain a record of the number of  
290 unauthorized aliens it serves. Such record shall be a public  
291 record.

292 **SECTION 8.** Section 97-3-54.1, Mississippi Code of 1972, is  
293 brought forward as follows:

294 97-3-54.1. (1) (a) A person who coerces, recruits,  
295 entices, harbors, transports, provides or obtains by any means, or  
296 attempts to coerce, recruit, entice, harbor, transport, provide or  
297 obtain by any means, another person, intending or knowing that the  
298 person will be subjected to forced labor or services, or who  
299 benefits, whether financially or by receiving anything of value  
300 from participating in an enterprise that he knows or reasonably  
301 should have known has engaged in such acts, shall be guilty of the  
302 crime of human trafficking.



303           (b) A person who knowingly purchases the forced labor  
304 or services of a trafficked person or who otherwise knowingly  
305 subjects, or attempts to subject, another person to forced labor  
306 or services or who benefits, whether financially or by receiving  
307 anything of value from participating in an enterprise that he  
308 knows or reasonably should have known has engaged in such acts,  
309 shall be guilty of the crime of procuring involuntary servitude.

310           (c) A person who knowingly subjects, or attempts to  
311 subject, or who recruits, entices, harbors, transports, provides  
312 or obtains by any means, or attempts to recruit, entice, harbor,  
313 transport, provide or obtain by any means, a minor, knowing that  
314 the minor will engage in commercial sexual activity, sexually  
315 explicit performance, or the production of sexually oriented  
316 material, or causes or attempts to cause a minor to engage in  
317 commercial sexual activity, sexually explicit performance, or the  
318 production of sexually oriented material, shall be guilty of  
319 procuring sexual servitude of a minor and shall be punished by  
320 commitment to the custody of the Department of Corrections for not  
321 less than twenty (20) years nor more than life in prison, or by a  
322 fine of not less than Fifty Thousand Dollars (\$50,000.00) nor more  
323 than Five Hundred Thousand Dollars (\$500,000.00), or both. It is  
324 not a defense in a prosecution under this section that a minor  
325 consented to engage in the commercial sexual activity, sexually  
326 explicit performance, or the production of sexually oriented



327 material, or that the defendant reasonably believed that the minor  
328 was eighteen (18) years of age or older.

329 (2) If the victim is not a minor, a person who is convicted  
330 of an offense set forth in subsection (1)(a) or (b) of this  
331 section shall be committed to the custody of the Department of  
332 Corrections for not less than two (2) years nor more than twenty  
333 (20) years, or by a fine of not less than Ten Thousand Dollars  
334 (\$10,000.00) nor more than One Hundred Thousand Dollars  
335 (\$100,000.00), or both. If the victim of the offense is a minor,  
336 a person who is convicted of an offense set forth in subsection  
337 (1)(a) or (b) of this section shall be committed to the custody of  
338 the Department of Corrections for not less than twenty (20) years  
339 nor more than life in prison, or by a fine of not less than Twenty  
340 Thousand Dollars (\$20,000.00) nor more than One Hundred Thousand  
341 Dollars (\$100,000.00), or both.

342 (3) An enterprise may be prosecuted for an offense under  
343 this chapter if:

344 (a) An agent of the enterprise knowingly engages in  
345 conduct that constitutes an offense under this chapter while  
346 acting within the scope of employment and for the benefit of the  
347 entity.

348 (b) An employee of the enterprise engages in conduct  
349 that constitutes an offense under this chapter and the commission  
350 of the offense was part of a pattern of illegal activity for the  
351 benefit of the enterprise, which an agent of the enterprise either



352 knew was occurring or recklessly disregarded, and the agent failed  
353 to take effective action to stop the illegal activity.

354 (c) It is an affirmative defense to a prosecution of an  
355 enterprise that the enterprise had in place adequate procedures,  
356 including an effective complaint procedure, designed to prevent  
357 persons associated with the enterprise from engaging in the  
358 unlawful conduct and to promptly correct any violations of this  
359 chapter.

360 (d) The court may consider the severity of the  
361 enterprise's offense and order penalties, including: (i) a fine  
362 of not more than One Million Dollars (\$1,000,000.00); (ii)  
363 disgorgement of profit; and (iii) debarment from government  
364 contracts. Additionally, the court may order any of the relief  
365 provided in Section 97-3-54.7.

366 (4) In addition to the mandatory reporting provisions  
367 contained in Sections 43-21-353 and 97-5-51, any person who has  
368 reasonable cause to suspect that a minor under the age of eighteen  
369 (18) is a trafficked person shall immediately make a report of the  
370 suspected child abuse or neglect to the Department of Child  
371 Protection Services and to the Statewide Human Trafficking  
372 Coordinator. The Department of Child Protection Services or the  
373 Statewide Human Trafficking Coordinator, whichever is applicable,  
374 shall then immediately notify the law enforcement agency in the  
375 jurisdiction where the suspected child abuse, neglect or  
376 trafficking occurred as required in Section 43-21-353, and the



377 department that received the report shall also commence an initial  
378 investigation into the suspected abuse or neglect as required in  
379 Section 43-21-353. The department that received such report shall  
380 provide an annual report to the Speaker of the Mississippi House  
381 of Representatives, the Lieutenant Governor, the Chairpersons of  
382 the House and Senate Judiciary Committees that includes the number  
383 of reports received, the number of cases screened in or out, the  
384 number of cases in which care and services were provided as a  
385 result of the report, and the type of care and services that were  
386 provided. A minor who has been identified as a victim of  
387 trafficking shall not be liable for criminal activity in violation  
388 of this section.

389 (5) It is an affirmative defense in a prosecution under this  
390 act that the defendant:

391 (a) Is a victim; and

392 (b) Committed the offense under a reasonable  
393 apprehension created by a person that, if the defendant did not  
394 commit the act, the person would inflict serious harm on the  
395 defendant, a member of the defendant's family, or a close  
396 associate.

397 **SECTION 9.** Section 97-3-54.2, Mississippi Code of 1972, is  
398 brought forward as follows:

399 97-3-54.2. Anyone who knowingly destroys, conceals, removes,  
400 confiscates or possesses, or attempts to destroy, conceal, remove,  
401 confiscate or possess, any actual or purported passport or other





402 immigration document, or any other actual or purported government  
403 identification document of any person to prevent or restrict, or  
404 attempt to prevent or restrict, without lawful authority, the  
405 person's liberty to move or travel in order to maintain the labor  
406 or services of that person, when the person is or has been a  
407 victim of a violation set out in Section 97-3-54.1, shall be  
408 punished by commitment to the custody of the Department of  
409 Corrections for not more than five (5) years.

410       **SECTION 10.** Section 63-1-19, Mississippi Code of 1972, is  
411 brought forward as follows:

412       63-1-19. (1) (a) Every applicant for a license or permit  
413 issued pursuant to this article, or for renewal of such license or  
414 permit, shall file an application for such license, permit or  
415 renewal, on a form provided by the Department of Public Safety,  
416 with the commissioner or an official license examiner of the  
417 department. All persons not holding valid, unexpired licenses  
418 issued in this state shall be required to secure an original  
419 license, except those specifically exempted from licensing under  
420 Section 63-1-7. The application shall state the name, date of  
421 birth, the social security number of the applicant unless the  
422 applicant is not a United States citizen and does not possess a  
423 social security number issued by the United States government,  
424 sex, race, color of eyes, color of hair, weight, height and  
425 residence address, and whether or not the applicant's privilege to  
426 drive has been suspended or revoked at any time, and, if so, when,



427 by whom, and for what cause, and whether any previous application  
428 by him has been denied, and whether he has any physical defects  
429 which would interfere with his operating a motor vehicle safely  
430 upon the highways.

431 (b) Every applicant for an original license shall show  
432 proof of domicile in this state. The commissioner shall  
433 promulgate any rules and regulations necessary to enforce this  
434 requirement and shall prescribe the means by which an applicant  
435 for an original license may show domicile in this state. Proof of  
436 domicile shall not be required of applicants under eighteen (18)  
437 years of age.

438 (c) Unless the applicant is not a United States citizen  
439 and does not possess a social security number issued by the United  
440 States government, each application or filing made under this  
441 section shall include the social security number(s) of the  
442 applicant in accordance with Section 93-11-64, Mississippi Code of  
443 1972.

444 (2) No person who is illegally in the United States or  
445 Mississippi shall be issued a license. The application of a  
446 person who is not a United States citizen and who does not possess  
447 a social security number issued by the United States government  
448 shall state the name, date of birth, sex, race, color of eyes,  
449 color of hair, weight, height and residence address, and whether  
450 or not the applicant's privilege to drive has been suspended or  
451 revoked at any time, and, if so, when, by whom, and for what



452 cause, and whether any previous application by him has been  
453 denied, and whether he has any physical defects which would  
454 interfere with his operating a motor vehicle safely upon the  
455 highways. The commissioner shall adopt and promulgate such rules  
456 and regulations as he deems appropriate requiring additional  
457 documents, materials, information or physical evidence to be  
458 provided by the applicant as may be necessary to establish the  
459 identity of the applicant and that the applicant is not present in  
460 the United States or the State of Mississippi illegally.

461 (3) Whenever a person who has applied for or who has been  
462 issued a license or permit under this article moves from the  
463 address listed in the application or on the permit or license, or  
464 whenever the name of a licensee changes by marriage or otherwise,  
465 such person, within thirty (30) days thereafter, shall notify, in  
466 writing, the Department of Public Safety, Driver Services  
467 Division, and inform the department of his or her previous address  
468 and new address and of his or her former name and new name. The  
469 department shall not change the name of a licensee or permittee on  
470 his or her license or permit unless the applicant appears in  
471 person at an office of the department and provides a certified  
472 copy of his or her marriage license, court order, birth  
473 certificate or divorce decree changing the licensee's or  
474 permittee's name.

475 (4) (a) Any male who is at least eighteen (18) years of age  
476 but less than twenty-six (26) years of age and who applies for a



477 permit or license or a renewal of a permit or license under this  
478 chapter shall be registered in compliance with the requirements of  
479 Section 3 of the Military Selective Service Act, 50 USCS Section  
480 3802, as amended.

481 (b) The department shall forward in an electronic  
482 format the necessary personal information of the applicant to the  
483 Selective Service System. The applicant's submission of the  
484 application shall serve as an indication that the applicant either  
485 has already registered with the Selective Service System or that  
486 he is authorizing the department to forward to the Selective  
487 Service System the necessary information for registration. The  
488 commissioner shall notify the applicant on, or as a part of, the  
489 application that his submission of the application will serve as  
490 his consent to registration with the Selective Service System, if  
491 so required. The commissioner also shall notify any male  
492 applicant under the age of eighteen (18) that he will be  
493 registered upon turning age eighteen (18) as required by federal  
494 law.

495 **SECTION 11.** Section 63-1-47, Mississippi Code of 1972, is  
496 brought forward as follows:

497 63-1-47. (1) (a) Except as otherwise provided in this  
498 section, each applicant for an original or renewal Class R or  
499 Class D license issued pursuant to this article, who is entitled  
500 to issuance of same, shall be issued a four-year license or an  
501 eight-year license, at the option of the applicant, which will



502 expire at midnight on the licensee's birthday and may be renewed  
503 any time within six (6) months before the expiration of the  
504 license upon application and payment of the required fee, unless  
505 required to be reexamined.

506 (b) The term of an ignition-interlock-restricted  
507 license issued under this article shall be four (4) years.

508 (2) Any commercial driver's license issued under Article 5  
509 of this chapter shall be issued for a five-year term to expire at  
510 midnight on the licensee's birthday.

511 (3) (a) All applications by an operator under eighteen (18)  
512 years of age must be accompanied by documentation that the  
513 applicant is in compliance with the education requirements of  
514 Section 63-1-9(1)(g), and the documentation used in establishing  
515 compliance must be dated no more than thirty (30) days before the  
516 date of application.

517 (b) All applications by an operator under eighteen (18)  
518 years of age, if applicable, must be accompanied by documentation  
519 signed and notarized by the parent or guardian of the applicant  
520 and the appropriate school official, authorizing the release of  
521 the applicant's attendance records to the Department of Public  
522 Safety as required under Section 63-1-10.

523 (c) The commissioner shall suspend the driver's license  
524 or learner's permit of a student under eighteen (18) years of age  
525 who has been reported by the Department of Education as required  
526 by Section 63-1-10.1, and shall give notice of the suspension to



527 the licensee as provided in Section 63-1-52(4). A school  
528 superintendent or designee may request that the driver's license  
529 or learner's permit that has been suspended under the provisions  
530 of this subsection be reinstated after the student has  
531 successfully completed nine (9) weeks of school attendance without  
532 an unlawful absence.

533 (4) (a) Any original or renewal license issued under this  
534 chapter to a person who is not a United States citizen shall  
535 expire four (4) years from the date of issuance or on the  
536 expiration date of the applicant's authorized stay in the United  
537 States, whichever is the lesser period of time, and may be  
538 renewed, if the person is otherwise qualified to renew the  
539 license, within thirty (30) days of expiration. The fee for any  
540 such license and for renewal shall be as prescribed in Section  
541 63-1-43.

542 (b) Any applicant for an original or renewal license  
543 under this subsection (4) must present valid documentary evidence  
544 documenting that the applicant:

545 (i) Is a citizen or national of the United States;

546 (ii) Is an alien lawfully admitted for permanent  
547 or temporary residence in the United States;

548 (iii) Has conditional permanent residence status  
549 in the United States;



550 (iv) Has an approved application for asylum in the  
551 United States or has entered into the United States in refugee  
552 status;

553 (v) Has a valid, unexpired nonimmigrant visa or  
554 nonimmigrant visa status for entry into or lawful presence in the  
555 United States;

556 (vi) Has a pending application for asylum in the  
557 United States;

558 (vii) Has a pending or approved application for  
559 temporary protected status in the United States;

560 (viii) Has approved deferred-action status;

561 (ix) Has a pending application for adjustment of  
562 status to that of an alien lawfully admitted for permanent  
563 residence in the United States or conditional permanent resident  
564 status in the United States; or

565 (x) Has a valid employment authorization card  
566 issued by the United States Department of Homeland Security.

567 (5) For any driver's license issued under this chapter, the  
568 Department of Public Safety shall send an email and text message  
569 notification of an upcoming driver's license expiration date to  
570 the known emails and phone numbers authorized by license holders  
571 for such notices not less than thirty (30) days before the  
572 expiration date of that license.

573 **SECTION 12.** Section 57-1-371, Mississippi Code of 1972, is  
574 brought forward as follows:



575           57-1-371. Any business, enterprise or other entity that is  
576 criminally convicted by a court of competent jurisdiction of  
577 intentionally hiring illegal immigrants shall be ineligible to  
578 receive any loan, grant or other form of assistance made available  
579 under Section 57-93-1, Sections 2 through 37, Sections 57-1-10 and  
580 57-95-1, Sections 40 through 55 and Sections 27-7-22.28 and  
581 27-7-22.29 of Chapter 1, Laws of Third Extraordinary Session of  
582 2005. Any business, enterprise or other entity that receives any  
583 loan, grant or other form of assistance made available under  
584 Section 57-93-1, Sections 2 through 37, Sections 57-1-10 and  
585 57-95-1, Sections 40 through 55 and Sections 27-7-22.28 and  
586 27-7-22.29 of Chapter 1, Laws of Third Extraordinary Session of  
587 2005, and is criminally convicted by a court of competent  
588 jurisdiction of intentionally hiring illegal immigrants shall  
589 repay the full amount of such loan, grant or other form of  
590 assistance.

591           **SECTION 13.** Section 57-1-373, Mississippi Code of 1972, is  
592 brought forward as follows:

593           57-1-373. (1) No business, enterprise or other entity that  
594 is, or has ever been, criminally convicted by a court of competent  
595 jurisdiction of intentionally hiring illegal immigrants that  
596 develops or is located in a "project" as defined in Section  
597 57-75-5(f) (xx) shall be eligible to receive:





598 (a) Any funds provided or derived from the issuance of  
599 any bonds under Sections 1 through 7, Chapter 2, Laws of First  
600 Extraordinary Session of 2006;

601 (b) Any loan, grant or other form of assistance that  
602 may be made available under Sections 1 through 7, Chapter 2, Laws  
603 of First Extraordinary Session of 2006; or

604 (c) Any funds, tax credit or other form of assistance  
605 that may be made available as an incentive payment under Sections  
606 1 through 7, Chapter 2, Laws of First Extraordinary Session of  
607 2006.

608 (2) If a business, enterprise or other entity that develops  
609 or is located in a "project" as defined in Section 57-75-5(f) (xx)  
610 has received funds or assistance as described in paragraphs (a)  
611 through (c) of subsection (1) of this section, and thereafter is  
612 convicted by a court of competent jurisdiction of intentionally  
613 hiring illegal immigrants, then the business, enterprise or other  
614 entity shall repay the full amount of the funds or assistance  
615 received. The repayment shall be certified by the State  
616 Treasurer, who shall deposit such amounts into the specific  
617 special fund in the State Treasury from which the funds were  
618 awarded, or, in the case of incentive payments under Sections  
619 57-28-1 through 57-28-5, into the State General Fund.

620 **SECTION 14.** This act shall take effect and be in force from  
621 and after July 1, 2024.

