

By: Representative Smith (39th)

To: Judiciary B;
AppropriationsCOMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 711

1 AN ACT TO CREATE THE ANTI-TERRORISM ACT OF 2006; TO CREATE
2 THE CRIMINAL OFFENSES OF SOLICITING OR PROVIDING SUPPORT FOR AN
3 ACT OF TERRORISM, MAKING A TERRORISTIC THREAT, TERRORISM AND
4 HINDERING PROSECUTION OF TERRORISM; TO MAKE LEGISLATIVE FINDINGS;
5 TO DEFINE CERTAIN TERMS; TO PROVIDE PENALTIES FOR VIOLATIONS OF
6 THIS ACT; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO
7 PROVIDE THAT PERSONS CONVICTED FOR VIOLATIONS OF THIS ACT SHALL
8 NOT BE ELIGIBLE FOR PAROLE; TO AMEND SECTIONS 97-3-61 AND 97-3-63,
9 MISSISSIPPI CODE OF 1972, TO REVISE THE CRIME OF POISONING; TO
10 AMEND SECTIONS 97-37-21 AND 97-37-25, MISSISSIPPI CODE OF 1972, TO
11 REVISE PENALTIES RELATING TO THE USE OF EXPLOSIVES AND WEAPONS OF
12 MASS DESTRUCTION; TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO
13 CONDUCT CRIMINAL HISTORY RECORD CHECKS; TO CREATE THE CRIMINAL
14 OFFENSE OF FAILURE TO SAFEGUARD TOXINS; TO PROHIBIT USING
15 BLUEPRINTS FOR TERRORISTIC PURPOSES AND PROVIDE PENALTIES FOR
16 VIOLATIONS; TO EXEMPT CERTAIN SECURITY RECORDS FROM THE PUBLIC
17 RECORDS LAWS; TO BRING FORWARD SECTION 45-1-2, MISSISSIPPI CODE OF
18 1972, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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

20 **SECTION 1.** This act shall be known and may be cited as the
21 Anti-Terrorism Act of 2006.

22 **SECTION 2.** The devastating consequences of the recent
23 barbaric attack on the World Trade Center and the Pentagon
24 underscore the compelling need for legislation that is
25 specifically designed to combat the evils of terrorism. Indeed,
26 the bombings of American embassies in Kenya and Tanzania in 1998,
27 the federal building in Oklahoma City in 1995, Pan Am Flight
28 number 103 in Lockerbie in 1988, the 1997 shooting atop the Empire
29 State Building, the 1994 murder of Ari Halberstam on the Brooklyn
30 Bridge and the 1993 bombing of the World Trade Center, will
31 forever serve to remind us that terrorism is a serious and deadly
32 problem that disrupts public order and threatens individual safety
33 both at home and around the world. Terrorism is inconsistent with
34 civilized society and cannot be tolerated.

35 Although certain federal laws seek to curb the incidence of
36 terrorism, there are no corresponding state laws that facilitate
37 the prosecution and punishment of terrorists in state courts.
38 Inexplicably, there is also no criminal penalty in this state for
39 a person who solicits or raises funds for, or provides other
40 material support or resources to, those who commit or encourage
41 the commission of horrific and cowardly acts of terrorism. Nor do
42 our criminal laws proscribe the making of terrorist threats or
43 punish with appropriate severity those who hinder the prosecution
44 of terrorists.

45 A comprehensive state law is urgently needed to complement
46 federal laws in the fight against terrorism and to better protect
47 all citizens against terrorist acts. Accordingly, the Legislature
48 finds that our laws must be strengthened to ensure that
49 terrorists, as well as those who solicit or provide financial and
50 other support to terrorists, are prosecuted and punished in state
51 courts with appropriate severity.

52 **SECTION 3.** The following words and phrases shall have the
53 meanings ascribed herein, unless the context clearly indicates
54 otherwise:

55 (a) "Act of terrorism" means an act or acts
56 constituting a specified offense as defined in paragraph (c) of
57 this section for which a person may be convicted in the criminal
58 courts of this state, or an act or acts constituting an offense in
59 any other jurisdiction within or outside the territorial
60 boundaries of the United States which contains all of the
61 essential elements of a specified offense, that is intended to:

62 (i) Intimidate or coerce a civilian population;

63 (ii) Influence the policy of a unit of government
64 by intimidation or coercion; or

65 (iii) Affect the conduct of a unit of government
66 by murder, assassination or kidnapping.

67 "Act of terrorism" also means activities that involve a
68 violent act or acts dangerous to human life that are in violation
69 of the criminal laws of the state and are intended to:

70 (i) Intimidate or coerce a civilian population;

71 (ii) Influence the policy of a unit of government
72 by intimidation or coercion; or

73 (iii) Affect the conduct of a unit of government
74 by murder, assassination or kidnapping.

75 (b) "Material support or resources" means currency or
76 other financial securities, financial services, lodging, training,
77 safehouses, false documentation or identification, communications
78 equipment, facilities, weapons, lethal substances, explosives,
79 personnel, transportation and other physical assets, except
80 medicine or religious materials.

81 (c) "Specified offense" for purposes of this act means
82 a felony offense, a violent felony offense, murder and
83 manslaughter, and includes an attempt or conspiracy to commit any
84 such offense.

85 (d) "Renders criminal assistance" means any person who,
86 with intent to prevent, hinder or delay the discovery or
87 apprehension of, or the lodging of a criminal charge against, a
88 person who he knows or believes has committed a crime or is being
89 sought by law enforcement officials for the commission of a crime,
90 or with intent to assist a person in profiting or benefiting from
91 the commission of a crime, he:

92 (i) Harbors or conceals such person; or

93 (ii) Warns such person of impending discovery or
94 apprehension; or

95 (iii) Provides such person with money,
96 transportation, weapon, disguise or other means of avoiding
97 discovery or apprehension; or

98 (iv) Prevents or obstructs, by means of force,
99 intimidation or deception, anyone from performing an act which

100 might aid in the discovery or apprehension of such person or in
101 the lodging of a criminal charge against him; or

102 (v) Suppresses, by any act of concealment,
103 alteration or destruction, any physical evidence which might aid
104 in the discovery or apprehension of such person or in the lodging
105 of a criminal charge against him; or

106 (vi) Aids such person to protect or expeditiously
107 profit from an advantage derived from such crime.

108 **SECTION 4.** A person commits soliciting or providing support
109 for an act of terrorism in the second degree when, with intent
110 that material support or resources will be used, in whole or in
111 part, to plan, prepare, carry out or aid in either an act of
112 terrorism or the concealment of, or an escape from, an act of
113 terrorism, he or she raises, solicits, collects or provides
114 material support or resources.

115 Soliciting or providing support for an act of terrorism in
116 the second degree is a felony punishable by not more than seven
117 (7) years imprisonment in the State Penitentiary.

118 **SECTION 5.** A person commits soliciting or providing support
119 for an act of terrorism in the first degree when he or she commits
120 the crime of soliciting or providing support for an act of
121 terrorism in the second degree and the total value of material
122 support or resources exceeds One Thousand Dollars (\$1,000.00).

123 Soliciting or providing support for an act of terrorism in
124 the first degree is a felony punishable by not more than fifteen
125 (15) years imprisonment in the State Penitentiary.

126 **SECTION 6.** (1) A person is guilty of making a terroristic
127 threat when with intent to intimidate or coerce a civilian
128 population, influence the policy of a unit of government by
129 intimidation or coercion, or affect the conduct of a unit of
130 government by intimidation or coercion, or affect the conduct of a
131 unit of government by murder, assassination or kidnapping, he or
132 she threatens to commit or cause to be committed a specified

133 offense and thereby causes a reasonable expectation or fear of the
134 imminent commission of such offense.

135 (2) It shall be no defense to a prosecution pursuant to this
136 section that the defendant did not have the intent or capability
137 of committing the specified offense or that the threat was not
138 made to a person who was a subject thereof.

139 Making a terroristic threat is a felony punishable by not
140 more than ten (10) years imprisonment in the State Penitentiary.

141 **SECTION 7.** (1) A person is guilty of a crime of terrorism
142 when, with intent to intimidate or coerce a civilian population,
143 influence the policy of a unit of government by intimidation or
144 coercion, or affect the conduct of a unit of government by murder,
145 assassination or kidnapping, he or she commits a specified
146 offense.

147 (2) When a person is convicted of a crime of terrorism
148 pursuant to this section, the crime of terrorism shall be deemed a
149 violent felony offense and if loss of life does not occur, such
150 person shall be punished by imprisonment in the State Penitentiary
151 for not more than twenty-five (25) years.

152 (3) Notwithstanding any other provision of law, when a
153 person is convicted of a crime of terrorism pursuant to this
154 section, and the specified offense results in the loss of life,
155 the sentence upon conviction of such offense shall be life
156 imprisonment without parole; provided, however, that nothing
157 herein shall preclude or prevent a sentence of death when the
158 specified offense is capital murder.

159 **SECTION 8.** A person is guilty of hindering prosecution of
160 terrorism in the second degree when he or she renders criminal
161 assistance to a person who has committed an act of terrorism,
162 knowing or believing that such person engaged in conduct
163 constituting an act of terrorism.

164 Hindering prosecution of terrorism in the second degree is a
165 felony punishable by not more than fifteen (15) years imprisonment
166 in the State Penitentiary.

167 **SECTION 9.** A person is guilty of hindering prosecution of
168 terrorism in the first degree when he or she renders criminal
169 assistance to a person who has committed an act of terrorism that
170 resulted in the death of a person other than one of the
171 participants, knowing or believing that such person engaged in
172 conduct constituting an act of terrorism.

173 Hindering prosecution of terrorism in the first degree is a
174 felony punishable by not more than twenty-five (25) years
175 imprisonment in the State Penitentiary.

176 **SECTION 10.** Section 47-7-3, Mississippi Code of 1972, is
177 amended as follows:

178 47-7-3. (1) Every prisoner who has been convicted of any
179 offense against the State of Mississippi, and is confined in the
180 execution of a judgment of such conviction in the Mississippi
181 Department of Corrections for a definite term or terms of one (1)
182 year or over, or for the term of his or her natural life, whose
183 record of conduct shows that such prisoner has observed the rules
184 of the department, and who has served not less than one-fourth
185 (1/4) of the total of such term or terms for which such prisoner
186 was sentenced, or, if sentenced to serve a term or terms of thirty
187 (30) years or more, or, if sentenced for the term of the natural
188 life of such prisoner, has served not less than ten (10) years of
189 such life sentence, may be released on parole as hereinafter
190 provided, except that:

191 (a) No prisoner convicted as a confirmed and habitual
192 criminal under the provisions of Sections 99-19-81 through
193 99-19-87 shall be eligible for parole;

194 (b) Any person who shall have been convicted of a sex
195 crime shall not be released on parole except for a person under

196 the age of nineteen (19) who has been convicted under Section
197 97-3-67;

198 (c) No one shall be eligible for parole until he shall
199 have served one (1) year of his sentence, unless such person has
200 accrued any meritorious earned time allowances, in which case he
201 shall be eligible for parole if he has served (i) nine (9) months
202 of his sentence or sentences, when his sentence or sentences is
203 two (2) years or less; (ii) ten (10) months of his sentence or
204 sentences when his sentence or sentences is more than two (2)
205 years but no more than five (5) years; and (iii) one (1) year of
206 his sentence or sentences when his sentence or sentences is more
207 than five (5) years;

208 (d) (i) No person shall be eligible for parole who
209 shall, on or after January 1, 1977, be convicted of robbery or
210 attempted robbery through the display of a firearm until he shall
211 have served ten (10) years if sentenced to a term or terms of more
212 than ten (10) years or if sentenced for the term of the natural
213 life of such person. If such person is sentenced to a term or
214 terms of ten (10) years or less, then such person shall not be
215 eligible for parole. The provisions of this paragraph (d) shall
216 also apply to any person who shall commit robbery or attempted
217 robbery on or after July 1, 1982, through the display of a deadly
218 weapon. This subparagraph (d)(i) shall not apply to persons
219 convicted after September 30, 1994;

220 (ii) No person shall be eligible for parole who
221 shall, on or after October 1, 1994, be convicted of robbery,
222 attempted robbery or carjacking as provided in Section 97-3-115 et
223 seq., through the display of a firearm or drive-by shooting as
224 provided in Section 97-3-109. The provisions of this subparagraph
225 (d)(ii) shall also apply to any person who shall commit robbery,
226 attempted robbery, carjacking or a drive-by shooting on or after
227 October 1, 1994, through the display of a deadly weapon;

228 (e) No person shall be eligible for parole who, on or
229 after July 1, 1994, is charged, tried, convicted and sentenced to
230 life imprisonment without eligibility for parole under the
231 provisions of Section 99-19-101;

232 (f) No person shall be eligible for parole who is
233 charged, tried, convicted and sentenced to life imprisonment under
234 the provisions of Section 99-19-101;

235 (g) No person shall be eligible for parole who is
236 convicted or whose suspended sentence is revoked after June 30,
237 1995, except that a first offender convicted of a nonviolent crime
238 after January 1, 2000, may be eligible for parole if the offender
239 meets the requirements in subsection (1) and this paragraph. In
240 addition to other requirements, if a first offender is convicted
241 of a drug or driving under the influence felony, the offender must
242 complete a drug and alcohol rehabilitation program prior to parole
243 or the offender may be required to complete a post-release drug
244 and alcohol program as a condition of parole. For purposes of
245 this paragraph, "nonviolent crime" means a felony other than
246 homicide, robbery, manslaughter, sex crimes, arson, burglary of an
247 occupied dwelling, aggravated assault, kidnapping, felonious abuse
248 of vulnerable adults, felonies with enhanced penalties, the sale
249 or manufacture of a controlled substance under the Uniform
250 Controlled Substances Law, felony child abuse, or any crime under
251 Section 97-5-33 or Section 97-5-39(2) or a violation of Section
252 63-11-30(5) resulting in death, or serious bodily injury resulting
253 in the loss of a limb or dismemberment, loss of eyesight, a coma,
254 permanent dysfunction of any vital organ, paralysis or resulting
255 in an individual's permanent bedridden state. For purposes of
256 this paragraph, "first offender" means a person who at the time of
257 sentencing has not been convicted of a felony on a previous
258 occasion in any court or courts of the United States or in any
259 state or territory thereof. In addition, a first time offender
260 incarcerated for committing the crime of possession of a

261 controlled substance under the Uniform Controlled Substances Law
262 after July 1, 1995, shall be eligible for parole as provided for
263 such offenders in this paragraph after July 1, 2000;

264 (h) No person shall be eligible for parole who is
265 convicted of a crime which is an act of terrorism as provided in
266 Sections 1 through 9 of House Bill No. 711, 2006 Regular Session.

267 (2) Notwithstanding any other provision of law, an inmate
268 shall not be eligible to receive earned time, good time or any
269 other administrative reduction of time which shall reduce the time
270 necessary to be served for parole eligibility as provided in
271 subsection (1) of this section; however, this subsection shall not
272 apply to the advancement of parole eligibility dates pursuant to
273 the Prison Overcrowding Emergency Powers Act. Moreover,
274 meritorious earned time allowances may be used to reduce the time
275 necessary to be served for parole eligibility as provided in
276 paragraph (c) of subsection (1) of this section.

277 (3) (a) The State Parole Board shall by rules and
278 regulations establish a method of determining a tentative parole
279 hearing date for each eligible offender taken into the custody of
280 the Department of Corrections. The tentative parole hearing date
281 shall be determined within ninety (90) days after the department
282 has assumed custody of the offender. Such tentative parole
283 hearing date shall be calculated by a formula taking into account
284 the offender's age upon first commitment, number of prior
285 incarcerations, prior probation or parole failures, the severity
286 and the violence of the offense committed, employment history and
287 other criteria which in the opinion of the board tend to validly
288 and reliably predict the length of incarceration necessary before
289 the offender can be successfully paroled.

290 (b) [Repealed].

291 (4) Any inmate within twenty-four (24) months of his parole
292 eligibility date and who meets the criteria established by the
293 classification board shall receive priority for placement in any

294 educational development and job training programs. Any inmate
295 refusing to participate in an educational development or job
296 training program may be ineligible for parole.

297 **SECTION 11.** Section 97-3-61, Mississippi Code of 1972, is
298 amended as follows:

299 97-3-61. Every person who shall mingle any poison,
300 bacterium, radioactive material, virus or chemical compound with
301 any food, drink, or medicine with intent to kill or injure any
302 human being, or who shall willfully poison or introduce, add or
303 mingle any bacterium, radioactive material, virus or chemical
304 compound into any well, spring, or reservoir of water, shall be
305 guilty of a felony and, upon conviction, be punished by
306 imprisonment in the Penitentiary not exceeding twenty (20)
307 years, * * * or by fine not exceeding Ten Thousand Dollars
308 (\$10,000.00), or both.

309 **SECTION 12.** Section 97-3-63, Mississippi Code of 1972, is
310 amended as follows:

311 97-3-63. Every person who shall be convicted of having
312 administered, or having caused or procured to be administered, any
313 poison, bacterium, radioactive material, virus or chemical
314 compound to any human being with intent to kill such human being,
315 whereof death shall not ensue, shall be punished by imprisonment
316 in the Penitentiary for a term not less than ten (10) years.

317 **SECTION 13.** Section 97-37-21, Mississippi Code of 1972, is
318 amended as follows:

319 97-37-21. It shall be unlawful for any person to report to
320 another by any means, including telephone, mail, e-mail, mobile
321 phone, fax or any means of communication, that a bomb or other
322 explosive or chemical, biological or other weapons of mass
323 destruction, including any hoax bomb, has been, or is to be,
324 placed or secreted in any public or private place, knowing that
325 such report is false. Any person who shall be convicted of a
326 violation of this section shall be fined not more than Twenty

327 Thousand Dollars (\$20,000.00) or shall be committed to the custody
328 of the Department of Corrections for not more than twenty (20)
329 years, or both.

330 **SECTION 14.** Section 97-37-25, Mississippi Code of 1972, is
331 amended as follows:

332 97-37-25. It shall be unlawful for any person at any time to
333 bomb, or to plant or place any bomb, or other explosive matter or
334 chemical, biological or other weapons of mass destruction or thing
335 or hoax bomb in, upon or near any building, residence, ship,
336 vessel, boat, railroad station, railroad car or coach, bus
337 station, or depot, bus, truck, aircraft, or other vehicle, gas and
338 oil stations and pipelines, radio station or radio equipment or
339 other means of communication, warehouse or any electric plant or
340 water plant, telephone exchange or any of the lines belonging
341 thereto, wherein a person or persons are located or being
342 transported, or where there is being manufactured, stored,
343 assembled or shipped or in the preparation of shipment any goods,
344 wares, merchandise or anything of value, with the felonious intent
345 to hurt or harm any person or property, and upon conviction
346 thereof shall be imprisoned for life in the State Penitentiary if
347 the penalty is so fixed by the jury; and in cases where the jury
348 fails to fix the penalty at imprisonment for life in the State
349 Penitentiary the court shall fix the penalty at imprisonment in
350 the State Penitentiary for any term as the court, in its
351 discretion, may determine, but not to be less than ten (10) years.

352 **SECTION 15.** (1) For the purpose of Sections 97-37-21,
353 97-37-25 and this section "hoax bomb" means any device or object
354 that by its design, construction, content or characteristics
355 appears to be, or to contain, or is represented to be or to
356 contain, a destructive device or explosive, but is, in fact, an
357 inoperative facsimile or imitation of such a destructive device or
358 explosive, or contains no destructive device or explosive as was
359 represented.

360 (2) This act does not apply to any law enforcement officer,
361 fire fighter, person or member of the Armed Forces of the United
362 States while engaged in training or other lawful activity within
363 the scope of his or her employment, or to any person properly
364 authorized to test a security system, or to any security
365 personnel, while operating within the scope of their employment
366 including, but not limited to, security personnel in airports and
367 other controlled access areas.

368 (3) In addition to any other penalty provided by law with
369 respect to any person who is convicted of a violation of this act
370 that resulted in the mobilization or action of any law enforcement
371 officer or any state or local agency, a person convicted of a
372 violation of this section may be required by the court to pay
373 restitution for all of the costs and damages arising from the
374 criminal conduct.

375 **SECTION 16.** A county or municipality may require, by
376 ordinance, employment screening for any position of employment or
377 appointment which the governing body finds is critical to security
378 or public safety, or for any private contractor, employee of a
379 private contractor, vendor, repair person, or delivery person who
380 has access to any public facility or publicly operated facility
381 that the governing body finds is critical to security or public
382 safety. The ordinance must require each person applying for, or
383 continuing employment in, any such position or having access to
384 any such facility to be fingerprinted. The fingerprints shall be
385 submitted to the Department of Public Safety for a state criminal
386 history record check and to the Federal Bureau of Investigation
387 for a national criminal history record check. The information
388 obtained from the criminal history record checks conducted
389 pursuant to the ordinance may be used by the county or
390 municipality to determine an applicant's eligibility for
391 employment or appointment and to determine an employee's
392 eligibility for continued employment. This section is not

393 intended to preempt or prevent any other background screening
394 including, but not limited to, criminal history record checks,
395 which a county or municipality may lawfully undertake.

396 **SECTION 17.** Any manufacturer, distributor, transferor,
397 possessor or user of any toxic chemical, biological agent, toxin
398 or vector, or radioactive material that is related to a lawful
399 industrial, agricultural, research, medical, pharmaceutical or
400 other activity, who recklessly allows an unauthorized individual
401 to obtain access to the toxic chemical or biological agent, toxin
402 or vector or radioactive material, commits a felony and,
403 notwithstanding any other provision of law, shall be subject to a
404 fine of up to Two Hundred Fifty Thousand Dollars (\$250,000.00) for
405 each violation.

406 **SECTION 18.** (1) A person shall not obtain or possess a
407 blueprint, an architectural or engineering diagram, security plan,
408 or other similar information of a vulnerable target, with the
409 intent to commit an offense prohibited under this act.

410 (2) A person who violates this section is guilty of a felony
411 punishable by imprisonment for not more than twenty (20) years or
412 a fine of not more than Twenty Thousand Dollars (\$20,000.00), or
413 both.

414 **SECTION 19.** Records or information of measures designed to
415 protect the security or safety of persons or property, whether
416 public or private including, but not limited to, building, public
417 works, and public water supply designs to the extent that those
418 designs relate to the ongoing security measures of a public body,
419 capabilities and plans for responding to a violation of this act,
420 emergency response plans, risk planning documents, threat
421 assessments and domestic preparedness strategies are exempt from
422 the provisions of Section 25-61-1 et seq.

423 **SECTION 20.** Section 45-1-2, Mississippi Code of 1972, is
424 brought forward as follows:

425 45-1-2. (1) The Executive Director of the Department of
426 Public Safety shall be the Commissioner of Public Safety.

427 (2) The Commissioner of Public Safety shall establish the
428 organizational structure of the Department of Public Safety, which
429 shall include the creation of any units necessary to implement the
430 duties assigned to the department and consistent with specific
431 requirements of law including, but not limited to:

432 (a) Office of Public Safety Planning;

433 (b) Office of Medical Examiner;

434 (c) Office of Mississippi Highway Safety Patrol;

435 (d) Office of Crime Laboratories;

436 (e) Office of Law Enforcement Officers' Training
437 Academy;

438 (f) Office of Support Services;

439 (g) Office of Narcotics, which shall be known as the
440 Bureau of Narcotics; and

441 (h) Office of Homeland Security.

442 (3) The department shall be headed by a commissioner, who
443 shall be appointed by and serve at the pleasure of the Governor.
444 The appointment of the commissioner shall be made with the advice
445 and consent of the Senate. The commissioner may assign to the
446 appropriate offices such powers and duties as deemed appropriate
447 to carry out the department's lawful functions.

448 (4) The commissioner of the department shall appoint heads
449 of offices, who shall serve at the pleasure of the commissioner.
450 The commissioner shall have the authority to organize the offices
451 established by subsection (2) of this section as deemed
452 appropriate to carry out the responsibilities of the department.
453 The organization charts of the department shall be presented
454 annually with the budget request of the Governor for review by the
455 Legislature.

456 (5) The commissioner of the department shall appoint, from
457 within the Department of Public Safety, a statewide safety

458 training officer who shall serve at the pleasure of the
459 commissioner and whose duty it shall be to perform public training
460 for both law enforcement and private persons throughout the state
461 concerning proper emergency response to the mentally ill,
462 terroristic threats or acts, domestic conflict, other conflict
463 resolution, and such other matters as the commissioner may direct.

464 **SECTION 21.** This act shall take effect and be in force from
465 and after July 1, 2006.