

By: Representative Malone

To: Penitentiary

HOUSE BILL NO. 487  
(As Passed the House)

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

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

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

11 47-5-138.1. (1) In addition to any other administrative  
12 reduction of sentence, an offender in trusty status as defined by  
13 the classification board of the Department of Corrections may be  
14 awarded a trusty time allowance of thirty (30) days' reduction of  
15 sentence for each thirty (30) days of participation in an approved  
16 program while in trusty status, including satisfactory  
17 participation in education or instructional programs, satisfactory  
18 participation in work projects and satisfactory participation in  
19 any special incentive program.

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

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

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

29 (c) The offender was convicted of a sex crime;



30           (d) The offender has not served the mandatory time  
31 required for parole eligibility, as prescribed under Section  
32 47-7-3, for a conviction of robbery or attempted robbery through  
33 the display of a deadly weapon, carjacking through the display of  
34 a deadly weapon or a drive-by shooting;

35           (e) The offender was convicted of violating Section  
36 41-29-139(a) and sentenced under Section 41-29-139(b) or  
37 41-29-139(f);

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

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

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

