Mississippi

Overall Ranking: Bottom Tier

Mississippi Research Facility Protection Law


This article may be cited and shall be known as the “Animal Research or Exhibiting Facilities Protection Act.”


The following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) “Actor” means a person accused of any of the offenses defined in this act.

(b) “Animal” means a warm or cold-blooded animal used in food or fiber production, agriculture, exhibition,
research, testing, experimentation or education, including poultry, fish and insects.

(c) “Animal research or exhibiting facility,” hereinafter referred to as an “animal facility,” includes a vehicle, building, separately secured yard, pad, pond, enclosure, structure or premises where an animal is kept, shown, handled, housed, exhibited, bred or offered for sale and any building, laboratory, institution, organization or school in which a person or persons are engaged in research, testing, educational or experimental activities or in which any commercial or academic enterprise is using warm-blooded or cold-blooded animals for food or fiber production, agriculture, research, testing, experimentation or education.

(d) “Consent” means assent in fact, whether express or apparent.

(e) “Deprive” means:

(i) To purposely or knowingly withhold an animal or other property from the owner permanently or for such an extended time that a major portion of the value or enjoyment of the animal or property is lost to the owner;

(ii) To restore the animal or other property only upon payment for reward or other compensation; or

(iii) To dispose of an animal or other property in a manner that makes recovery of the animal or property by the owner unlikely.

(f) “Effective consent” includes consent by a person legally authorized to act for the owner. Consent is not effective if:

(i) Induced by force, threat, false pretenses or fraud;

(ii) Given by a person the actor knows is not legally authorized to act for the owner;

(iii) Given by a person who by reason of youth, mental disease or defect or intoxication is known by the actor to be unable to make reasonable decisions; or

(iv) Given solely to detect the commission of an offense.

(g) “Owner” means a person who has title to the property, possession of the property, whether lawful or not, or a greater right to possession of the property than the actor.

(h) “Person” means an individual, corporation, association, nonprofit corporation, joint-stock company, firm, trust, partnership, two (2) or more persons having a joint or common interest or other legal entity.

(i) “Possession” means actual care, custody, control or management.
**MISS. CODE. ANN. § 69-29-305 (2010). Acquisition of control with intent to disrupt or damage.**

A person shall not, without the effective consent of the owner, acquire or otherwise exercise control over an animal facility, an animal from an animal facility or other property from an animal facility with the intent to deprive the owner of the facility, animal or property and to disrupt or damage the enterprise conducted at the animal facility.

**MISS. CODE. ANN. § 69-29-307 (2010). Damaging or destroying animal or animal facility.**

A person shall not, without the effective consent of the owner, damage or destroy an animal facility or an animal or property in or on an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility.

**MISS. CODE. ANN. § 69-29-309 (2010). Entering or remaining concealed in animal facility.**

A person shall not, without the effective consent of the owner, with the intent to disrupt or damage the enterprise conducted at the animal facility:

(a) Enter an animal facility, not then open to the public, with intent to commit an act prohibited by this act;

(b) Remain concealed, with intent to commit an act prohibited by this act, in an animal facility; or

(c) Enter an animal facility and commit or attempt to commit an act prohibited by this act.

**MISS. CODE. ANN. § 69-29-311 (2010). Notice.**

(1) A person shall not, without the effective consent of the owner, enter or remain in an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility if the person:

(a) Had notice that the entry was forbidden; or

(b) Received notice to depart but failed to do so.

(2) For purposes of this section, “notice” means:

(a) Oral or written communication by the owner or someone with apparent authority to act for the owner;

(b) Fencing or other enclosure obviously designed to exclude intruders or to contain animals; or

(c) A sign or signs posted on the property or at the entrance to the building, reasonably likely to come to the attention of intruders, indicating that entry is forbidden.
**MISS. CODE. ANN. § 69-29-313 (2010). Applicability to government officials and employees.**

This article does not apply to, affect or otherwise prohibit actions taken by the Department of Agriculture and Commerce, any other federal, state or local department or agency or an official or employee of these entities while in the exercise or performance of a power of duty imposed by law or regulation.

**MISS. CODE. ANN. § 69-29-315 (2010). Penalties for violations.**

(1) A person violating the provisions of Section 69-29-305, 69-29-307 and 69-29-309, upon conviction, shall be punished by a fine of not more than Ten Thousand Dollars ($10,000.00) or by imprisonment for not more than three (3) years, or both.

(2) A person violating the provisions of Section 69-29-311, upon conviction, shall be punished by a fine of not more than Five Thousand Dollars ($5,000.00) or by imprisonment for not more than one (1) year, or both.

**Mississippi Animal Cruelty Law**

**Mississippi does not have a specific exemption for scientific research in its animal cruelty law.**

**Mississippi Public Records Act**

*No specific exemption for research records.

**MISS. CODE. ANN. § 25-61-5 (2010). Public access to records; redaction; maximum waiting period; explanation of delay; denials.**

(1)(a) Except as otherwise provided by Sections 25-61-9 and 25-61-11, all public records are hereby declared to be public property, and any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body in accordance with reasonable written procedures adopted by the public body concerning the cost, time, place and method of access, and public notice of the procedures shall be given by the public body, or, if a public body has not adopted written procedures, the right to inspect, copy or mechanically reproduce or obtain a reproduction of a public record of the public body shall be provided within one (1) working day after a written request for a public record is made. No public body shall adopt procedures which will authorize the public body to produce or deny production of a public record later than seven (7) working days from the date of the receipt of the request for the production of the record.

**MISS. CODE. ANN. § 25-61-7 (2010). Fees incident to providing records.**

(1) Except as provided in subsection (2) of this section, each public body may establish and collect fees reasonably
calculated to reimburse it for, and in no case to exceed, the actual cost of searching, reviewing and/or duplicating and, if applicable, mailing copies of public records. Such fees shall be collected by the public body in advance of complying with the request.

(2) A public body may establish a standard fee scale to reimburse it for the costs of creating, acquiring and maintaining a geographic information system or multipurpose cadastre as authorized and defined under Section 25-61-1 et seq., or any other electronically accessible data. Such fees must be reasonably related to the cost of creating, acquiring and maintaining the geographic information system, multipurpose cadastre or other electronically accessible data, for the data or information contained therein or taken therefrom and for any records, papers, accounts, maps, photographs, films, cards, tapes, recordings or other materials, data or information relating thereto, whether in printed, digital or other format. In determining the fees or charges under this subsection, the public body may consider the type of information requested, the purpose or purposes for which the information has been requested and the commercial value of the information.


(1) Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction under this chapter until notice to said third parties has been given, but such records shall be released within a reasonable period of time unless the said third parties shall have obtained a court order protecting such records as confidential.

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(3) Trade secrets and confidential commercial and financial information of a proprietary nature developed by a college or university under contract with a firm, business, partnership, association, corporation, individual or other like entity shall not be subject to inspection, examination, copying or reproduction under this chapter.

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**Mississippi Harassment Law**


(1) It shall be unlawful for any person or persons:

(a) To make any comment, request, suggestion or proposal by means of telecommunication or electronic communication which is obscene, lewd or lascivious with intent to abuse, threaten or harass any party to a telephone conversation, telecommunication or electronic communication;

(b) To make a telecommunication or electronic communication with intent to terrify, intimidate or harass, and threaten to inflict injury or physical harm to any person or to his property;

(c) To make a telephone call, whether or not conversation ensues, without disclosing his identity and with intent
to annoy, abuse, threaten or harass any person at the called number;

(d) To make or cause the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number;

(e) To make repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; or

(f) Knowingly to permit a computer or a telephone of any type under his control to be used for any purpose prohibited by this section.

(2) Upon conviction of any person for the first offense of violating subsection (1) of this section, such person shall be fined not more than Five Hundred Dollars ($500.00) or imprisoned in the county jail for not more than six (6) months, or both.

(3) Upon conviction of any person for the second offense of violating subsection (1) of this section, the offenses being committed within a period of five (5) years, such person shall be fined not more than One Thousand Dollars ($1,000.00) or imprisoned in the county jail for not more than one (1) year, or both.

(4) For any third or subsequent conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, such person shall be guilty of a felony and fined not more than Two Thousand Dollars ($2,000.00) and/or imprisoned in the State Penitentiary for not more than two (2) years, or both.

(5) The provisions of this section do not apply to a person or persons who make a telephone call that would be covered by the provisions of the federal Fair Debt Collection Practices Act, 15 USCS Section 1692 et seq.

(6) Any person violating this section may be prosecuted in the county where the telephone call, conversation or language originates in case such call, conversation or language originates in the State of Mississippi. In case the call, conversation or language originates outside of the State of Mississippi then such person shall be prosecuted in the county to which it is transmitted.

(7) For the purposes of this section, “telecommunication” and “electronic communication” mean and include any type of telephonic, electronic or radio communications, or transmission of signs, signals, data, writings, images and sounds or intelligence of any nature by telephone, including cellular telephones, wire, cable, radio, electromagnetic, photoelectronic or photo-optical system or the creation, display, management, storage, processing, transmission or distribution of images, text, voice, video or data by wire, cable or wireless means, including the Internet.

(8) No person shall be held to have violated this section solely for providing access or connection to telecommunications or electronic communications services where the services do not include the creation of the content of the communication. Companies organized to do business as commercial broadcast radio stations, television stations, telecommunications service providers, Internet service providers, cable service providers or news organizations shall not be criminally liable under this section.
Notice: These statutes are provided only for reference purposes and are current through the 2010 legislative session. Every effort has been made to ensure their accuracy, however they will not contain information that has been inserted after their preparation. The National Association for Biomedical Research makes no warranty, express or implied, of the accuracy of these statutes. To be certain of the current version of the statutes and regulations, please refer to the official printed version of the statutes and regulations.