

By: Senator(s) Chism

To: Universities and
Colleges; Judiciary, Division
A

SENATE BILL NO. 2222

1 AN ACT TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT REGISTERED SEX OFFENDERS FROM LIVING IN CAMPUS STUDENT
3 HOUSING OR IN A SORORITY OR FRATERNITY HOUSE AT A PUBLIC
4 UNIVERSITY OR COMMUNITY COLLEGE IN MISSISSIPPI; TO PROVIDE CIVIL
5 ENFORCEMENT PROVISIONS; AND FOR RELATED PURPOSES.

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

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

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



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

33 (b) Any person having a permanent or temporary
34 residence or who is employed or attending school in this state who
35 has been adjudicated delinquent for a registrable sex offense
36 listed in this paragraph that involved use of force against the
37 victim shall register as a sex offender with the responsible
38 agency and shall personally appear at a facility designated by the
39 Mississippi Department of Public Safety, or in a manner of the
40 Department of Public Safety's choosing, including by electronic
41 means, within three (3) business days of registering with the
42 responsible agency:

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



45 (ii) Section 97-3-95 relating to sexual battery;
46 (iii) Section 97-3-65 relating to statutory rape;
47 or
48 (iv) Conspiracy to commit, accessory to the
49 commission of, or attempt to commit any offense listed in this
50 paragraph.

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

53 (a) Name, including a former name which has been
54 legally changed;

55 (b) Street address of all current permanent and
56 temporary residences within state or out of state at which the sex
57 offender resides or habitually lives, including dates of temporary
58 lodgings. There is a presumption that a registrant owes a duty of
59 updating registration information if the registrant remains away
60 from a registered address for seven (7) or more aggregate days in
61 a six (6) month period;

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

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

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

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



69 (g) Social security number and any purported social
70 security number or numbers;
71 (h) Date and place of birth and any purported date and
72 place of birth;
73 (i) Age, race, sex, height, weight, hair and eye
74 colors, and any other physical description or identifying factors;
75 (j) A brief description of the offense or offenses for
76 which the registration is required;
77 (k) Driver's license or state or other jurisdiction
78 identification card number, which license or card may be
79 electronically accessed by the Department of Public Safety;
80 (l) Anticipated future residence;
81 (m) If the registrant's residence is a motor vehicle,
82 trailer, mobile home or manufactured home, the registrant shall
83 also provide vehicle identification number, license tag number,
84 registration number and a description, including color scheme, of
85 the motor vehicle, trailer, mobile home or manufactured home; if
86 the registrant's place of residence is a vessel or houseboat, the
87 registrant shall also provide the hull identification number,
88 manufacturer's serial number, name of the vessel or houseboat,
89 registration number and a description, including color scheme, of
90 the vessel or houseboat, including permanent or frequent locations
91 where the motor vehicle, trailer, mobile home, manufactured home,
92 vessel or houseboat is kept;



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

(o) Offense history;

(p) Photograph;

(q) Fingerprints and palm prints;

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

(s) Biological sample;

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

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

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

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



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

(y) Information from passport and immigration documents;

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

(aa) Any other information deemed necessary.

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

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

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



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

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

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

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

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

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

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

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



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

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

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

(5) Any person required to register under this section is prohibited from living in campus student housing, including a sorority or fraternity house, at an institution of higher learning or community college supported in whole or in part by the State of Mississippi.

(6) Civil liability:

(a) A person may assert a violation of subsection (5) of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, punitive damages, injunctive relief, declaratory relief or any other appropriate relief. Such claim may be brought against any



applicable governmental entity for each building under its
ownership, control or lease which caused or contributed to a
violation of this subsection (6).

(b) A person under eighteen (18) years of age may bring
an action throughout his or her minority through a parent or next
friend and may bring an action in his or her own name upon
reaching the age of majority.

(c) Notwithstanding any other provision of law, an
action under this subsection (6) may be commenced, and relief may
be granted, in a judicial proceeding without regard to whether the
person commencing the action has sought or exhausted available
administrative remedies.

(d) In any action or proceeding to enforce a provision
of this subsection (6), a prevailing party who establishes a
violation of this subsection (6) shall recover reasonable
attorney's fees.

(* * *7) The Department of Public Safety is required to
obtain the text of the law defining the offense or offenses for
which the registration is required.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2025.

