

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) .



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

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

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

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

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

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

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

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

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

(2) The department shall maintain this registry based upon information supplied to the department by the court clerks pursuant to subsections (3) and (4) of this section and information available to the department from the Department of



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.



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

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

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

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

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

(a) Retain no more than Fifty Dollars (\$50.00) of the fee paid for the administration of this chapter, which must be reserved for the purposes authorized by this chapter; and

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

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

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



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

- (a) Monies appropriated by the Legislature;
  - (b) The interest accruing to the fund;
  - (c) Monies received under the provisions of Section 99-19-73;
  - (d) Monies received from the federal government;
  - (e) Donations to the Victims of Domestic Violence Fund;
  - (f) Assessments collected pursuant to Section 83-39-31;
- and
- (g) Monies received from such other sources as may be provided by law.

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

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



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

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

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

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

