HOUSE BILL NO. 81

AN ACT TO AMEND SECTIONS 99-19-81 AND 99-19-83, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PLEA BARGAINING SHALL BE ALLOWED FOR ANY PERSON SENTENCED UNDER THE HABITUAL OFFENDER STATUTES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 99-19-81, Mississippi Code of 1972, is amended as follows:

99-19-81. Every person convicted in this state of a felony who shall have been convicted twice previously of any felony or federal crime upon charges separately brought and arising out of separate incidents at different times and who shall have been sentenced to separate terms of one (1) year or more in any state and/or federal penal institution, whether in this state or elsewhere, shall be sentenced to the maximum term of imprisonment prescribed for such felony, and such sentence shall not be reduced or suspended nor shall such person be eligible for parole or probation, nor shall any such person who has twice been convicted of violent criminal offenses be eligible for any plea bargaining.

For the purpose of this section, "violent criminal offense" means any act or attempted criminal act which can cause serious bodily harm.

SECTION 2. Section 99-19-83, Mississippi Code of 1972, is amended as follows:

99-19-83. Every person convicted in this state of a felony who shall have been convicted twice previously of any felony or federal crime upon charges separately brought and arising out of separate incidents at different times and who shall have been sentenced to and served separate terms of one (1) year or more in
any state and/or federal penal institution, whether in this state or elsewhere, and where any one (1) of such felonies shall have been a crime of violence shall be sentenced to life imprisonment, and such sentence shall not be reduced or suspended nor shall such person be eligible for parole or probation, nor shall any such person, who has twice been convicted of a violent criminal offense as defined in Section 99-19-81, be eligible for any plea bargaining.

SECTION 3. This act shall take effect and be in force from and after its passage.