

By: Representative Johnson

To: Corrections;
Appropriations A

HOUSE BILL NO. 101

1 AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO CONVERT
2 THE THREE RESTITUTION CENTERS IN THE STATE TO POST-RELEASE REENTRY
3 CENTERS; TO PROVIDE THAT THE POST-RELEASE REENTRY CENTERS SHALL BE
4 FOR INDIVIDUALS WHO ARE ELIGIBLE FOR RELEASE, INCLUDING THOSE
5 ELIGIBLE FOR PAROLE AND EARLY RELEASE SUPERVISION, IF SUCH
6 INDIVIDUALS DO NOT HAVE IMMEDIATE ACCESS TO HOUSING UPON RELEASE;
7 TO REQUIRE THE DEPARTMENT TO ADMINISTER SERVICES IN THE
8 POST-RELEASE REENTRY CENTERS AS WELL AS OTHER FACILITIES THAT
9 PROVIDE POST-RELEASE REENTRY SERVICES; TO REQUIRE THE DEPARTMENT
10 TO ASSIST RESIDENTS OF THE CENTERS IN OBTAINING CERTAIN REENTRY
11 NECESSITIES SUCH AS HOUSING, JOB SKILLS TRAINING AND DRIVER'S
12 LICENSES; TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972, TO
13 PROVIDE THAT CERTAIN RESIDENCE RESTRICTIONS SHALL NOT APPLY TO
14 POST-RELEASE REENTRY CENTERS; TO AMEND SECTION 45-33-35,
15 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND
16 FOR RELATED PURPOSES.

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

18 **SECTION 1.** (1) The Department of Corrections shall convert
19 the Madison County Restitution Center, Flowood Restitution Center,
20 and Pascagoula Restitution Center to post-release reentry centers.

21 (2) Any person who is eligible for release, including parole
22 and early release supervision, shall be eligible for placement in
23 a post-release reentry center. Participation in a post-release
24 reentry center is intended for those who do not have immediate
25 access to housing or other support services upon release from



incarceration. Residents of post-release reentry centers shall remain at a center for ninety (90) days or until other housing becomes available, whichever period is shorter. A person otherwise eligible for release from incarceration may not be detained due to their refusal to accept placement in a post-release reentry center. The residence restrictions provided in Section 45-33-25 shall not apply to post-release reentry centers regardless of the location of any center.

SECTION 2. (1) The Department of Corrections shall institute and administer services in post-release reentry centers at the facilities identified under Section 1 of this act and at other facilities which provide post-release reentry services.

(2) The Department of Corrections shall:

(a) Seek funding from federal or other sources to provide the maximum supportive services for residents and the families of residents who are participating in a post-release reentry program;

(b) Develop programs at post-release reentry centers through which residents are provided support, training, and connection to services necessary to contribute to society and the support of themselves and their families upon returning to local communities following incarceration; and

(c) Develop evidence-based pilot programs in furtherance of aiding personal growth and development, overcoming problematic behaviors, establishing a verified residency plan, and



51 teaching skills to enhance the resident's quality of life and
52 successful reentry into the community. The programs may be
53 residential or nonresidential as appropriate.

54 (3) The Department of Corrections shall assist residents in
55 obtaining:

- 56 (a) Counseling/case management services;
- 57 (b) Housing;
- 58 (c) Employment or job skills training;
- 59 (d) State-issued driver's licenses or a state issued
60 IDs should a driver's license be unobtainable;
- 61 (e) Health care services;
- 62 (f) Educational services;
- 63 (g) Cognitive behavioral programs;
- 64 (h) Drug and alcohol treatment and recovery services;
- 65 and
- 66 (i) Other community support services.

67 **SECTION 3.** Section 45-33-25, Mississippi Code of 1972, is
68 amended as follows:

69 45-33-25. (1) (a) Any person having a permanent or
70 temporary residence in this state or who is employed or attending
71 school in this state who has been convicted of a registrable
72 offense in this state or another jurisdiction or who has been
73 acquitted by reason of insanity of a registrable offense in this
74 state or another jurisdiction shall register with the responsible
75 agency and the Mississippi Department of Public Safety.



76 Registration shall not be required for an offense that is not a
77 registrable sex offense or for an offender who is under fourteen
78 (14) years of age. The department shall provide the initial
79 registration information as well as every change of name, change
80 of address, change of status at a school, or other change of
81 information as required by the department to the sheriff of the
82 county of the residence address of the registrant, the sheriff of
83 the county of the employment address, and the sheriff of the
84 county of the school address, if applicable, and any other
85 jurisdiction of the registrant through either written notice,
86 electronic or telephone transmissions, or online access to
87 registration information. Further, the department shall provide
88 this information to the Federal Bureau of Investigation.
89 Additionally, upon notification by the registrant that he intends
90 to reside outside the State of Mississippi, the department shall
91 notify the appropriate state law enforcement agency of any state
92 to which a registrant is moving or has moved.

93 (b) Any person having a permanent or temporary
94 residence or who is employed or attending school in this state who
95 has been adjudicated delinquent for a registrable sex offense
96 listed in this paragraph that involved use of force against the
97 victim shall register as a sex offender with the responsible
98 agency and shall personally appear at a facility designated by the
99 Mississippi Department of Public Safety, or in a manner of the
100 Department of Public Safety's choosing, including by electronic



means, within three (3) business days of registering with the responsible agency:

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

(ii) Section 97-3-95 relating to sexual battery;

(iii) Section 97-3-65 relating to statutory rape;

or

(iv) Conspiracy to commit, accessory to the commission of, or attempt to commit any offense listed in this paragraph.

(2) Any person required to register under this chapter shall submit the following information at the time of registration:

(a) Name, including a former name which has been legally changed;

(b) Street address of all current permanent and temporary residences within state or out of state at which the sex offender resides or habitually lives, including dates of temporary lodgings. There is a presumption that a registrant owes a duty of updating registration information if the registrant remains away from a registered address for seven (7) or more aggregate days in a six (6) month period;

(c) Date, place and address of employment, including as a volunteer or unpaid intern or as a transient or day laborer;

(d) Crime for which charged, arrested or convicted;



(e) Date and place of conviction, adjudication or acquittal by reason of insanity;

(f) Aliases used or nicknames, ethnic or tribal names by which commonly known;

(g) Social security number and any purported social security number or numbers;

(h) Date and place of birth and any purported date and place of birth;

(i) Age, race, sex, height, weight, hair and eye colors, and any other physical description or identifying factors;

(j) A brief description of the offense or offenses for which the registration is required;

(k) Driver's license or state or other jurisdiction identification card number, which license or card may be electronically accessed by the Department of Public Safety;

(l) Anticipated future residence;

(m) If the registrant's residence is a motor vehicle, trailer, mobile home or manufactured home, the registrant shall also provide vehicle identification number, license tag number, registration number and a description, including color scheme, of the motor vehicle, trailer, mobile home or manufactured home; if the registrant's place of residence is a vessel or houseboat, the registrant shall also provide the hull identification number, manufacturer's serial number, name of the vessel or houseboat, registration number and a description, including color scheme, of



the vessel or houseboat, including permanent or frequent locations where the motor vehicle, trailer, mobile home, manufactured home, vessel or houseboat is kept;

(n) Vehicle make, model, color and license tag number for all vehicles owned or operated by the sex offender, whether for work or personal use, and the permanent or frequent locations where a vehicle is kept;

(o) Offense history;

(p) Photograph;

(q) Fingerprints and palm prints;

(r) Documentation of any treatment received for any mental abnormality or personality disorder of the person;

(s) Biological sample;

(t) Name of any public or private educational institution, including any secondary school, trade or professional institution or institution of higher education at which the offender is employed, carries on a vocation (with or without compensation) or is enrolled as a student, or will be enrolled as a student, and the registrant's status;

(u) Copy of conviction or sentencing order for the sex offense for which registration is required;

(v) The offender's parole, probation or supervised release status and the existence of any outstanding arrest warrants;



(w) Every online identity, screen name or username used, registered or created by a registrant;

(x) Professional licensing information which authorizes the registrant to engage in an occupation or carry out a trade or occupation;

(y) Information from passport and immigration documents;

(z) All telephone numbers, including, but not limited to, permanent residence, temporary residence, cell phone and employment phone numbers, whether landlines or cell phones; and

(aa) Any other information deemed necessary.

(3) For purposes of this chapter, a person is considered to be residing in this state if he maintains a permanent or temporary residence as defined in Section 45-33-23, including students, temporary employees and military personnel on assignment.

(4) (a) A person required to register under this chapter shall not reside within three thousand (3,000) feet of the real property comprising a public or nonpublic elementary or secondary school, a child care facility, a residential child-caring agency, a children's group care home or any playground, ballpark or other recreational facility utilized by persons under the age of eighteen (18) years.

(b) A person residing within three thousand (3,000) feet of the real property comprising a public or nonpublic elementary or secondary school or a child care facility does not



commit a violation of this subsection if any of the following
apply:

(i) The person is serving a sentence at a jail,
prison, juvenile facility or other correctional institution or
facility.

(ii) The person is subject to an order of
commitment under Title 41, Mississippi Code of 1972.

(iii) The person established the subject residence
before July 1, 2006.

(iv) The school or child care facility is
established within three thousand (3,000) feet of the person's
residence subsequent to the date the person established residency.

(v) The person established the subject residence
between July 1, 2006, and January 1, 2014, in a location at least
one thousand five hundred (1,500) feet from the school or child
care facility.

(vi) The person is a minor or a ward under a
guardianship.

(c) A person residing within three thousand (3,000)
feet of the real property comprising a residential child-caring
agency, a children's group care home or any playground, ballpark
or other recreational facility utilized by persons under the age
of eighteen (18) years does not commit a violation of this
subsection if any of the following apply:



(i) The person established the subject residence before July 1, 2008.

(ii) The residential child-caring agency, children's group care home, playground, ballpark or other recreational facility utilized by persons under the age of eighteen (18) years is established within three thousand (3,000) feet of the person's residence subsequent to the date the person established residency.

(iii) The person established the subject residence between July 1, 2008, and January 1, 2014, in a location at least one thousand five hundred (1,500) feet from the residential child-caring agency, children's group care home, playground, ballpark or other recreational facility utilized by persons under the age of eighteen (18) years.

(iv) Any of the conditions described in subsection (4) (b) (i), (ii) or (vi) exist.

(5) The Department of Public Safety is required to obtain the text of the law defining the offense or offenses for which the registration is required.

(6) The residence restriction provided under this section shall not apply to post-release reentry centers regardless of the location of any center.

SECTION 4. Section 45-33-35, Mississippi Code of 1972, is amended as follows:



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

254 (2) Upon conviction, adjudication or acquittal by reason of
255 insanity of any sex offender, if the sex offender is not
256 immediately confined or not sentenced to a term of imprisonment,
257 the clerk of the court which convicted and sentenced the sex
258 offender shall inform the person of the duty to register,
259 including the duty to personally appear at a facility designated
260 by the Department of Public Safety, or in a manner of the
261 Department of Public Safety's choosing, including by electronic
262 means, and shall perform the registration duties as described in
263 Section 45-33-23 and forward the information to the department.

264 (3) Before release from prison or placement on parole,
265 supervised release or in a work center * * *, the Department of
266 Corrections shall inform the person of the duty to register,
267 including the duty to personally appear at a facility designated
268 by the Department of Public Safety, or in a manner of the
269 Department of Public Safety's choosing, including by electronic
270 means, and shall perform the registration duties as described in



271 Section 45-33-23 and forward the information to the Department of
272 Public Safety.

273 (4) Before release from a community regional mental health
274 center or from confinement in a mental institution following an
275 acquittal by reason of insanity, the director of the facility
276 shall inform the offender of the duty to register, including the
277 duty to personally appear at a facility designated by the
278 Department of Public Safety, or in a manner of the Department of
279 Public Safety's choosing, including by electronic means, and shall
280 perform the registration duties as described in Section 45-33-23
281 and forward the information to the Department of Public Safety.

282 (5) Before release from a youthful offender facility, the
283 director of the facility shall inform the person of the duty to
284 register, including the duty to personally appear at a facility
285 designated by the Department of Public Safety, or in a manner of
286 the Department of Public Safety's choosing, including by
287 electronic means, and shall perform the registration duties as
288 described in Section 45-33-23 and forward the information to the
289 Department of Public Safety.

290 (6) In addition to performing the registration duties, the
291 responsible agency shall:

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

293 (i) The person is required to personally appear at
294 a facility designated by the Department of Public Safety, or in a



manner of the Department of Public Safety's choosing, including by electronic means, at least ten (10) days before changing address.

(ii) Any change of address to another jurisdiction shall be reported to the department by personally appearing at a facility designated by the Department of Public Safety, or in a manner of the Department of Public Safety's choosing, including by electronic means, not less than ten (10) days before the change of address. The offender shall comply with any registration requirement in the new jurisdiction.

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

(iv) Address verifications shall be made by personally appearing at a facility designated by the Department of Public Safety, or in a manner of the Department of Public Safety's choosing, including by electronic means, within the required time period.

(v) Notification or verification of a change in status of a registrant's enrollment, employment or vocation at any public or private educational institution, including any secondary school, trade or professional institution, or institution of higher education shall be reported to the department by personally appearing at a facility designated by the Department of Public Safety, or in a manner of the Department of Public Safety's



319 choosing, including by electronic means, within three (3) business
320 days of the change.

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

326 (vii) Upon any change of name or employment, a
327 registrant is required to personally appear at a facility
328 designated by the Department of Public Safety, or in a manner of
329 the Department of Public Safety's choosing, including by
330 electronic means, within three (3) business days of the change.

331 (viii) Upon any change of vehicle information, a
332 registrant is required to report the change on an appropriate form
333 supplied by the department within three (3) business days of the
334 change.

335 (ix) Upon any change of e-mail address or
336 addresses, instant message address or addresses or any other
337 designation used in Internet communications, postings or telephone
338 communications, a registrant is required to report the change on
339 an appropriate form supplied by the department within three (3)
340 business days of the change.

341 (x) Upon any change of information deemed to be
342 necessary to the state's policy to assist local law enforcement
343 agencies' efforts to protect their communities, a registrant is



required to report the change on an appropriate form supplied by the department within three (3) business days of the change.

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

(c) Obtain or facilitate the obtaining of a biological sample from every registrant as required by this chapter if such biological sample has not already been provided to the Mississippi Forensics Laboratory.

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

SECTION 5. This act shall take effect and be in force from and after July 1, 2026.

