

By: Representatives Whittington, Watson,
Barnett (116th), Brown, Eads, Fredericks,
Mayo, McBride

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 979

1 AN ACT TO AMEND SECTION 93-21-21, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT A PERSON WHO KNOWINGLY VIOLATES A DOMESTIC ABUSE
3 PROTECTIVE ORDER ISSUED BY A MISSISSIPPI COURT OR FOREIGN COURT OF
4 COMPETENT JURISDICTION IS GUILTY OF A MISDEMEANOR; TO PROVIDE THAT
5 VIOLATORS SHALL EITHER BE HELD IN CONTEMPT OR PUNISHED FOR A
6 MISDEMEANOR; TO AUTHORIZE A LAW ENFORCEMENT OFFICER TO ARREST SUCH
7 PERSON WITH OR WITHOUT AN ARREST WARRANT; TO DELETE THE PENALTY
8 FOR A PERSON WHO VIOLATES A COURT APPROVED CONSENT AGREEMENT
9 REGARDING DOMESTIC ABUSE; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 93-21-21, Mississippi Code of 1972, is
12 amended as follows:

13 93-21-21. Upon a knowing violation of a protective order
14 issued after a hearing or an ex parte protective order, either of
15 which was issued for the purpose of protecting the victim from
16 abuse as defined by Section 93-21-3(a), whether the order was
17 issued by a Mississippi court or a foreign court of competent
18 jurisdiction, the person violating such order commits a
19 misdemeanor or the court may hold the person in contempt. If the
20 court convicts the person of a misdemeanor, the court may * * *
21 punish the defendant by imprisonment in the county jail for not
22 more than six (6) months or a fine of not more than One Thousand
23 Dollars (\$1,000.00), or both. A person shall not be convicted of
24 and held in contempt for the same violation of an order. Any law
25 enforcement officer has the authority to make an arrest for such
26 violation, either with a warrant or without a warrant pursuant to
27 Section 99-3-7, when he has probable cause to believe that a
28 violation has been committed which is an act of domestic violence
29 or is a violation of an order and has been committed within



30 twenty-four (24) hours of the arrest as described in Section
31 99-3-7.

32 **SECTION 2.** This act shall take effect and be in force from
33 and after July 1, 2003.

