

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2634**

**BY: Committee**

**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.

