

By: Representative Frierson

To: Judiciary B

HOUSE BILL NO. 1199

1 AN ACT TO PROVIDE THAT A HOMICIDE PLEA OR CONVICTION OF A  
2 DEFENDANT OF AGGRAVATED ASSAULT DOES NOT BAR PROSECUTION FOR  
3 CAPITAL MURDER, MURDER OR MANSLAUGHTER IF THE VICTIM IS IN A  
4 MEDICAL COMA AND DIES SUBSEQUENTLY; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** In any case where a victim is in a coma as a  
7 result of injuries suffered in an aggravated assault, the  
8 conviction or guilty plea of the defendant to aggravated assault  
9 shall not bar the subsequent prosecution of the defendant for the  
10 capital murder, murder, homicide under the implied consent law or  
11 manslaughter of the victim of the aggravated assault in the event  
12 the victim dies as a result of injuries suffered in the aggravated  
13 assault. The defendant shall be given credit for any time served  
14 for the aggravated assault sentence with respect to the  
15 defendant's subsequent murder, vehicular homicide under the  
16 implied consent law or manslaughter sentence.

17 **SECTION 2.** This act shall take effect and be in force from  
18 and after July 1, 2002.

