

By: Senator(s) Fillingane

To: Judiciary, Division B

SENATE BILL NO. 2237

1 AN ACT TO AMEND SECTION 47-7-33, MISSISSIPPI CODE OF 1972, TO  
2 PROHIBIT A COURT FROM SUSPENDING THE SENTENCE OF AN OFFENDER IN A  
3 CASE INVOLVING THE EXPLOITATION OF CHILDREN; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** Section 47-7-33, Mississippi Code of 1972, is  
7 amended as follows:

8 47-7-33. (1) When it appears to the satisfaction of any  
9 circuit court or county court in the State of Mississippi having  
10 original jurisdiction over criminal actions, or to the judge  
11 thereof, that the ends of justice and the best interest of the  
12 public, as well as the defendant, will be served thereby, such  
13 court, in termtime or in vacation, shall have the power, after  
14 conviction or a plea of guilty, except in a case where a death  
15 sentence or life imprisonment is the maximum penalty which may be  
16 imposed or in a case involving a violation of Section 97-5-33, to  
17 suspend the imposition or execution of sentence, and place the  
18 defendant on probation as herein provided, except that the court  
19 shall not suspend the execution of a sentence of imprisonment



20 after the defendant shall have begun to serve such sentence. In  
21 placing any defendant on probation, the court, or judge, shall  
22 direct that such defendant be under the supervision of the  
23 Department of Corrections.

24 (2) When any circuit or county court places an offender on  
25 probation, the court shall give notice to the Mississippi  
26 Department of Corrections within fifteen (15) days of the court's  
27 decision to place the offender on probation. Notice shall be  
28 delivered to the central office of the Mississippi Department of  
29 Corrections and to the regional office of the department which  
30 will be providing supervision to the offender on probation.

31 (3) When any circuit court or county court places a person  
32 on probation in accordance with the provisions of this section and  
33 that person is ordered to make any payments to his family, if any  
34 member of his family whom he is ordered to support is receiving  
35 public assistance through the State Department of Human Services,  
36 the court shall order him to make such payments to the county  
37 welfare officer of the county rendering public assistance to his  
38 family, for the sole use and benefit of said family.

39 **SECTION 2.** This act shall take effect and be in force from  
40 and after July 1, 2022.

