MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Banks

To: Corrections; Judiciary B

HOUSE BILL NO. 401

AN ACT TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY ELIGIBLE OFFENDER WHO HAS COMMITTED A NONVIOLENT CRIME OR VIOLENT CRIME ON OR AFTER JULY 1, 1995, RATHER THAN JULY 1, 2014, SHALL NOT BE RELEASED BY THE DEPARTMENT OF CORRECTIONS UNTIL AFTER HE OR SHE HAS SERVED NO LESS THAN TWENTY-FIVE PERCENT OF HIS OR HER SENTENCE FOR A NONVIOLENT CRIME OR FIFTY PERCENT FOR A CRIME OF VIOLENCE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 47-7-3.2, Mississippi Code of 1972, is amended as follows:

47-7-3.2. (1) Notwithstanding Sections 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, *** * *** 1995, shall be released by the department until he or she has served no less than fifty percent (50%) of a sentence for a crime of violence pursuant to Section 97-3-2 or twenty-five percent (25%) of any other sentence imposed by the court.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

ST: Mandatory minimum sentences for crimes committed by offenders; revise which offenders are eligible for.