

By: Representative Scott

To: Judiciary B

HOUSE BILL NO. 1423

1 AN ACT TO AMEND SECTION 41-29-147, MISSISSIPPI CODE OF 1972,
2 TO REVISE HOW A SECOND OR SUBSEQUENT OFFENSE IS CALCULATED; AND
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 41-29-147, Mississippi Code of 1972, is
6 amended as follows:

7 41-29-147. Except as otherwise provided in Section
8 41-29-142, any person convicted of a second or subsequent offense
9 under this article may be imprisoned for a term up to twice the
10 term otherwise authorized, fined an amount up to twice that
11 otherwise authorized, or both.

12 For purposes of this section, an offense is considered a
13 second or subsequent offense, if, prior to his or her conviction
14 of the offense, the offender has at any time been convicted and
15 sentenced to separate terms of one (1) year or more under this
16 article or under any statute of the United States or of any state
17 relating to narcotic drugs, marihuana, depressant, stimulant or



18 hallucinogenic drugs, upon charges separately brought and arising
19 out of separate incidents at different times.

20 **SECTION 2.** This act shall take effect and be in force from
21 and after July 1, 2023.

