AN ACT TO CREATE THE MEDICAL RELEASE REVIEW BOARD OF THE
MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO PROVIDE THE
CIRCUMSTANCES BY WHICH THE BOARD MAY CONSIDER AN OFFENDER FOR
MEDICAL RELEASE; TO PROVIDE THAT THE MEDICAL RELEASE BOARD SHALL
VOTE UNANIMOUSLY TO PLACE AN OFFENDER ON MEDICAL RELEASE; TO
PROVIDE THAT VICTIMS SHALL HAVE THE RIGHT TO RECEIVE NOTIFICATION
OF AN OFFENDERS CONSIDERATION FOR RELEASE; TO PROVIDE THAT AN
OFFENDER MAY NOT BE PLACED ON MEDICAL RELEASE UNLESS HE HAS SERVED
AT LEAST ONE YEAR OF HIS SENTENCE; TO PROVIDE THAT DEATH ROW
OFFENDERS SHALL NOT BE ELIGIBLE FOR MEDICAL RELEASE; AND FOR
RELATED PURPOSES.

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

SECTION 1. (1) There is hereby created the Medical Release
Review Board of the Mississippi Department of Corrections, which
shall consist of three (3) members: (a) the commissioner, (b) the
medical director; and (c) the Chairman of the State Parole Board.

(2) Before the board may consider an offender for medical
release, the board must determine that because of the physical
condition of the offender: (a) he is incapable of committing a
criminal offense or engaging in criminal conduct for the remainder
of his sentence and is not likely to pose a serious threat to the
health, safety and welfare of the general public; (b) his
continued incarceration will serve no rehabilitative purposes; and
(c) the state would incur unreasonable expenses as a result of his
continued incarceration.

(3) The Medical Release Review Board shall vote unanimously
to release an offender under this section.

(4) A victim, guardian of a victim, or close relative of a
deceased victim shall receive notification from the Medical
Release Board that the offender, who has perpetrated a crime upon
such victim, is being considered for medical release. The victim, guardian of the victim, or close relative of the deceased victim shall be informed that he or she has the right to appear before the Medical Release Board prior to the release of the offender. The notification shall be by certified mail with return receipt requested.

(5) An offender may not be placed on medical release unless he has served at least one (1) year of his sentence.

(6) An offender who has been sentenced to death shall not be eligible for medical release.

(7) This section shall stand repealed on July 1, 2003.

SECTION 2. This act shall take effect and be in force from and after its passage.