

By: Senator(s) Doxey

To: Corrections

SENATE BILL NO. 2588

1 AN ACT TO AMEND SECTION 47-5-1003, MISSISSIPPI CODE OF 1972,
2 TO REMOVE THE PROHIBITION AGAINST PLACING DRUG OFFENDERS ON HOUSE
3 ARREST; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 47-5-1003, Mississippi Code of 1972, is
6 amended as follows:

7 47-5-1003. (1) An intensive supervision program may be used
8 as an alternative to incarceration for offenders who are low risk
9 and nonviolent as selected by the department or court. Any
10 offender convicted of a sex crime * * * shall not be placed in the
11 program.

12 (2) The court placing an offender in the intensive
13 supervision program may, acting upon the advice and consent of the
14 commissioner and not later than one (1) year after the defendant
15 has been delivered to the custody of the department, suspend the
16 further execution of the sentence and place the defendant on
17 intensive supervision, except when a death sentence or life
18 imprisonment is the maximum penalty which may be imposed or if the
19 defendant has been confined for the conviction of a felony on a
20 previous occasion in any court or courts of the United States and
21 of any state or territories thereof or has been convicted of a
22 felony involving the use of a deadly weapon.

23 (3) To protect and to ensure the safety of the state's
24 citizens, any offender who violates an order or condition of the
25 intensive supervision program may be arrested by the correctional
26 field officer and placed in the actual custody of the
27 department * * *. Such offender is under the full and complete

28 jurisdiction of the department and subject to removal from the
29 program by the classification hearing officer.

30 (4) When any circuit or county court places an offender in
31 an intensive supervision program, the court shall give notice to
32 the * * * department * * * within fifteen (15) days of the court's
33 decision to place the offender in an intensive supervision
34 program. Notice shall be delivered to the central office of
35 the * * * department * * * and to the regional office of the
36 department which will be providing supervision to the offender in
37 an intensive supervision program.

38 The courts may not require an offender to complete the
39 intensive supervision program as a condition of probation or
40 post-release supervision.

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