

By: Representative Summers

To: Judiciary B

## HOUSE BILL NO. 717

1 AN ACT TO AMEND SECTION 45-35-17, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF PUBLIC SAFETY TO  
3 CREATE RULES AND REGULATIONS TO PROVIDE AN ALTERNATIVE STATE  
4 IDENTIFICATION CARD TO HOMELESS PERSONS; TO AMEND SECTIONS 45-35-7  
5 AND 45-35-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING  
6 SECTION; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 45-35-17, Mississippi Code of 1972, is  
9 amended as follows:

10 45-35-17. (1) Subject to available appropriations, the  
11 Commissioner of Public Safety shall establish an alternative state  
12 identification card that does not conflict with the requirements  
13 of the federal Real ID Act of 2005, except that this card shall  
14 not require proof of domicile for persons who do not have a  
15 domicile to list. The Commissioner of Public Safety shall create  
16 rules and regulations that allow persons who are homeless to  
17 obtain an alternative state identification card.

18 (2) For purposes of this section, the term "homeless" means  
19 lacks a fixed, regular and adequate residence, or lives



periodically in a public or private shelter or location that provides temporary living arrangements.

**SECTION 2.** Section 45-35-7, Mississippi Code of 1972, is amended as follows:

45-35-7. (1) (a) Except as provided in paragraph (b) of this subsection (1) or as otherwise provided by law for homeless persons, each applicant for an original or renewal identification card issued pursuant to this chapter who is entitled to issuance of such a card shall be issued a four-year card or an eight-year card, at the option of the applicant. Each card shall expire at midnight on the cardholder's birthday and may be renewed any time within six (6) months before the expiration date of the card upon application and payment of the required fee.

(b) Any applicant who is blind, as defined in Section 43-6-1, upon payment of the fee prescribed in Section 63-1-43, shall be issued an original or renewal identification card which shall remain valid for a period of eight (8) years, shall expire at midnight on the cardholder's birthday, and may be renewed any time within six (6) months before the expiration date of the card upon application and payment of the required fee.

(2) (a) Any applicant who is not a United States citizen, upon payment of the fee prescribed in Section 63-1-43, shall be issued an original or renewal identification card which shall expire four (4) years from date of issuance or on the expiration date of the applicant's authorized stay in the United States,



whichever is the lesser period of time, and may be renewed, if the person is otherwise qualified to renew the license, within thirty (30) days of expiration.

(b) An applicant for an original or renewal identification card under paragraph (a), except a person who is homeless as defined in Section 45-35-17, must present valid documentary evidence documenting that the applicant:

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

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

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

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

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

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

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

(viii) Has approved deferred-action status;

(ix) Has pending an application for adjustment of status to that of an alien lawfully admitted for permanent



70 residence in the United States or conditional permanent resident  
71 status in the United States; or

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

74 (3) The fee for the issuance of an original or renewal  
75 identification card shall be as prescribed in Section 63-1-43.

76 (4) Any person who, for medical reasons, surrenders his  
77 unexpired driver's license, and any person whose unexpired  
78 driver's license is suspended for medical reasons by the  
79 Commissioner of Public Safety under Section 63-1-53(2)(e), upon  
80 request shall be issued an identification card without payment of  
81 a fee. The identification card shall be valid for a period of  
82 four (4) years from its date of issue. Subsequent renewals shall  
83 be subject to the fees prescribed in Section 63-1-43.

84 (5) The department shall maintain a record of all  
85 identification cards issued.

86 (6) (a) Any male who is at least eighteen (18) years of age  
87 but less than twenty-six (26) years of age and who applies for an  
88 identification card or a renewal of an identification card under  
89 this chapter shall be registered in compliance with the  
90 requirements of Section 3 of the Military Selective Service Act,  
91 50 USCS Appx 451 et seq., as amended.

92 (b) The department shall forward in an electronic  
93 format the necessary personal information of the applicant to the  
94 Selective Service System. The applicant's submission of the



95 application shall serve as an indication that the applicant either  
96 has already registered with the Selective Service System or that  
97 he is authorizing the department to forward to the Selective  
98 Service System the necessary information for registration. The  
99 commissioner shall notify the applicant on, or as a part of, the  
100 application that his submission of the application will serve as  
101 his consent to registration with the Selective Service System, if  
102 so required. The commissioner also shall notify any male  
103 applicant under the age of eighteen (18) that he will be  
104 registered upon turning age eighteen (18) as required by federal  
105 law.

106       **SECTION 3.** Section 45-35-5, Mississippi Code of 1972, is  
107 amended as follows:

108       45-35-5. Except as otherwise regulated by the authority of  
109 Section 45-35-17 for homeless persons, data for the issuance of an  
110 identification card shall include a birth certificate or other  
111 document to establish the age and identity of the applicant, the  
112 social security number of the applicant, and such other  
113 identifying data as is required on an application for issuance of  
114 a driver's license.

115       **SECTION 4.** This act shall take effect and be in force from  
116 and after July 1, 2025.

