

By: Senator(s) Albritton

To: Judiciary, Division B

SENATE BILL NO. 2587
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 97-9-49, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE A TERM OF IMPRISONMENT FOR THOSE FOUND GUILTY OF ESCAPE OR
3 ATTEMPT TO ESCAPE FROM CONFINEMENT FOR CONTEMPT OF COURT; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 97-9-49, Mississippi Code of 1972, is
7 amended as follows:

8 97-9-49. (1) (a) Whoever escapes or attempts by force or
9 violence to escape from any jail in which he is confined, or from
10 any custody under or by virtue of any process issued under the
11 laws of the State of Mississippi by any court or judge, or from
12 the custody of a sheriff or other peace officer pursuant to lawful
13 arrest, shall, upon conviction, if the confinement or custody is
14 by virtue of an arrest on a charge of felony, or conviction of a
15 felony, be punished by imprisonment in the penitentiary not
16 exceeding five (5) years to commence at the expiration of his
17 former sentence, or, if the confinement or custody is by virtue of
18 an arrest of or charge for or conviction of a misdemeanor, be
19 punished by imprisonment in the county jail not exceeding one (1)
20 year to commence at the expiration of the sentence which the court
21 has imposed or which may be imposed for the crime for which he is
22 charged.

23 (b) Whoever escapes or attempts by force or violence to
24 escape from any confinement for contempt of court, shall, upon
25 conviction, be found guilty of a misdemeanor and sentenced to
26 imprisonment not to exceed six (6) months in the county jail.

27 (2) Anyone confined in any jail who is entrusted by any
28 authorized person to leave the jail for any purpose and who

29 willfully fails to return to the jail within the stipulated time,
30 or after the accomplishment of the purpose for which he was
31 entrusted to leave, shall be an escapee and shall be subject to
32 the penalties provided in subsection (1).

33 **SECTION 2.** This act shall take effect and be in force from
34 and after July 1, 2006.