

## Senate Amendments to House Bill No. 1024

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

7           **SECTION 1.** Section 99-19-81, Mississippi Code of 1972, is  
8 amended as follows:

9           99-19-81. Every person convicted in this state of a felony  
10 who shall have been convicted twice previously of any felony or  
11 federal crime upon charges separately brought and arising out of  
12 separate incidents at different times and who shall have been  
13 sentenced to separate terms of one (1) year or more in any state  
14 and/or federal penal institution, whether in this state or  
15 elsewhere, within fifteen (15) years shall be sentenced to the  
16 maximum term of imprisonment prescribed for such felony unless the  
17 court provides an explanation in its sentencing order setting  
18 forth the cause for deviating from the maximum sentence, and such  
19 sentence shall not be reduced or suspended nor shall such person  
20 be eligible for *parole or* probation.

21           For purposes of this section, fifteen (15) years shall be  
22 counted:

23           (a) From the date of the conviction for the crime, if  
24 the person was not incarcerated for the crime; or

25           (b) From the date that the person was physically  
26 released from incarceration for the crime, if the person was  
27 incarcerated for the crime.

28           **SECTION 2.** Section 99-19-83, Mississippi Code of 1972, is  
29 amended as follows:

30           99-19-83. Every person convicted in this state of a felony  
31 that is defined as a crime of violence in Section 97-3-2 who shall  
32 have been convicted twice previously of any felony or federal  
33 crime upon charges separately brought and arising out of separate  
34 incidents at different times and who shall have been sentenced to  
35 and served separate terms of one (1) year or more, whether served  
36 concurrently or not, in any state and/or federal penal  
37 institution, whether in this state or elsewhere, and where any one  
38 (1) of such felonies shall have been a crime of violence, as  
39 defined by Section 97-3-2, shall be sentenced to life  
40 imprisonment, and such sentence shall not be reduced or suspended  
41 nor shall such person be eligible for *parole, probation or any*  
42 *other form of early release from actual physical custody within*  
43 *the Department of Corrections.*

44           **SECTION 3.** This act shall take effect and be in force from  
45 and after July 1, 2020, and shall stand repealed from and after  
46 June 30, 2020.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE A TIME PERIOD FOR QUALIFICATION OF CERTAIN HABITUAL  
3 OFFENDERS; TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO  
4 REVISE PROVISIONS THAT REGULATE HABITUAL OFFENDERS; AND FOR  
5 RELATED PURPOSES.

SS08\HB1024A.2J

Eugene S. Clarke  
Secretary of the Senate