

By: Representative Currie

To: Judiciary A

HOUSE BILL NO. 47

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 (3) Notwithstanding any other provision of law, with written
60 approval from the Executive Director of the Department of Finance
61 and Administration, the commissioner may enter into a lease or
62 sublease agreement for space in the Department of Public Safety
63 headquarters building with a third party for the purpose of
64 providing services and assistance to the department and its
65 employees. The proceeds received from the lease under this
66 subsection shall be paid to the State Treasurer for deposit into
67 the General Fund.

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

70 71-1-49. (1) No person who is an unauthorized alien as
71 defined in Section 71-11-3, or who is or has been a member of the
72 Communist Party, or who has been convicted of or served any part
73 of a prison term resulting from his conviction of robbery,
74 bribery, extortion, embezzlement, grand larceny, burglary, arson,
75 violation of narcotics laws, murder, rape, assault with intent to
76 kill, or conspiracy to commit any such crimes, shall serve:

77 (a) As an officer, director, trustee, member of any
78 executive board or similar governing body, business agent,
79 manager, organizer, or other employee (other than as an employee
80 performing exclusively clerical or custodial duties) of any labor



81 organization, or as a manager, or any person occupying a
82 bargaining position with industry, or
83 (b) As a labor relations consultant either of a labor
84 organization or of an employer or both, or as an officer,
85 director, agent, or employee (other than as an employee performing
86 exclusively clerical or custodial duties) of any group or
87 association of employers dealing with any labor organization,
88 during or for five (5) years after the termination of his
89 membership in the Communist Party, or for five (5) years after
90 such conviction, or after the end of such imprisonment. No labor
91 organization, group or association of employers, or officer
92 thereof shall knowingly permit any person to assume or hold any
93 office or paid position in violation of this section.

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

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



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

107 71-11-1. The Legislature finds that when illegal immigrants
108 have been sheltered and harbored in this state and encouraged to
109 reside in this state through the benefit of work without verifying
110 immigration status, these practices impede and obstruct the
111 enforcement of federal immigration law, undermine the security of
112 our borders, and impermissibly restrict the privileges and
113 immunities of the citizens of Mississippi. The Legislature
114 further finds that illegal immigration is encouraged when public
115 agencies within this state provide and support public benefits
116 without verifying immigration status. The Legislature further
117 finds that the Tenth Amendment to the United States Constitution
118 reserves to the states those powers not delegated to the United
119 States by the Constitution. Therefore, the Legislature declares
120 that it is a compelling public interest of this state to
121 discourage illegal immigration by requiring all agencies within
122 this state to fully cooperate with federal immigration authorities
123 in the enforcement of federal immigration laws. The Legislature
124 also finds that other measures are necessary to ensure the
125 integrity of various governmental programs and services.

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

128 71-11-3. (1) This chapter shall be known as the
129 "Mississippi Employment Protection Act."

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

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

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

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

144 (c) "Third-party employer" is any person or company
145 that provides workers for another person or company. This
146 includes, but is not limited to, leasing companies and contract
147 employers.

148 (d) "Status verification system" means the electronic
149 verification of work authorization program of the Illegal
150 Immigration Reform and Immigration Responsibility Act of 1996,
151 Public Law 104-208, Division C, Section 403(a); 8 USC, Section
152 1324a, and operated by the United States Department of Homeland
153 Security, known as the E-Verify Program.



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

156 (f) "Public employer" means every department, agency or
157 instrumentality of the state or a political subdivision of the
158 state.

159 (g) "Subcontractor" means a subcontractor, contract
160 employee, staffing agency or any contractor regardless of its
161 tier.

162 (4) (a) Employers in the State of Mississippi shall only
163 hire employees who are legal citizens of the United States of
164 America or are legal aliens. For purposes of this section, a
165 legal alien is an individual who was lawfully present in the
166 United States at the time of employment and for the duration of
167 employment, or was permanently residing in the United States under
168 color of law at the time of employment and for the duration of
169 employment.

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

173 (ii) No contractor or subcontractor shall hire any
174 employee unless the contractor or subcontractor registers and
175 participates in the status verification system to verify the work
176 eligibility status of all newly hired employees.

177 (iii) No contractor or subcontractor who enters
178 into a contract with a public employer shall enter into such a

179 contract or subcontract unless the contractor or subcontractor
180 registers and participates in the status verification system to
181 verify information of all newly hired employees.

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

184 (d) It shall be a discriminatory practice for an
185 employer to discharge an employee working in Mississippi who is a
186 United States citizen or permanent resident alien while retaining
187 an employee who the employing entity knows, or reasonably should
188 have known * * * and who is working in Mississippi in a job
189 category that requires equal skill, effort and responsibility, and
190 which is performed under similar working conditions, as defined by
191 29 USC, Section 206(d)(1), as the job category held by the
192 discharged employee.

193 (e) An employing entity which, on the date of the
194 discharge in question, was enrolled in and used the status
195 verification system to verify the employment eligibility of its
196 employees in Mississippi * * * shall be exempt from liability,
197 investigation or suit arising from any action under this section.
198 Proof of such verification shall be required by the employing
199 entity.

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

203 (5) Any employer that complies with the requirements of this
204 section shall be held harmless by the Mississippi Department of
205 Employment Security, provided the employer is not directly
206 involved in the creation of any false documents, and provided that
207 the employer did not knowingly and willfully accept false
208 documents from the employee.

209 (6) (a) All third-party employers that conduct business in
210 Mississippi shall register to do business in Mississippi with the
211 Mississippi Department of Employment Security before placing
212 employees into the workforce in Mississippi.

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

216 (7) (a) State of Mississippi agencies and political
217 subdivisions, public contractors * * *1 public subcontractors and
218 private employers * * * shall meet verification requirements.



227 (ii) The contractor or employer shall be liable
228 for any additional costs incurred by the agencies and institutions
229 of the State of Mississippi, or any of its political subdivisions,
230 because of the cancellation of the contract or the loss of any
231 license or permit to do business in the state.

232 (iii) Any person or entity penalized under this
233 section shall have the right to appeal to the appropriate entity
234 bringing charges or to the circuit court of competent
235 jurisdiction.

236 (* * *c) The Department of Employment Security, State
237 Tax Commission, Secretary of State, Department of Human Services
238 and the Attorney General shall have the authority to seek
239 penalties under this section and to bring charges for
240 noncompliance against any employer or employee.

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

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

248 (ii) Any candidate for employment referred by the
249 Mississippi Department of Employment Security, if the Mississippi
250 Department of Employment Security has verified the social security
251 number and provides for verification of the candidate's lawful



252 presence in the United States in an employment-authorized
253 immigration status; or
254 (iii) Individual homeowners who hire workers on
255 their private property for noncommercial purposes, unless required
256 by federal law to do so.

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

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

262 (c) (i) It shall be a felony for any person to accept
263 or perform employment for compensation knowing or in reckless
264 disregard that the person is an unauthorized alien with respect to
265 employment during the period in which the unauthorized employment
266 occurred. Upon conviction, a violator shall be subject to
267 imprisonment in the custody of the Department of Corrections for
268 not less than one (1) year nor more than five (5) years, a fine of
269 not less than One Thousand Dollars (\$1,000.00) nor more than Ten
270 Thousand Dollars (\$10,000.00), or both.

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



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

278 83-17-407. The commissioner may waive any license
279 requirement for an applicant with a valid license from another
280 state having license requirements substantially equivalent to
281 those of this state, or an applicant with a certification from a
282 person or entity approved by the commissioner that provides
283 adjuster education and training and has met the standards as set
284 forth by the commissioner regarding pre-licensing coursework and
285 examination. No applicant with a valid license from another state
286 shall be rejected solely on the basis that the individual is not a
287 resident of the United States of America; however, any applicant
288 who is an unauthorized alien as defined by Section 71-11-3 shall
289 be rejected.

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

292 41-9-67. (1) Except as otherwise provided by law, hospital
293 records shall not constitute public records, and nothing contained
294 in Sections 41-9-61 through 41-9-83 shall be deemed to impair any
295 privilege of confidence conferred by law or the Mississippi Rules
296 of Evidence on patients, their personal representatives or heirs,
297 by Section 13-1-21, Mississippi Code of 1972.

298 (2) Hospitals shall maintain a record of the number of
299 unauthorized aliens it serves. Such record shall be a public
300 record.



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

303 97-3-54.1. (1) (a) A person who coerces, recruits,
304 entices, harbors, transports, provides or obtains by any means, or
305 attempts to coerce, recruit, entice, harbor, transport, provide or
306 obtain by any means, another person, intending or knowing that the
307 person will be subjected to forced labor or services, or who
308 benefits, whether financially or by receiving anything of value
309 from participating in an enterprise that he knows or reasonably
310 should have known has engaged in such acts, shall be guilty of the
311 crime of human trafficking.

312 (b) A person who knowingly purchases the forced labor
313 or services of a trafficked person or who otherwise knowingly
314 subjects, or attempts to subject, another person to forced labor
315 or services or who benefits, whether financially or by receiving
316 anything of value from participating in an enterprise that he
317 knows or reasonably should have known has engaged in such acts,
318 shall be guilty of the crime of procuring involuntary servitude.

319 (c) A person who knowingly subjects, or attempts to
320 subject, or who recruits, entices, harbors, transports, provides
321 or obtains by any means, or attempts to recruit, entice, harbor,
322 transport, provide or obtain by any means, a minor, knowing that
323 the minor will engage in commercial sexual activity, sexually
324 explicit performance, or the production of sexually oriented
325 material, or causes or attempts to cause a minor to engage in



326 commercial sexual activity, sexually explicit performance, or the
327 production of sexually oriented material, shall be guilty of
328 procuring sexual servitude of a minor and shall be punished by
329 commitment to the custody of the Department of Corrections for not
330 less than twenty (20) years nor more than life in prison, or by a
331 fine of not less than Fifty Thousand Dollars (\$50,000.00) nor more
332 than Five Hundred Thousand Dollars (\$500,000.00), or both. It is
333 not a defense in a prosecution under this section that a minor
334 consented to engage in the commercial sexual activity, sexually
335 explicit performance, or the production of sexually oriented
336 material, or that the defendant reasonably believed that the minor
337 was eighteen (18) years of age or older.

338 (2) If the victim is not a minor, a person who is convicted
339 of an offense set forth in subsection (1)(a) or (b) of this
340 section shall be committed to the custody of the Department of
341 Corrections for not less than two (2) years nor more than twenty
342 (20) years, or by a fine of not less than Ten Thousand Dollars
343 (\$10,000.00) nor more than One Hundred Thousand Dollars
344 (\$100,000.00), or both. If the victim of the offense is a minor,
345 a person who is convicted of an offense set forth in subsection
346 (1)(a) or (b) of this section shall be committed to the custody of
347 the Department of Corrections for not less than twenty (20) years
348 nor more than life in prison, or by a fine of not less than Twenty
349 Thousand Dollars (\$20,000.00) nor more than One Hundred Thousand
350 Dollars (\$100,000.00), or both.



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

353 (a) An agent of the enterprise knowingly engages in
354 conduct that constitutes an offense under this chapter while
355 acting within the scope of employment and for the benefit of the
356 entity.

357 (b) An employee of the enterprise engages in conduct
358 that constitutes an offense under this chapter and the commission
359 of the offense was part of a pattern of illegal activity for the
360 benefit of the enterprise, which an agent of the enterprise either
361 knew was occurring or recklessly disregarded, and the agent failed
362 to take effective action to stop the illegal activity.

363 (c) It is an affirmative defense to a prosecution of an
364 enterprise that the enterprise had in place adequate procedures,
365 including an effective complaint procedure, designed to prevent
366 persons associated with the enterprise from engaging in the
367 unlawful conduct and to promptly correct any violations of this
368 chapter.

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



(4) In addition to the mandatory reporting provisions contained in Sections 43-21-353 and 97-5-51, any person who has reasonable cause to suspect that a minor under the age of eighteen (18) is a trafficked person shall immediately make a report of the suspected child abuse or neglect to the Department of Child Protection Services and to the Statewide Human Trafficking Coordinator. The Department of Child Protection Services or the Statewide Human Trafficking Coordinator, whichever is applicable, shall then immediately notify the law enforcement agency in the jurisdiction where the suspected child abuse, neglect or trafficking occurred as required in Section 43-21-353, and the department that received the report shall also commence an initial investigation into the suspected abuse or neglect as required in Section 43-21-353. The department that received such report shall provide an annual report to the Speaker of the Mississippi House of Representatives, the Lieutenant Governor, the Chairpersons of the House and Senate Judiciary Committees that includes the number of reports received, the number of cases screened in or out, the number of cases in which care and services were provided as a result of the report, and the type of care and services that were provided. A minor who has been identified as a victim of trafficking shall not be liable for criminal activity in violation of this section.

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



400 (a) Is a victim; and
401 (b) Committed the offense under a reasonable
402 apprehension created by a person that, if the defendant did not
403 commit the act, the person would inflict serious harm on the
404 defendant, a member of the defendant's family, or a close
405 associate.

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

408 97-3-54.2. Anyone who knowingly destroys, conceals, removes,
409 confiscates or possesses, or attempts to destroy, conceal, remove,
410 confiscate or possess, any actual or purported passport or other
411 immigration document, or any other actual or purported government
412 identification document of any person to prevent or restrict, or
413 attempt to prevent or restrict, without lawful authority, the
414 person's liberty to move or travel in order to maintain the labor
415 or services of that person, when the person is or has been a
416 victim of a violation set out in Section 97-3-54.1, shall be
417 punished by commitment to the custody of the Department of
418 Corrections for not more than five (5) years.

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

421 63-1-19. (1) (a) Every applicant for a license or permit
422 issued pursuant to this article, or for renewal of such license or
423 permit, shall file an application for such license, permit or
424 renewal, on a form provided by the Department of Public Safety,



425 with the commissioner or an official license examiner of the
426 department. All persons not holding valid, unexpired licenses
427 issued in this state shall be required to secure an original
428 license, except those specifically exempted from licensing under
429 Section 63-1-7. The application shall state the name, date of
430 birth, the social security number of the applicant unless the
431 applicant is not a United States citizen and does not possess a
432 social security number issued by the United States government,
433 sex, race, color of eyes, color of hair, weight, height and
434 residence address, and whether or not the applicant's privilege to
435 drive has been suspended or revoked at any time, and, if so, when,
436 by whom, and for what cause, and whether any previous application
437 by him has been denied, and whether he has any physical defects
438 which would interfere with his operating a motor vehicle safely
439 upon the highways.

440 (b) Every applicant for an original license shall show
441 proof of domicile in this state. The commissioner shall
442 promulgate any rules and regulations necessary to enforce this
443 requirement and shall prescribe the means by which an applicant
444 for an original license may show domicile in this state. Proof of
445 domicile shall not be required of applicants under eighteen (18)
446 years of age.

447 (c) Unless the applicant is not a United States citizen
448 and does not possess a social security number issued by the United
449 States government, each application or filing made under this



450 section shall include the social security number(s) of the
451 applicant in accordance with Section 93-11-64, Mississippi Code of
452 1972.

453 (2) No person who is illegally in the United States or
454 Mississippi shall be issued a license. The application of a
455 person who is not a United States citizen and who does not possess
456 a social security number issued by the United States government
457 shall state the name, date of birth, sex, race, color of eyes,
458 color of hair, weight, height and residence address, and whether
459 or not the applicant's privilege to drive has been suspended or
460 revoked at any time, and, if so, when, by whom, and for what
461 cause, and whether any previous application by him has been
462 denied, and whether he has any physical defects which would
463 interfere with his operating a motor vehicle safely upon the
464 highways. The commissioner shall adopt and promulgate such rules
465 and regulations as he deems appropriate requiring additional
466 documents, materials, information or physical evidence to be
467 provided by the applicant as may be necessary to establish the
468 identity of the applicant and that the applicant is not present in
469 the United States or the State of Mississippi illegally.

470 (3) Whenever a person who has applied for or who has been
471 issued a license or permit under this article moves from the
472 address listed in the application or on the permit or license, or
473 whenever the name of a licensee changes by marriage or otherwise,
474 such person, within thirty (30) days thereafter, shall notify, in



475 writing, the Department of Public Safety, Driver Services
476 Division, and inform the department of his or her previous address
477 and new address and of his or her former name and new name. The
478 department shall not change the name of a licensee or permittee on
479 his or her license or permit unless the applicant appears in
480 person at an office of the department and provides a certified
481 copy of his or her marriage license, court order, birth
482 certificate or divorce decree changing the licensee's or
483 permittee's name.

484 (4) (a) Any male who is at least eighteen (18) years of age
485 but less than twenty-six (26) years of age and who applies for a
486 permit or license or a renewal of a permit or license under this
487 chapter shall be registered in compliance with the requirements of
488 Section 3 of the Military Selective Service Act, 50 USCS Section
489 3802, as amended.

490 (b) The department shall forward in an electronic
491 format the necessary personal information of the applicant to the
492 Selective Service System. The applicant's submission of the
493 application shall serve as an indication that the applicant either
494 has already registered with the Selective Service System or that
495 he is authorizing the department to forward to the Selective
496 Service System the necessary information for registration. The
497 commissioner shall notify the applicant on, or as a part of, the
498 application that his submission of the application will serve as
499 his consent to registration with the Selective Service System, if



500 so required. The commissioner also shall notify any male
501 applicant under the age of eighteen (18) that he will be
502 registered upon turning age eighteen (18) as required by federal
503 law.

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

506 63-1-47. (1) (a) Except as otherwise provided in this
507 section, each applicant for an original or renewal Class R or
508 Class D license issued pursuant to this article, who is entitled
509 to issuance of same, shall be issued a four-year license or an
510 eight-year license, at the option of the applicant, which will
511 expire at midnight on the licensee's birthday and may be renewed
512 any time within six (6) months before the expiration of the
513 license upon application and payment of the required fee, unless
514 required to be reexamined.

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

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

520 (3) (a) All applications by an operator under eighteen (18)
521 years of age must be accompanied by documentation that the
522 applicant is in compliance with the education requirements of
523 Section 63-1-9(1)(g), and the documentation used in establishing



524 compliance must be dated no more than thirty (30) days before the
525 date of application.

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

532 (c) The commissioner shall suspend the driver's license
533 or learner's permit of a student under eighteen (18) years of age
534 who has been reported by the Department of Education as required
535 by Section 63-1-10.1, and shall give notice of the suspension to
536 the licensee as provided in Section 63-1-52(4). A school
537 superintendent or designee may request that the driver's license
538 or learner's permit that has been suspended under the provisions
539 of this subsection be reinstated after the student has
540 successfully completed nine (9) weeks of school attendance without
541 an unlawful absence.

542 (4) (a) Any original or renewal license issued under this
543 chapter to a person who is not a United States citizen shall
544 expire four (4) years from the date of issuance or on the
545 expiration date of the applicant's authorized stay in the United
546 States, whichever is the lesser period of time, and may be
547 renewed, if the person is otherwise qualified to renew the
548 license, within thirty (30) days of expiration. The fee for any



549 such license and for renewal shall be as prescribed in Section
550 63-1-43.

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

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

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

557 (iii) Has conditional permanent residence status
558 in the United States;

559 (iv) Has an approved application for asylum in the
560 United States or has entered into the United States in refugee
561 status;

562 (v) Has a valid, unexpired nonimmigrant visa or
563 nonimmigrant visa status for entry into or lawful presence in the
564 United States;

565 (vi) Has a pending application for asylum in the
566 United States;

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

569 (viii) Has approved deferred-action status;

570 (ix) Has a pending application for adjustment of
571 status to that of an alien lawfully admitted for permanent
572 residence in the United States or conditional permanent resident
573 status in the United States; or



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

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

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

57-1-371. Any business, enterprise or other entity that is
criminally convicted by a court of competent jurisdiction of
intentionally hiring illegal immigrants shall be ineligible to
receive any loan, grant or other form of assistance made available
under Section 57-93-1, Sections 2 through 37, Sections 57-1-10 and
57-95-1, Sections 40 through 55 and Sections 27-7-22.28 and
27-7-22.29 of Chapter 1, Laws of Third Extraordinary Session of
2005. Any business, enterprise or other entity that receives any
loan, grant or other form of assistance made available under
Section 57-93-1, Sections 2 through 37, Sections 57-1-10 and
57-95-1, Sections 40 through 55 and Sections 27-7-22.28 and
27-7-22.29 of Chapter 1, Laws of Third Extraordinary Session of
2005, and is criminally convicted by a court of competent
jurisdiction of intentionally hiring illegal immigrants shall



598 repay the full amount of such loan, grant or other form of
599 assistance.

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

602 57-1-373. (1) No business, enterprise or other entity that
603 is, or has ever been, criminally convicted by a court of competent
604 jurisdiction of intentionally hiring illegal immigrants that
605 develops or is located in a "project" as defined in Section
606 57-75-5(f) (xx) shall be eligible to receive:

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

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

613 (c) Any funds, tax credit or other form of assistance
614 that may be made available as an incentive payment under Sections
615 1 through 7, Chapter 2, Laws of First Extraordinary Session of
616 2006.

617 (2) If a business, enterprise or other entity that develops
618 or is located in a "project" as defined in Section 57-75-5(f) (xx)
619 has received funds or assistance as described in paragraphs (a)
620 through (c) of subsection (1) of this section, and thereafter is
621 convicted by a court of competent jurisdiction of intentionally
622 hiring illegal immigrants, then the business, enterprise or other



623 entity shall repay the full amount of the funds or assistance
624 received. The repayment shall be certified by the State
625 Treasurer, who shall deposit such amounts into the specific
626 special fund in the State Treasury from which the funds were
627 awarded, or, in the case of incentive payments under Sections
628 57-28-1 through 57-28-5, into the State General Fund.

629 **SECTION 14.** This act shall take effect and be in force from
630 and after July 1, 2025.

