

By: Representative Banks

To: Corrections; Judiciary B

HOUSE BILL NO. 396

1 AN ACT TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT ANY ELIGIBLE OFFENDER WHO HAS COMMITTED A
 3 NONVIOLENT CRIME OR VIOLENT CRIME ON OR AFTER JULY 1, 1995, RATHER
 4 THAN JULY 1, 2014, SHALL NOT BE RELEASED BY THE DEPARTMENT OF
 5 CORRECTIONS UNTIL AFTER HE OR SHE HAS SERVED NO LESS THAN
 6 TWENTY-FIVE PERCENT OF HIS OR HER SENTENCE FOR A NONVIOLENT CRIME
 7 OR FIFTY PERCENT FOR A CRIME OF VIOLENCE; AND FOR RELATED
 8 PURPOSES.

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

10 **SECTION 1.** Section 47-7-3.2, Mississippi Code of 1972, is
 11 amended as follows:

12 47-7-3.2. (1) Notwithstanding Section 47-5-138, 47-5-139,
 13 47-5-138.1 or 47-5-142, no person convicted of a criminal offense
 14 on or after July 1, * * * 1995, shall be released by the
 15 department until he or she has served no less than the percentage
 16 of the sentence or sentences imposed by the court as set forth
 17 below:

18 (a) Twenty-five percent (25%) or ten (10) years,
 19 whichever is less, for a nonviolent crime;

20 (b) Fifty percent (50%) or twenty (20) years, whichever
 21 is less, for a crime of violence pursuant to Section 97-3-2,



22 except for robbery with a deadly weapon as defined in Section
23 97-3-79, drive-by shooting as defined in Section 97-3-109, or
24 carjacking as defined in Section 97-3-117;

25 (c) Sixty percent (60%) or twenty-five (25) years,
26 whichever is less, for robbery with a deadly weapon as defined in
27 Section 97-3-79, drive-by shooting as defined in Section 97-3-109,
28 or carjacking as defined in Section 97-3-117.

29 (2) This section shall not apply to:

30 (a) Offenders sentenced to life imprisonment;

31 (b) Offenders convicted as habitual offenders pursuant
32 to Sections 99-19-81 through 99-19-87;

33 (c) Offenders serving a sentence for a sex offense; or

34 (d) Offenders serving a sentence for trafficking
35 pursuant to Section 41-29-139(f).

36 **SECTION 2.** This act shall take effect and be in force from
37 and after July 1, 2024.

