

By: Representatives Sanford, Owen

To: Corrections; Judiciary B

HOUSE BILL NO. 373

1 AN ACT TO AMEND SECTION 47-7-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT IF AN OFFENDER IS CONVICTED OF CAPITAL MURDER THEN
3 THE OFFENDER SHALL NOT BE PLACED ON CONDITIONAL MEDICAL RELEASE BY
4 THE COMMISSIONER AND THE MEDICAL DIRECTOR OF THE DEPARTMENT OF
5 CORRECTIONS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 47-7-4, Mississippi Code of 1972, is
8 amended as follows:

9 47-7-4. The commissioner and the medical director of the
10 department may place an offender who has served not less than one
11 (1) year of his or her sentence, except an offender convicted of a
12 sex crime or is convicted of capital murder, on conditional
13 medical release. However, a nonviolent offender who is bedridden
14 may be placed on conditional medical release regardless of the
15 time served on his or her sentence. Upon the release of a
16 nonviolent offender who is bedridden, the state shall not be
17 responsible or liable for any medical costs that may be incurred
18 if such costs are acquired after the offender is no longer
19 incarcerated due to his or her placement on conditional medical



20 release. The commissioner shall not place an offender on
21 conditional medical release unless the medical director of the
22 department certifies to the commissioner that (a) the offender is
23 suffering from a significant permanent physical medical condition
24 with no possibility of recovery; (b) that his or her further
25 incarceration will serve no rehabilitative purposes; and (c) that
26 the state would incur unreasonable expenses as a result of his or
27 her continued incarceration. Any offender placed on conditional
28 medical release shall be supervised by the Division of Community
29 Corrections of the department for the remainder of his or her
30 sentence. An offender's conditional medical release may be
31 revoked and the offender returned and placed in actual custody of
32 the department if the offender violates an order or condition of
33 his or her conditional medical release. An offender who is no
34 longer bedridden shall be returned and placed in the actual
35 custody of the department.

36 **SECTION 2.** This act shall take effect and be in force from
37 and after July 1, 2020.

