

By: Representative Malone

To: Penitentiary

HOUSE BILL NO. 1187

1 AN ACT TO AMEND SECTION 47-5-142, MISSISSIPPI CODE OF 1972,
2 TO ABOLISH THE LIMIT ON THE NUMBER OF DAYS THAT AN OFFENDER MAY
3 EARN UNDER MERITORIOUS EARNED TIME; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 47-5-142, Mississippi Code of 1972, is
6 amended as follows:

7 47-5-142. (1) In order to provide incentive for offenders
8 to achieve positive and worthwhile accomplishments for their
9 personal benefit or the benefit of others, and in addition to any
10 other administrative reductions of the length of an offender's
11 sentence, any offender shall be eligible, subject to the
12 provisions of this section, to receive meritorious earned time as
13 distinguished from earned time for good conduct and performance.

14 (2) Subject to approval by the commissioner of the terms and
15 conditions of the program or project, meritorious earned time may
16 be awarded for the following: (a) successful completion of
17 educational or instructional programs; (b) satisfactory
18 participation in work projects; and (c) satisfactory participation
19 in any special incentive program.

20 (3) The programs and activities through which meritorious
21 earned time may be received shall be published in writing and
22 posted in conspicuous places at all facilities of the department
23 and such publication shall be made available to all offenders in
24 the custody of the department.

25 (4) The commissioner shall make a determination of the
26 number of days of reduction of sentence which may be awarded an
27 offender as meritorious earned time for participation in approved



28 programs or projects; the number of days shall be determined by
29 the commissioner on the basis of each particular program or
30 project. However, in no event shall an offender be awarded in
31 excess of ten (10) days reduction for each thirty (30) days of
32 participation in such a program or project. * * * The
33 commissioner may authorize the awarding of all or any part of
34 meritorious earned time upon an offender's entry into the
35 correctional system.

36 (5) No offender shall be awarded any meritorious earned time
37 while assigned to the maximum security facilities for disciplinary
38 purposes.

39 (6) All meritorious earned time shall be forfeited by the
40 offender in the event of escape and/or aiding and abetting an
41 escape.

42 (7) Any officer or employee of the department who shall
43 willfully violate the provisions of this section and be convicted
44 therefor shall be removed from office or employment.

45 (8) An offender may forfeit all or any part of his
46 meritorious earned time allowance for just cause upon the written
47 order of the commissioner or his designee. Any meritorious earned
48 time allowance forfeited under this section shall not be restored
49 nor shall it be re-earned by the offender.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2003.

