

By: Senator(s) Hill, McLendon

To: Judiciary, Division B

SENATE BILL NO. 2113

1 AN ACT TO ENACT THE PERSISTENT DOMESTIC VIOLENCE OFFENDER
2 REGISTRY ACT; TO DEFINE TERMS; TO CREATE THE PERSISTENT DOMESTIC
3 VIOLENCE REGISTRY WITHIN THE DEPARTMENT OF PUBLIC SAFETY TO
4 REGISTER PERSISTENT DOMESTIC VIOLENCE OFFENDERS; TO REQUIRE THE
5 DEPARTMENT TO MAINTAIN THE REGISTRY; TO REQUIRE THE DEPARTMENT TO
6 MAKE THE REGISTRY AVAILABLE FOR PUBLIC INQUIRY ON THE INTERNET; TO
7 REQUIRE CERTAIN OFFENDERS WITH AT LEAST ONE PRIOR CONVICTION OF
8 ABUSE TO REGISTER; TO DIRECT THE DEPARTMENT TO REMOVE THE NAME AND
9 OTHER IDENTIFYING INFORMATION OF A PERSISTENT DOMESTIC VIOLENCE
10 OFFENDER FROM THE REGISTRY WITHIN A CERTAIN TIMEFRAME; TO REQUIRE
11 THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO EFFECTUATE
12 THE PURPOSES OF THIS CHAPTER; TO PROVIDE FOR A FEE TO BE ASSESSED
13 AGAINST THE DEFENDANT WHO IS REQUIRED TO REGISTER UNDER THIS
14 CHAPTER; TO DIRECT A PORTION OF THE FEE TO BE DEPOSITED INTO THE
15 VICTIMS OF DOMESTIC VIOLENCE FUND; TO BRING FORWARD SECTION
16 93-21-117, MISSISSIPPI CODE OF 1972, WHICH IS THE VICTIMS OF
17 DOMESTIC VIOLENCE FUND, FOR POSSIBLE AMENDMENT; AND FOR RELATED
18 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 "Persistent Domestic Violence Offender Registry Act."

22 **SECTION 2.** As used in this act:

23 (a) "Abuse" has the meaning assigned under Section
24 93-21-3(a).

25 (b) "Convicted" and "conviction" mean a verdict of
26 guilty by a judge or jury or a plea of guilty and includes
27 adjudication by the court.

28 (c) "Department" means the Department of Public Safety.

29 (d) "Domestic abuse victim" mean any person who is the
30 victim of abuse.

31 (e) "Persistent domestic violence offender" means a
32 person who:

33 (i) Has been convicted in this state of an offense
34 committed against a domestic abuse victim; and

35 (ii) Has at least one (1) prior conviction for an
36 offense committed against a domestic abuse victim

37 (f) "Prior conviction" means a conviction for an
38 offense occurring prior to the commission of the offense which
39 triggers the defendant's eligibility for registry under this
40 section.

41 (g) "Registry" means the Persistent Domestic Violence
42 Registry created in Section 3(1) of this act.

43 **SECTION 3.** (1) The Persistent Domestic Violence Registry is
44 created within the department to register persistent domestic
45 violence offenders



50 Corrections and local law enforcement agencies. The department
51 shall make the registry available for public inquiry on the
52 internet.

53 (3) The registry must consist of the persistent domestic
54 violence offender's name, date of birth, conviction date, county
55 or counties of convictions, and a current photograph of the
56 persistent domestic violence offender. If available after
57 reasonable inquiry, the court clerk shall provide the department
58 with a copy of the persistent domestic violence offender's driver
59 license, or other state or federal identification, and such other
60 identifying data as the department determines is necessary to
61 properly identify the persistent domestic violence offender and
62 exclude innocent persons. However, the registry available for
63 public inquiry must not include the persistent domestic violence
64 offender's address, social security number, driver license number,
65 or any other state or federal identification number.

66 (4) (a) If a person is convicted of an offense committed
67 against a domestic abuse victim and the person convicted has at
68 least one (1) prior conviction for an offense committed against a
69 domestic abuse victim, then the court shall, upon proof of any
70 prior convictions committed against a domestic abuse victim, order
71 the defendant to register as a persistent domestic violence
72 offender under this act.

73 (b) If a court orders a defendant to register under
74 this act, then the court clerk shall forward to the department a



75 certified copy of the qualifying conviction and the date of birth
76 of the defendant. The court clerk shall forward the information
77 to the department within seven (7) days of the date of the
78 conviction.

79 (5) The department shall remove from the registry the name
80 and other identifying information of a persistent domestic
81 violence offender required to register under this chapter:

82 (a) Five (5) years after the date of the most recent
83 conviction for an offense committed against a domestic abuse
84 victim if the defendant has one (1) prior conviction for an
85 offense committed against a domestic abuse victim;

86 (b) Seven (7) years after the date of the most recent
87 conviction for an offense committed against a domestic abuse
88 victim if the defendant has two (2) prior convictions for an
89 offense committed against a domestic abuse victim;

90 (c) Ten (10) years after the date of the most recent
91 conviction for an offense committed against a domestic abuse
92 victim if the defendant has three (3) prior convictions for an
93 offense committed against a domestic abuse victim; or

94 (d) Twenty (20) years after the date of the most recent
95 conviction for an offense committed against a domestic abuse
96 victim if the defendant has four (4) or more prior convictions for
97 an offense committed against a domestic abuse victim.



98 (6) (a) This section applies only to persons convicted of
99 an offense committed against a domestic abuse victim that occurred
100 on or after January 1, 2027.

101 (b) Notwithstanding subsection (6)(a) of this section,
102 a prior conviction is not required to occur on or after January 1,
103 2027.

104 (7) The department shall promulgate rules and regulations to
105 effectuate the purposes of this chapter.

106 **SECTION 4.** (1) In addition to any other criminal penalty
107 that may be imposed for a conviction of the offense, a defendant
108 required to register under this chapter shall be assessed a fee in
109 the amount of One Hundred and Fifty Dollars (\$150.00).

110 (2) The fee must be paid by the registrant under this
111 chapter to the clerk of the court imposing the sentence which
112 requires the registration under this chapter. The clerk shall:

116 (b) Remit the remainder of the fee to the Victims of
117 Domestic Violence Fund created under Section 93-21-117.

118 **SECTION 5.** Section 93-21-117, Mississippi Code of 1972, is
119 brought forward as follows:

120 93-21-117. (1) There is hereby created in the State
121 Treasury a special fund to be known as the "Victims of Domestic



122 Violence Fund." The fund shall be a continuing fund, not subject
123 to fiscal-year limitations, and shall consist of:

124 (a) Monies appropriated by the Legislature;

125 (b) The interest accruing to the fund;

126 (c) Monies received under the provisions of Section

127 99-19-73;

128 (d) Monies received from the federal government;

129 (e) Donations to the Victims of Domestic Violence Fund;

130 (f) Assessments collected pursuant to Section 83-39-31;

131 and

132 (g) Monies received from such other sources as may be
133 provided by law.

134 (2) The circuit clerks of the state shall deposit in the
135 fund on a monthly basis the additional fee charged and collected
136 for marriage licenses under the provisions of Section 25-7-13,
137 Mississippi Code of 1972.

138 (3) All other monies received by the state from every source
139 for the support of the program for victims of domestic violence,
140 established by Sections 93-21-101 through 93-21-113, shall be
141 deposited in the "Victims of Domestic Violence Fund." The monies
142 in the fund shall be used by the State Department of Health solely
143 for funding and administering domestic violence shelters under the
144 provisions of Sections 93-21-101 through 93-21-113, in such
145 amounts as the Legislature may appropriate to the department for
146 the program for victims of domestic violence established by

147 Sections 93-21-101 through 93-21-113. Not more than ten percent
148 (10%) of the monies in the "Victims of Domestic Violence Fund"
149 shall be appropriated to the State Department of Health for the
150 administration of domestic violence shelters.

151 (4) From and after July 1, 2014, the Office Against
152 Interpersonal Violence is granted all powers and duties with
153 respect to the management of funds in the Victims of Domestic
154 Violence Fund. Any reference to the Department of Health in this
155 article pertaining to the management of the Victims of Domestic
156 Violence Fund means the Office Against Interpersonal Violence
157 within the Department of Health. In addition to the ten percent
158 (10%) set aside in subsection (3), from and after July 1, 2014,
159 the OAIV is authorized to utilize no more than an additional five
160 percent (5%) of the monies in the Victims of Domestic Violence
161 Fund at its discretion for transition expenses and expense related
162 to statewide projects of the OAIV.

163 (5) Nothing in this chapter shall be construed to limit the
164 ability of a domestic violence shelter or other domestic violence
165 program to solicit private donations or community support. Any
166 funds raised by a shelter or program from private donations or
167 community support are not subject to the provisions of this
168 chapter.

169 **SECTION 6.** This act shall take effect and be in force from
170 and after July 1, 2026.