

By: Senator(s) Tollison, Jackson (11th)

To: Judiciary, Division B

SENATE BILL NO. 2865  
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 45-33-23, 45-33-27, 45-33-29 AND  
2 45-33-31, MISSISSIPPI CODE OF 1972, TO REVISE THE SEX OFFENDER  
3 REGISTRATION LAW BY MAKING CLARIFYING TECHNICAL CORRECTIONS; TO  
4 CREATE NEW SECTION 45-33-34, MISSISSIPPI CODE OF 1972, TO PROVIDE  
5 FOR NOTIFICATION TO THE DEPARTMENT OF PUBLIC SAFETY OF THE  
6 REINCARCERATION OR COMMITMENT OF A REGISTERED SEX OFFENDER; TO  
7 AMEND SECTION 45-33-35, MISSISSIPPI CODE OF 1972, TO MAKE  
8 CLARIFYING TECHNICAL AMENDMENTS; TO AMEND SECTION 45-33-37,  
9 MISSISSIPPI CODE OF 1972, TO PROVIDE FOR PARTICIPATION IN THE  
10 FEDERAL DNA INDEXING SYSTEM AND TO PROVIDE A "GOOD FAITH" CLAUSE  
11 FOR DNA INFORMATION; TO AMEND SECTION 63-21-15, MISSISSIPPI CODE  
12 OF 1972, TO REQUIRE AN APPLICANT FOR A CERTIFICATE OF TITLE TO A  
13 VEHICLE TO FURNISH THE APPLICANT'S DRIVER'S LICENSE NUMBER; AND  
14 FOR RELATED PURPOSES.

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

16 **SECTION 1.** Section 45-33-23, Mississippi Code of 1972, as  
17 amended by Senate Bill No. 2667, 2006 Regular Session, is amended  
18 as follows:

19 45-33-23. For the purposes of this chapter, the following  
20 words shall have the meanings ascribed herein unless the context  
21 clearly requires otherwise:

22 (a) "Conviction" shall mean that, regarding the  
23 person's offense, there has been a determination or judgment of  
24 guilt as a result of a trial or the entry of a plea of guilty or  
25 nolo contendere regardless of whether adjudication is withheld.  
26 "Conviction of similar offenses" includes, but is not limited to,  
27 a conviction by a federal or military tribunal, including a court  
28 martial conducted by the Armed Forces of the United States, a  
29 conviction for an offense committed on an Indian Reservation or  
30 other federal property, and a conviction in any state of the  
31 United States.

32 (b) "Jurisdiction" shall mean any state court, federal  
33 court, military court or Indian tribunal.

34 (c) "Permanent residence" is defined as a place where  
35 the person abides, lodges, or resides for a period of fourteen  
36 (14) or more consecutive days.

37 (d) "Registration" means providing information to the  
38 appropriate agency within the time frame specified as required by  
39 this chapter.

40 (e) "Registration duties" means obtaining the  
41 registration information required on the form specified by the  
42 department as well as the photograph, fingerprints, and biological  
43 sample of the registrant. Biological samples are to be forwarded  
44 to the State Crime Laboratory pursuant to Section 45-33-37; the  
45 photograph, fingerprints and other registration information are to  
46 be forwarded to the Department of Public Safety within ten (10)  
47 days of registration.

48 (f) "Responsible agency" is defined as the person or  
49 government entity whose duty it is to obtain information from a  
50 criminal sex offender upon conviction and to transmit that  
51 information to the Mississippi Department of Public Safety.

52 (i) For a criminal sex offender being released  
53 from the custody of the Department of Corrections, the responsible  
54 agency is the Department of Corrections.

55 (ii) For a criminal sex offender being released  
56 from a county jail, the responsible agency is the sheriff of that  
57 county.

58 (iii) For a criminal sex offender being released  
59 from a municipal jail, the responsible agency is the police  
60 department of that municipality.

61 (iv) For a sex offender in the custody of youth  
62 court, the responsible agency is the youth court.

63 (v) For a criminal sex offender who is being  
64 placed on probation, including conditional discharge or  
65 unconditional discharge, without any sentence of incarceration,  
66 the responsible agency is the sentencing court.

67                   (vi) For an offender who has been committed to a  
68 mental institution following an acquittal by reason of insanity,  
69 the responsible agency is the facility from which the offender is  
70 released. Specifically, the director of said facility shall  
71 notify the Department of Public Safety prior to the offender's  
72 release.

73                   (vii) For a criminal sex offender who is being  
74 released from a jurisdiction outside this state or who has a prior  
75 conviction in another state and who is to reside in this state,  
76 the responsible agency is the Department of Public Safety.

77                   (g) "Sex offense" means any of the following offenses:

78                   (i) Section 97-3-53 relating to kidnapping, if the  
79 victim was below the age of eighteen (18);

80                   (ii) Section 97-3-65 relating to rape; however,  
81 conviction or adjudication under Section 97-3-65(1)(a) on or after  
82 July 1, 1998, when the offender was eighteen (18) years of age or  
83 younger at the time of the alleged offense, shall not be a  
84 registrable sex offense;

85                   (iii) Section 97-3-71 relating to rape and assault  
86 with intent to ravish;

87                   (iv) Section 97-3-95 relating to sexual battery;  
88 however, conviction or adjudication under Section 97-3-95(1)(c) on  
89 or after July 1, 1998, when the offender was eighteen (18) years  
90 of age or younger at the time of the alleged offense, shall not be  
91 a registrable sex offense;

92                   (v) Section 97-5-5 relating to enticing child for  
93 concealment, prostitution or marriage;

94                   (vi) Section 97-5-23 relating to the touching of a  
95 child, mentally defective or incapacitated person or physically  
96 helpless person for lustful purposes;

97                   (vii) Section 97-5-27 relating to the  
98 dissemination of sexually oriented material to children;

99                   (viii) Section 97-5-33 relating to the  
100 exploitation of children;

101                   (ix) Section 97-5-41 relating to the carnal  
102 knowledge of a stepchild, adopted child or child of a cohabiting  
103 partner;

104                   (x) Section 97-29-59 relating to unnatural  
105 intercourse;

106                   (xi) Section 97-1-7 relating to attempt to commit  
107 any of the above-referenced offenses;

108                   (xii) Section 97-29-3 relating to adultery or  
109 fornication between teacher and pupil;

110                   (xiii) Section 43-47-18 relating to sexual abuse  
111 of a vulnerable adult;

112                   (xiv) Any other offense resulting in a conviction  
113 in another jurisdiction, whether state, federal or military,  
114 which, if committed in this state, would be deemed to be such a  
115 crime without regard to its designation elsewhere;

116                   (xv) Any offense resulting in a conviction in  
117 another jurisdiction, whether state, federal or military, for  
118 which registration is required in the jurisdiction where the  
119 conviction was had.

120                   (h) "Temporary residence" is defined as a place where  
121 the person abides, lodges, or resides for a period of fourteen  
122 (14) or more days in the aggregate during any calendar year and  
123 which is not the person's permanent address; for a person whose  
124 permanent residence is not in this state, the place where the  
125 person is employed, practices a vocation, or is enrolled as a  
126 student for any period of time in the state; or a place where a  
127 person routinely abides, lodges or resides for a period of four  
128 (4) or more consecutive or nonconsecutive days in any month and  
129 which is not the person's permanent residence.

130                   (i) "Department" unless otherwise specified is defined  
131 as the Mississippi Department of Public Safety.

132           **SECTION 2.** Section 45-33-27, Mississippi Code of 1972, is  
133 amended as follows:

134           45-33-27. (1) A person required to register on the basis of  
135 a conviction, adjudication of delinquency or acquittal by reason  
136 of insanity entered shall register with the responsible agency  
137 within three (3) days of the date of judgment unless the person is  
138 immediately confined or committed, in which case the person shall  
139 register when released in accordance with the procedures  
140 established by the department. The person is also required to  
141 personally appear at a Department of Public Safety Driver's  
142 License Station within ten (10) days of registration with the  
143 responsible agency.

144           (2) If a person who is required to register under this  
145 section is released from prison or placed on parole or supervised  
146 release, the Department of Corrections shall perform the  
147 registration duties at the time of release and forward the  
148 registration information to the Department of Public Safety within  
149 ten (10) days. The person is also required to personally appear  
150 at a Department of Public Safety Driver's License Station within  
151 ten (10) days of release.

152           (3) If a person required to register under this section is  
153 placed on probation, the court, at the time of entering the order,  
154 shall inform the person of the duty to register, obtain the  
155 registration information and forward the registration information  
156 to the Department of Public Safety within ten (10) days. The  
157 person is also required to personally appear at a Department of  
158 Public Safety Driver's License Station within ten (10) days of the  
159 entry of the order.

160           (4) Any person required to register who is neither  
161 incarcerated, detained nor committed at the time the requirement  
162 to register shall attach shall present himself to the county  
163 sheriff who shall perform the registration duties and forward the  
164 registration information to the Department of Public Safety within

165 ten (10) days. The person is also required to personally appear  
166 at a Department of Public Safety Driver's License Station within  
167 ten (10) days of the time the requirement to register attaches.

168 (5) An offender moving to or returning to this state from  
169 another jurisdiction shall notify the Department of Public Safety  
170 ten (10) days before the person first resides in or returns to a  
171 county in this state and shall register with the department within  
172 ten (10) days of first residing in or returning to a county of  
173 this state. The offender must then present himself to the sheriff  
174 of the county in which he intends to reside to provide the  
175 required registration information. The person is also required to  
176 personally appear at a Department of Public Safety Driver's  
177 License Station within ten (10) days of first residing in or  
178 moving to a county of this state.

179 (6) A person, other than a person confined in a correctional  
180 or juvenile detention facility or involuntarily committed on the  
181 basis of mental illness, who is required to register on the basis  
182 of a sex offense for which a conviction, adjudication of  
183 delinquency or acquittal by reason of insanity was entered prior  
184 to July 1, 1995, shall register with the sheriff of the county in  
185 which he resides no later than August 15, 2000.

186 (7) Every person required to register shall show proof of  
187 domicile in this state. The commissioner shall promulgate any  
188 rules and regulations necessary to enforce this requirement and  
189 shall prescribe the means by which such person may show domicile  
190 in this state.

191 (8) Any driver's license photograph, I.D. photograph, sex  
192 offender photograph, finger print, driver's license application  
193 and/or anything submitted to the Department of Public Safety by a  
194 known convicted sex offender, registered or not registered, can be  
195 used by the Department of Public Safety or any other authorized  
196 law enforcement agency for any means necessary in registration,

197 identification, investigation regarding their tracking or  
198 identification.

199 **SECTION 3.** Section 45-33-29, Mississippi Code of 1972, is  
200 amended as follows:

201 45-33-29. (1) Upon any change of address, an offender  
202 required to register under this chapter is required to personally  
203 appear at a Department of Public Safety Driver's License Station  
204 not less than ten (10) days before he intends to first reside at  
205 the new address.

206 (2) Upon any change in the status of a registrant's  
207 enrollment, employment or vocation at any public or private  
208 educational institution, including any secondary school, trade or  
209 professional institution or institution of higher education, the  
210 offender is required to personally appear at a Department of  
211 Public Safety Driver's License Station within ten (10) days of the  
212 change.

213 **SECTION 4.** Section 45-33-31, Mississippi Code of 1972, is  
214 amended as follows:

215 45-33-31. All registrants are required to personally appear  
216 at a Department of Public Safety Driver's License Station to  
217 reregister every ninety (90) days. Reregistration includes the  
218 submission of current information to the department and the  
219 verification of registration information, including the street  
220 address and telephone number of the registrant; name, \* \* \* street  
221 address and telephone number of the registrant's employment along  
222 with any other registration information that may need to be  
223 verified and the payment of any required fees. A person who fails  
224 to reregister as required by this section commits a violation of  
225 this chapter.

226 **SECTION 5.** The following shall be codified as Section  
227 45-33-34, Mississippi Code of 1972:

228 45-33-34. (1) It shall be the responsibility of the county  
229 sheriff to notify the department when a registered sex offender is

230 reincarcerated for another offense or as the result of having  
231 violated probation, parole, conditional discharge or other  
232 sentence or court order.

233 (2) It shall be the responsibility of the offender,  
234 offender's guardian, offender's conservator or the administrator  
235 of the institution to notify the department when a registered sex  
236 offender is committed to a mental institution for a reason other  
237 than the initial confinement following an acquittal by reason of  
238 insanity for a sex offense.

239 **SECTION 6.** Section 45-33-35, Mississippi Code of 1972, is  
240 amended as follows:

241 45-33-35. (1) The Mississippi Department of Public Safety  
242 shall maintain a central registry of sex offender information as  
243 defined in Section 45-33-25 and shall adopt rules and regulations  
244 necessary to carry out this section. The responsible agencies  
245 shall provide the information required in Section 45-33-25 on a  
246 form developed by the department to ensure accurate information is  
247 maintained.

248 (2) Upon conviction, adjudication or acquittal by reason of  
249 insanity of any sex offender, if the sex offender is not  
250 immediately confined or not sentenced to a term of imprisonment,  
251 the clerk of the court which convicted and sentenced the sex  
252 offender shall inform the person of the duty to register,  
253 including the duty to personally appear at a Department of Public  
254 Safety Driver's License Station, and shall perform the  
255 registration duties as described in Section 45-33-23 and forward  
256 the information to the department.

257 (3) Upon release from prison, placement on parole or  
258 supervised release, the Department of Corrections shall inform the  
259 person of the duty to register, including the duty to personally  
260 appear at a Department of Public Safety Driver's License Station,  
261 and shall perform the registration duties as described in Section



262 45-33-23 and forward the information to the Department of Public  
263 Safety.

264 (4) Upon release from confinement in a mental institution  
265 following an acquittal by reason of insanity, the director of the  
266 facility shall inform the offender of the duty to register,  
267 including the duty to personally appear at a Department of Public  
268 Safety Driver's License Station, and shall notify the Department  
269 of Public Safety of the offender's release.

270 (5) Upon release from a youthful offender facility, the  
271 director of the facility shall inform the person of the duty to  
272 register, including the duty to personally appear at a Department  
273 of Public Safety Driver's License Station, and shall perform the  
274 registration duties as described in Section 45-33-23 and forward  
275 the information to the Department of Public Safety.

276 (6) In addition to performing the registration duties, the  
277 responsible agency shall:

278 (a) Inform the person having a duty to register that:

279 (i) The person is required to personally appear at  
280 a Department of Public Safety Driver's License Station at least  
281 ten (10) days before changing address.

282 (ii) Any change of address to another state shall  
283 be reported to the department by personally appearing at a  
284 Department of Public Safety Driver's License Station not less than  
285 ten (10) days before the change of address. The offender shall  
286 comply with any registration requirement in the new state.

287 (iii) The person must register in any state where  
288 the person is employed, carries on a vocation, is stationed in the  
289 military or is a student.

290 (iv) All address verifications must be returned to  
291 the department by personally appearing at a Department of Public  
292 Safety Driver's License Station within the required time period.

293 (v) Any verification of change in status of a  
294 registrant's enrollment, employment or vocation at any public or

295 private educational institution, including any secondary school,  
296 trade or professional institution, or institution of higher  
297 education shall be reported to the department by personally  
298 appearing at a Department of Public Safety Driver's License  
299 Station within ten (10) days of the change.

300 (vi) If the person has been convicted of a sex  
301 offense, the person shall notify any organization for which the  
302 person volunteers in which volunteers have direct, private or  
303 unsupervised contact with minors that the person has been  
304 convicted of a sex offense as provided in Section 45-33-32(1).

305 (b) Require the person to read and sign a form stating  
306 that the duty of the person to register under this chapter has  
307 been explained.

308 (c) Obtain or facilitate the obtaining of a biological  
309 sample from every registrant as required by this chapter if such  
310 biological sample has not already been provided to the Mississippi  
311 Crime Lab.

312 (d) Provide a copy of the order of conviction or  
313 sentencing order to the department at the time of registration.

314 **SECTION 7.** Section 45-33-37, Mississippi Code of 1972, is  
315 amended as follows:

316 45-33-37. (1) The Mississippi Crime Laboratory shall  
317 develop a plan for and establish a deoxyribonucleic acid (DNA)  
318 identification system. In implementing the plan, the Mississippi  
319 Crime Laboratory shall purchase the appropriate equipment. The  
320 DNA identification system as established herein shall be  
321 compatible with that utilized by the Federal Bureau of  
322 Investigation.

323 (2) From and after January 1, 1996, every individual  
324 convicted of a sex offense or in the custody of the Mississippi  
325 Department of Corrections for a sex offense as defined in Section  
326 45-33-23 shall submit a biological sample for purposes of DNA

327 identification analysis before release from or transfer to a state  
328 correctional facility or county jail or other detention facility.

329 (3) From and after January 1, 1996, any person having a duty  
330 to register under Section 45-33-25 for whom a DNA analysis is not  
331 already on file shall submit a biological sample for purposes of  
332 DNA identification analysis within five (5) working days after  
333 registration.

334 (4) The Mississippi Crime Laboratory shall be responsible  
335 for the policy management and administration of the state DNA  
336 identification record system to support law enforcement and other  
337 criminal justice agencies and shall:

338 (a) Promulgate rules and regulations to implement the  
339 provisions of this section; and

340 (b) Provide for cooperation with the Federal Bureau of  
341 Investigation and other criminal justice agencies relating to the  
342 state's participation in the Combined DNA Index System (CODIS)  
343 program and the national DNA identification index or in any DNA  
344 database designated by the crime laboratory.

345 (5) A DNA sample obtained in good faith shall be deemed to  
346 have been obtained in accordance with the requirements of this  
347 section. Any entry into the database which is found to be  
348 erroneous shall not prohibit law enforcement officials from the  
349 legitimate use of information in the furtherance of a criminal  
350 investigation.

351 **SECTION 8.** Section 63-21-15, Mississippi Code of 1972, as  
352 amended by House Bill No. 1280, 2006 Regular Session, is amended  
353 as follows:

354 63-21-15. (1) The application for the certificate of title  
355 of a vehicle, manufactured home or mobile home in this state shall  
356 be made by the owner to a designated agent, on the form the State  
357 Tax Commission prescribes, and shall contain or be accompanied by  
358 the following, if applicable:

359 (a) The name, driver's license number, if the owner has  
360 been issued a driver's license, current residence and mailing  
361 address of the owner;

362 (b) (i) If a vehicle, a description of the vehicle,  
363 including the following data: year, make, model, vehicle  
364 identification number, type of body, the number of cylinders,  
365 odometer reading at the time of application, and whether new or  
366 used; and

367 (ii) If a manufactured home or mobile home, a  
368 description of the manufactured home or mobile home, including the  
369 following data: year, make, model number, serial number and  
370 whether new or used;

371 (c) The date of purchase by applicant, the name and  
372 address of the person from whom the vehicle, manufactured home or  
373 mobile home was acquired, and the names and addresses of any  
374 lienholders in the order of their priority and the dates of their  
375 security agreements;

376 (d) In connection with the transfer of ownership of a  
377 manufactured home or mobile home sold by a sheriff's bill of sale,  
378 a copy of the sheriff's bill of sale;

379 (e) (i) An odometer disclosure statement made by the  
380 transferor of a motor vehicle. The statement shall read:

381 "Federal and state law requires that you state the mileage in  
382 connection with the transfer of ownership. Failure to complete or  
383 providing a false statement may result in fine and/or  
384 imprisonment.

385 I state that the odometer now reads \_\_\_\_\_ (no tenths)  
386 miles and to the best of my knowledge that it reflects the actual  
387 mileage of the vehicle described herein, unless one (1) of the  
388 following statements is checked:

389 \_\_\_\_\_ (1) I hereby certify that to the best of my knowledge  
390 the odometer reading reflects the amount of mileage in excess of  
391 its mechanical limits.

392 \_\_\_\_\_ (2) I hereby certify that the odometer reading is not  
393 the actual mileage. WARNING-ODOMETER DISCREPANCY!"

394 (ii) In connection with the transfer of ownership  
395 of a motor vehicle, each transferor shall disclose the mileage to  
396 the transferee in writing on the title or on the document being  
397 used to reassign the title, which form shall be prescribed and  
398 furnished by the State Tax Commission. This written disclosure  
399 must be signed by the transferor and transferee, including the  
400 printed name of both parties.

401 Notwithstanding the requirements above, the following  
402 exemptions as to odometer disclosure shall be in effect:

403 1. A vehicle having a gross vehicle weight  
404 rating of more than sixteen thousand (16,000) pounds.

405 2. A vehicle that is not self-propelled.

406 3. A vehicle that is ten (10) years old or  
407 older.

408 4. A vehicle sold directly by the  
409 manufacturer to any agency of the United States in conformity with  
410 contractual specifications.

411 5. A transferor of a new vehicle prior to its  
412 first transfer for purposes other than resale need not disclose  
413 the vehicle's odometer mileage.

414 (iii) Any person who knowingly gives a false  
415 statement concerning the odometer reading on an odometer  
416 disclosure statement shall be guilty of a misdemeanor and, upon  
417 conviction, shall be subject to a fine of up to One Thousand  
418 Dollars (\$1,000.00) or imprisonment of up to one (1) year, or  
419 both, at the discretion of the court. These penalties shall be  
420 cumulative, supplemental and in addition to the penalties provided  
421 by any other law; and

422 (f) For previously used manufactured homes and mobile  
423 homes that previously have not been titled in this state or any  
424 other state, a disclosure statement shall be made by the owner of

425 the manufactured home or mobile home applying for the certificate  
426 of title. That statement shall read:

427 "I state that the previously used manufactured home or mobile  
428 home owned by me for which I am applying for a certificate of  
429 title, to the best of my knowledge:

430 \_\_\_\_\_ (1) Has never been declared a total loss due to  
431 flood damage, fire damage, wind damage or other damage; or

432 \_\_\_\_\_ (2) Has previously been declared a total loss due  
433 to:

434 \_\_\_\_\_ (a) Collision;

435 \_\_\_\_\_ (b) Flood;

436 \_\_\_\_\_ (c) Fire;

437 \_\_\_\_\_ (d) Wind;

438 \_\_\_\_\_ (e) Other (please describe): \_\_\_\_\_

439 \_\_\_\_\_."

440 (2) The application shall be accompanied by such evidence as  
441 the State Tax Commission reasonably requires to identify the  
442 vehicle, manufactured home or mobile home and to enable the State  
443 Tax Commission to determine whether the owner is entitled to a  
444 certificate of title and the existence or nonexistence of security  
445 interests in the vehicle, manufactured home or mobile home and  
446 whether the applicant is liable for a use tax as provided by  
447 Sections 27-67-1 through 27-67-33.

448 (3) If the application is for a vehicle, manufactured home  
449 or mobile home purchased from a dealer, it shall contain the name  
450 and address of any lienholder holding a security interest created  
451 or reserved at the time of the sale and the date of his security  
452 agreement and it shall be signed by the dealer as well as the  
453 owner. The designated agent shall promptly mail or deliver the  
454 application to the State Tax Commission.

455 (4) If the application is for a new vehicle, manufactured  
456 home or mobile home, it shall contain the certified manufacturer's

457 statement of origin showing proper assignments to the applicant  
458 and a copy of each security interest document.

459 (5) Each application shall contain or be accompanied by the  
460 certificate of a designated agent that the vehicle, manufactured  
461 home or mobile home has been physically inspected by him and that  
462 the vehicle identification number and descriptive data shown on  
463 the application, pursuant to the requirements of subsection (1)(b)  
464 of this section, are correct, and also that he has identified the  
465 person signing the application and witnessed the signature. If  
466 the application is to receive a clear title or a branded title for  
467 a vehicle for which a salvage certificate of title has been  
468 issued, the application shall be accompanied by a sworn affidavit  
469 that the vehicle complies with the requirements of this section,  
470 Section 63-21-39 and the regulations promulgated by the State Tax  
471 Commission under Section 63-21-39.

472 (6) If the application is for a first certificate of title  
473 on a vehicle, manufactured home or mobile home other than a new  
474 vehicle, manufactured home or mobile home, then the application  
475 shall conform with the requirements of this section except that in  
476 lieu of the manufacturer's statement of origin, the application  
477 shall be accompanied by a copy of the bill of sale of said motor  
478 vehicle, manufactured home or mobile home whereby the applicant  
479 claims title or in lieu thereof, in the case of a motor vehicle,  
480 certified copies of the last two (2) years' tag and tax receipts  
481 or in lieu thereof, in any case, such other information the State  
482 Tax Commission may reasonably require to identify the vehicle,  
483 manufactured home or mobile home and to enable the State Tax  
484 Commission to determine ownership of the vehicle, manufactured  
485 home or mobile home and the existence or nonexistence of security  
486 interest in it. If the application is for a vehicle, manufactured  
487 home or mobile home last previously registered in another state or  
488 country, the application shall also be accompanied by the

489 certificate of title issued by the other state or country, if any,  
490 properly assigned.

491 (7) Every designated agent within this state shall, no later  
492 than the next business day after they are received by him, forward  
493 to the State Tax Commission by mail, postage prepaid, the  
494 originals of all applications received by him, together with such  
495 evidence of title as may have been delivered to him by the  
496 applicants.

497 (8) An application for certificate of title and information  
498 to be placed on an application for certificate of title may be  
499 transferred electronically as provided in Section 63-21-16.

500 (9) The State Tax Commission shall issue a certificate of  
501 title or any other document applied for under this chapter to the  
502 designated agent, owner or lienholder of the motor vehicle or of  
503 the manufactured home or mobile home, as appropriate, not more  
504 than thirty (30) days after the application and required fee  
505 prescribed under Section 63-21-63 or Section 63-21-64 are received  
506 unless the applicant requests expedited processing under  
507 subsection (10) of this section.

508 (10) (a) The State Tax Commission shall establish an  
509 expedited processing procedure for the receipt of applications and  
510 the issuance of certificates of title and any other documents  
511 issued under this chapter, except a replacement certificate of  
512 title as provided under Section 63-21-27(2), for motor vehicles  
513 and for manufactured homes or mobile homes. Any designated agent,  
514 lienholder or owner requesting the issuance of any such document,  
515 at his or her option, shall receive such expedited processing upon  
516 payment of a fee in the amount of Thirty Dollars (\$30.00). Such  
517 fee shall be in addition to the fees applicable to the issuance of  
518 any such documents under Section 63-21-63 and Section 63-21-64.

519 (b) When expedited title processing is requested, the  
520 applicable fees are paid and all documents and information  
521 necessary for the Tax Commission to issue the certificate of title



522 or other documents applied for are received by the commission,  
523 then the commission shall complete processing of the application  
524 and issue the title or document applied for within seventy-two  
525 (72) hours of the time of receipt, excluding weekends and  
526 holidays.

527         **SECTION 9.** This act shall take effect and be in force from  
528 and after July 1, 2006.