HOUSE BILL NO. 654
(As Sent to Governor)

1   AN ACT TO CREATE SECTION 47-7-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FOR THE CONDITIONAL MEDICAL RELEASE OF INMATES WITH A
3 PERMANENT PHYSICAL AND MEDICAL CONDITION WITH NO POSSIBILITY OF
4 RECOVERY; TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS SHALL
5 SUPERVISE INMATES PLACED ON MEDICAL RELEASE; TO PROVIDE THAT AN
6 INMATE'S MEDICAL RELEASE MAY BE REVOKED; AND FOR RELATED PURPOSES.

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

8   **SECTION 1.** The following section shall be codified as

9 Section 47-7-4, Mississippi Code of 1972:

10   47-7-4. The commissioner and the medical director of the

11 department may place an offender who has served not less than one

12 (1) year of his sentence, except an offender convicted of a sex

13 crime, on conditional medical release. The commissioner shall not

14 place an offender on conditional medical release unless the

15 medical director of the department certifies to the commissioner

16 that (a) the offender is suffering from a significant permanent

17 physical medical condition with no possibility of recovery; (b)

18 that his further incarceration will serve no rehabilitative

19 purposes; and (c) that the state would incur unreasonable expenses

20 as a result of his continued incarceration. Any offender placed

21 on conditional medical release shall be supervised by the Division

22 of Community Corrections of the department for the remainder of

23 his sentence. An offender's conditional medical release may be

24 revoked Land the offender returned and placed in actual custody of

25 the department if the offender violates an order or condition of

26 his conditional medical release.

27   **SECTION 2.** This act shall take effect and be in force from

28 and after July 1, 2004.

H. B. No. 654   *HR40/R1011SG*   G1/2
04/HR40/R1011SG   ST: Commissioner of Corrections; authorize
PAGE 1 (OM\BD)   supervision of terminally ill offenders by
                       Community Corrections Division.