

By: Senator(s) Hamilton

To: Judiciary

SENATE BILL NO. 2308

1 AN ACT TO AMEND SECTION 97-35-27, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE A DNA SAMPLE TO BE OBTAINED FROM CERTAIN CONVICTED  
3 FELONS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-35-27, Mississippi Code of 1972, is  
6 amended as follows:

7 97-35-27. (1) Any person who has been since January 1,  
8 1960, or is hereafter convicted in any other state of any offense  
9 which, if committed or attempted in this state, would have been  
10 punishable as a felony, shall within thirty (30) days after the  
11 effective date of this chapter or within thirty (30) days of his  
12 coming into any county or city, or city and county in which he  
13 resides or is temporarily domiciled for such length of time,  
14 register with the chief of police of the city in which he resides  
15 or the sheriff of the county if he resides in an unincorporated  
16 area.

17 (2) Such registration shall consist of (a) a statement in  
18 writing signed by such person, giving such information as may be  
19 required by the Identification Bureau of the Mississippi Highway  
20 Safety Patrol; (b) the fingerprints and photograph of such person;  
21 and (c) a biological sample obtained for purposes of DNA  
22 identification analysis. Within three (3) days thereafter the  
23 registering law enforcement agency shall forward such statement,  
24 fingerprints, photograph and properly preserved biological sample  
25 to the Identification Bureau of the Mississippi Highway Safety  
26 Patrol.



27           (3) If any person required to register hereunder changes his  
28 residence address he shall inform, in writing within ten (10)  
29 days, the law enforcement agency with whom he last registered of  
30 his new address. The law enforcement agency shall, within three  
31 (3) days after receipt of such information, forward it to the  
32 Identification Bureau of the Mississippi Highway Safety Patrol.  
33 The Identification Bureau of the Mississippi Highway Safety Patrol  
34 shall forward appropriate registration data to the law enforcement  
35 agency having local jurisdiction of the new place of residence.

36           (4) Any person required to register under the provisions of  
37 this section who shall violate any of the provisions thereof is  
38 guilty of a misdemeanor and shall be punished by imprisonment in  
39 the county jail not exceeding three (3) months, or by fine not  
40 exceeding One Hundred Dollars (\$100.00), or both.

41           (5) The statements, photographs, fingerprints and DNA  
42 identification information herein required shall not be open to  
43 inspection by the public or by any person other than a regularly  
44 employed peace or other law enforcement officer.

45           (6) A biological sample shall be obtained from every  
46 individual in the custody of the Mississippi Department of  
47 Corrections for purposes of DNA identification analysis before  
48 release from or transfer to a state correctional facility or  
49 county jail or other detention facility, and the court and the  
50 department shall be responsible for informing such individuals of  
51 the duty to register imposed by this section.

52           **SECTION 2.** This act shall take effect and be in force from  
53 and after July 1, 2004.

