

House Amendments to Senate Bill No. 2634

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

10 **SECTION 1.** Section 97-5-3, Mississippi Code of 1972, is
11 amended as follows:
12 97-5-3. (1) Any parent who shall desert or * * * willfully
13 neglect or refuse to provide for the support and maintenance of
14 his or her child or children, including the natural parent of an
15 illegitimate child or children wherein paternity has been
16 established by law or when the natural parent has acknowledged
17 paternity in writing, while said child or children are under the
18 age of * * * twenty-one (21) years shall be guilty of a felony
19 and, on conviction thereof, shall be punished for a first offense
20 by a fine of not less than One Hundred Dollars (\$100.00) nor more
21 than Five Hundred Dollars (\$500.00), or by commitment to the
22 custody of the Department of Corrections not more than five (5)
23 years, or both; and for a second or subsequent offense, by a fine
24 of not less than One Thousand Dollars (\$1,000.00) nor more than
25 Ten Thousand Dollars (\$10,000.00), or by commitment to the custody

26 of the Department of Corrections not less than two (2) years nor
27 more than five (5) years, or both, in the discretion of the court.

28 (2) In any prosecution under this section, it is a defense
29 if, during the relevant time period, the child:

30 (i) Marries, or

31 (ii) Joins the military and serves on a full-time
32 basis, or

33 (iii) Is convicted of a felony and is sentenced to
34 incarceration of two (2) or more years for committing such felony,
35 or

36 (iv) Discontinues full-time enrollment in school having
37 attained the age of eighteen (18) years, unless the child is
38 disabled, or

39 (v) Voluntarily moves from the home of the custodial
40 parent or guardian, establishes independent living arrangements,
41 obtains full-time employment and discontinues educational
42 endeavors prior to attaining the age of twenty-one (21) years, or

43 (vi) Cohabits with another person without the approval
44 of the parent obligated to pay support.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after July 1, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 97-5-3, MISSISSIPPI CODE OF 1972, TO
2 ALLOW CHARGES AGAINST A PARENT WHO SHALL DESERT OR WILLFULLY
3 NEGLECT OR REFUSE TO PROVIDE SUPPORT AND MAINTENANCE OF HIS OR HER
4 CHILD WHEN THAT CHILD IS UNDER 21 YEARS OF AGE; TO AMEND SECTION

5 99-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE STATUTE OF
6 LIMITATIONS FOR CHARGES AGAINST A PARENT WHO DESERTS, WILLFULLY
7 NEGLECTS OR REFUSES TO PROVIDE SUPPORT OR MAINTENANCE OF HIS OR
8 HER CHILD; AND FOR RELATED PURPOSES.

HR26\SB2634A.J

Andrew Ketchings
Clerk of the House of Representatives