HOUSE BILL NO. 487
(As Passed the House)

AN ACT TO AMEND SECTION 47-5-138.1, MISSISSIPPI CODE OF 1972, TO INCREASE FROM TEN DAYS TO THIRTY DAYS THE REDUCTION OF SENTENCE THAT MAY BE AWARDED AS A TRUSTY TIME ALLOWANCE FOR EACH THIRTY DAYS OF PARTICIPATION BY A TRUSTY IN AN APPROVED PROGRAM; TO PROVIDE THAT CERTAIN OFFENDERS WHO ARE IN TRUSTY STATUS SHALL NOT BE ELIGIBLE TO RECEIVE A TRUSTY TIME ALLOWANCE FOR A REDUCTION OF SENTENCE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 47-5-138.1, Mississippi Code of 1972, is amended as follows:

47-5-138.1. (1) In addition to any other administrative reduction of sentence, an offender in trusty status as defined by the classification board of the Department of Corrections may be awarded a trusty time allowance of thirty (30) days' reduction of sentence for each thirty (30) days of participation in an approved program while in trusty status, including satisfactory participation in education or instructional programs, satisfactory participation in work projects and satisfactory participation in any special incentive program.

(2) An offender in trusty status shall not be eligible for a reduction of sentence under this section if:

(a) The offender was sentenced to life imprisonment;

but an offender, except an offender sentenced to life imprisonment for capital murder, who has reached the age of sixty-five (65) or older and who has served at least fifteen (15) years may petition the sentencing court for conditional release;

(b) The offender was convicted as a habitual offender under Sections 99-19-81 through 99-19-87;

(c) The offender was convicted of a sex crime;
(d) The offender has not served the mandatory time required for parole eligibility, as prescribed under Section 47-7-3, for a conviction of robbery or attempted robbery through the display of a deadly weapon, carjacking through the display of a deadly weapon or a drive-by shooting;

(e) The offender was convicted of violating Section 41-29-139(a) and sentenced under Section 41-29-139(b) or 41-29-139(f);

(f) The offender was convicted of trafficking in controlled substances under Section 41-29-139; or

(g) The offender was convicted of manufacturing crystal methamphetamine in violation of Section 41-29-139.

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