

By: Senator(s) Tate

To: Corrections

SENATE BILL NO. 2237

1 AN ACT TO AMEND SECTION 47-5-138, MISSISSIPPI CODE OF 1972,
2 TO DISCONTINUE THE EARNED-TIME ALLOWANCE PROGRAM ADMINISTERED BY
3 THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND TRANSFER THE
4 RESPONSIBILITY FOR SUPERVISION OF OFFENDERS GRANTED A RELEASE OR
5 ALLOWANCES UNDER SAID PROGRAM TO THE DIVISION OF COMMUNITY
6 CORRECTIONS OF THE DEPARTMENT FOR SUPERVISION ACCORDING TO THE
7 SAME PROCEDURES, STANDARDS AND CONDITIONS AS ARE APPLICABLE TO
8 OFFENDERS ON PROBATION AND PAROLE; TO AUTHORIZE THE COMMISSIONER
9 OF CORRECTIONS TO PROMULGATE RULES AND REGULATIONS TO IMPLEMENT
10 THIS TRANSFER; TO AMEND SECTIONS 47-5-138.1, 47-5-139, 47-5-140,
11 47-5-705, 47-7-3.2, 47-7-29, 97-3-104, 99-19-21, 97-31-35, 47-7-9,
12 47-5-142, 47-7-5, 47-7-27, 47-7-49, 47-5-723, 47-5-727, 47-5-198,
13 IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** Section 47-5-138, Mississippi Code of 1972, is
16 amended as follows:

17 47-5-138. * * * (1) The Earned-time Allowance Program
18 administered by the Mississippi Department of Corrections is
19 hereby discontinued effective July 1, 2025.

20 (2) The department is hereby authorized and directed to
21 promulgate rules and regulations to transfer the responsibility
22 for supervision of offenders granted a release or allowances under
23 said program to the Division of Community Corrections of the



24 department for supervision according to the same procedures,
25 standards and conditions as are applicable to offenders on
26 probation and parole, until the termination of the offender's term
27 of sentence. The supervision shall be provided exclusively by the
28 Division of Community Corrections of the department.

29 **SECTION 2.** Section 47-5-138.1, Mississippi Code of 1972, is
30 amended as follows:

31 47-5-138.1. * * * Effective July 1, 2025, the Earned-Time
32 Allowance Program and the Offender in Trustee status additional
33 earned time allowance Program administered by the Mississippi
34 Department of Corrections shall be discontinued.

35 **SECTION 3.** Section 47-5-139, Mississippi Code of 1972, is
36 amended as follows:

37 47-5-139. * * * Effective July 1, 2025, the Earned-Time
38 Allowance Program administered by the Mississippi Department of
39 Corrections shall be discontinued.

40 **SECTION 4.** Section 47-5-140, Mississippi Code of 1972, is
41 amended as follows:

42 47-5-140. * * * Effective July 1, 2025, the Earned-Time
43 Allowance Program administered under former Sections 47-5-138 and
44 47-5-139, Mississippi Code of 1972, shall be discontinued.

45 **SECTION 5.** Section 47-5-705, Mississippi Code of 1972, is
46 amended as follows:

47 47-5-705. The requirements for the declaration of a prison
48 system overcrowding state of emergency are as follows:



49 (a) Prison system population in excess of ninety-five
50 percent (95%) of the prison system operating capacity for at least
51 thirty (30) consecutive days immediately preceding the declaration
52 of a state of emergency;

53 (b) Full appropriate utilization by the Mississippi
54 Department of Corrections of powers which tend either to reduce
55 prison system population or expand operating capacity. Such
56 powers include, but are not limited to, * * * review of offenders
57 for purposes of reclassification, reevaluation of persons eligible
58 for consideration for work release, supervised earned release or
59 other release programs authorized by law and arrangements for
60 housing inmates of the Department of Corrections in local or
61 county jails or other facilities authorized to house state
62 inmates; and

63 (c) Full appropriate utilization by the State Parole
64 Board of those powers which tend to reduce the prison system
65 population. Such powers include, but are not limited to, parole
66 as provided in Section 47-7-3, Mississippi Code of 1972, the
67 review of inmates who have had their parole revoked and the
68 reevaluation of inmates previously denied parole.

69 **SECTION 6.** Section 47-7-3.2, Mississippi Code of 1972, is
70 amended as follows:

71 47-7-3.2. (1) * * * No person convicted of a criminal
72 offense on or after July 1, 2014, shall be released by the
73 department until he or she has served no less than the percentage



of the sentence or sentences imposed by the court as set forth
below:

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

(b) Fifty percent (50%) or twenty (20) years, whichever
is less, for a crime of violence pursuant to Section 97-3-2,
except for robbery with a deadly weapon as defined in Section
97-3-79, drive-by shooting as defined in Section 97-3-109, or
carjacking as defined in Section 97-3-117;

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

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

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

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

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

SECTION 7. Section 47-7-29, Mississippi Code of 1972, is
amended as follows:

47-7-29. Any prisoner who commits a felony while at large
upon parole * * * and who is convicted and sentenced therefor



shall be required to serve such sentence after the original sentence has been completed.

SECTION 8. Section 97-3-104, Mississippi Code of 1972, is amended as follows:

97-3-104. (1) It is unlawful for any jailer, guard, employee of the Department of Corrections, sheriff, constable, marshal, other officer, or employee of a law enforcement agency or correctional facility to engage in any sexual penetration, as defined in Section 97-3-97, or other sexual act with any offender, with the offender's consent, who is incarcerated at any jail or any state, county or private correctional facility or who is serving on probation, parole, * * * post-release supervision, earned probation, intensive supervision or any other form of correctional supervision.

(2) It is unlawful for any civilian with supervisory or custodial authority over an offender to engage in any sexual penetration, as defined in Section 97-3-97, or other sexual act with the offender, with the offender's consent, who is incarcerated at any jail or any state, county or private correctional facility.

(3) Any person who violates this section is guilty of a felony and, upon conviction, shall be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned for a term not to exceed five (5) years, or both.



SECTION 9. Section 99-19-21, Mississippi Code of 1972, is amended as follows:

99-19-21. (1) When a person is sentenced to imprisonment on two (2) or more convictions, the imprisonment on the second, or each subsequent conviction shall, in the discretion of the court, commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction.

(2) When a person is sentenced to imprisonment for a felony committed while the person was on parole, probation, * * * post-release supervision or suspended sentence, the imprisonment shall commence at the termination of the imprisonment for the preceding conviction. The term of imprisonment for a felony committed during parole, probation, * * * post-release supervision or suspended sentence shall not run concurrently with any preceding term of imprisonment. If the person is not imprisoned in a penitentiary for the preceding conviction, he shall be placed immediately in the custody of the Department of Corrections to serve the term of imprisonment for the felony committed while on parole, probation, * * * post-release supervision or suspended sentence.

SECTION 10. Section 97-31-35, Mississippi Code of 1972, is amended as follows:

97-31-35. (1) It is unlawful for any person to sell within, bring to, or be in possession of, in any correctional facility or



convict camp within the state or any county, municipal or other jail within the state, except as authorized by this chapter, any alcoholic beverage including any vinous, spirituous, malt or intoxicating liquor, or intoxicating drinks which if drunk to excess will produce intoxication.

(2) It is unlawful for any person who is the keeper or officer in charge of the facility, camp or jail, or who is employed in or about the facility, camp or jail to knowingly permit any alcoholic beverage to be sold, possessed or used therein contrary to law.

(3) Any person who violates the provisions of this section and is convicted shall be fined up to Ten Thousand Dollars (\$10,000.00) and be punished by imprisonment for not less than two (2) years, nor more than five (5) years; and that person will not be eligible for probation, parole, suspension of sentence, * * * or other reduction of sentence.

SECTION 11. Section 47-7-9, Mississippi Code of 1972, is amended as follows:

47-7-9. (1) The circuit judges and county judges in the districts to which Division of Community Corrections personnel have been assigned shall have the power to request of the department transfer or removal of the division personnel from their court.

(2) (a) Division personnel shall investigate all cases referred to them for investigation by the board, the division or



by any court in which they are authorized to serve. They shall furnish to each person released under their supervision a written statement of the conditions of probation, parole, * * * post-release supervision or suspension and shall instruct the person regarding the same. They shall administer a risk and needs assessment on each person under their supervision to measure criminal risk factors and individual needs. They shall use the results of the risk and needs assessment to guide supervision responses consistent with evidence-based practices as to the level of supervision and the practices used to reduce recidivism. They shall develop a supervision plan for each person assessed as moderate to high risk to reoffend. They shall keep informed concerning the conduct and conditions of persons under their supervision and use all suitable methods that are consistent with evidence-based practices to aid and encourage them and to bring about improvements in their conduct and condition and to reduce the risk of recidivism. They shall keep detailed records of their work and shall make such reports in writing as the court or the board may require.

(b) Division personnel shall complete annual training on evidence-based practices and criminal risk factors, as well as instructions on how to target these factors to reduce recidivism.

(c) The division personnel duly assigned to court districts are hereby vested with all the powers of police officers or sheriffs to make arrests or perform any other duties required



of policemen or sheriffs which may be incident to the division personnel responsibilities. All probation and parole officers hired on or after July 1, 1994, will be placed in the Law Enforcement Officers Training Program and will be required to meet the standards outlined by that program.

(d) It is the intention of the Legislature that insofar as practicable the case load of each division personnel supervising offenders in the community (hereinafter field supervisor) shall not exceed the number of cases that may be adequately handled.

(3) (a) Division personnel shall be provided to perform investigation for the court as provided in this subsection. Division personnel shall conduct presentence investigations on all persons convicted of a felony in any circuit court of the state, prior to sentencing and at the request of the circuit court judge of the court of conviction. The presentence evaluation report shall consist of a complete record of the offender's criminal history, educational level, employment history, psychological condition and such other information as the department or judge may deem necessary. Division personnel shall also prepare written victim impact statements at the request of the sentencing judge as provided in Section 99-19-157.

(b) In order that offenders in the custody of the department on July 1, 1976, may benefit from the kind of evaluations authorized in this section, an evaluation report to



consist of the information required hereinabove, supplemented by an examination of an offender's record while in custody, shall be compiled by the division upon all offenders in the custody of the department on July 1, 1976. After a study of such reports by the State Parole Board those cases which the board believes would merit some type of executive clemency shall be submitted by the board to the Governor with its recommendation for the appropriate executive action.

(c) The department is authorized to accept gifts, grants and subsidies to conduct this activity.

SECTION 12. Section 47-5-142, Mississippi Code of 1972, is amended as follows:

47-5-142. (1) In order to provide incentive for offenders to achieve positive and worthwhile accomplishments for their personal benefit or the benefit of others, and in addition to any other administrative reductions of the length of an offender's sentence, any offender shall be eligible, subject to the provisions of this section, to receive meritorious earned time * * * for good conduct and performance.

(2) Subject to approval by the commissioner of the terms and conditions of the program or project, meritorious earned time may be awarded for the following: (a) successful completion of educational or instructional programs; (b) satisfactory participation in work projects; and (c) satisfactory participation in any special incentive program.



(3) The programs and activities through which meritorious earned time may be received shall be published in writing and posted in conspicuous places at all facilities of the department and such publication shall be made available to all offenders in the custody of the department.

(4) The commissioner shall make a determination of the number of days of reduction of sentence which may be awarded an offender as meritorious earned time for participation in approved programs or projects; the number of days shall be determined by the commissioner on the basis of each particular program or project.

(5) No offender shall be awarded any meritorious earned time while assigned to the maximum security facilities for disciplinary purposes.

(6) All meritorious earned time shall be forfeited by the offender in the event of escape and/or aiding and abetting an escape.

(7) Any officer or employee of the department who shall willfully violate the provisions of this section and be convicted therefor shall be removed from office or employment.

(8) An offender may forfeit all or any part of his meritorious earned time allowance for just cause upon the written order of the commissioner, or his designee. Any meritorious earned time allowance forfeited under this section shall not be restored nor shall it be re-earned by the offender.



272 **SECTION 13.** Section 47-7-5, Mississippi Code of 1972, is
273 amended as follows:

274 47-7-5. (1) Effective January 1, 2028, the State Parole
275 Board, created under former Section 47-7-5, is hereby created,
276 continued and reconstituted and shall be composed of five (5)
277 members, one (1) appointed from each Mississippi Supreme Court
278 District and two (2) from the state at large. The Governor shall
279 appoint the members to serve at the will and pleasure of the
280 Governor, with the advice and consent of the Senate, not less than
281 every four (4) years, provided that three (3) members shall be
282 appointed in 2028 to a term ending December 31, 2031, and two (2)
283 members shall be appointed in 2030 to a term ending December 31,
284 2033. Appointments made at the beginning of the four-year cycle
285 shall be made to fill any member's term which actually expires
286 that year and any member's term which expires next until the
287 majority of the membership of the board or commission is reached.
288 Appointments made at the beginning of the third year of the
289 four-year cycle shall be made for the remainder of the membership
290 positions irrespective of the time of their prior appointment.
291 Any question regarding the order of appointments shall be
292 determined by the Secretary of State in accordance with the
293 specific statute. All appointment procedures, vacancy provisions,
294 interim appointment provisions and removal provisions specifically
295 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
296 fully applicable to appointments to the State Parole Board. Any



vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.



321 (3) The board shall have exclusive responsibility for the
322 granting of parole as provided by Sections 47-7-3 and 47-7-17 and
323 shall have exclusive authority for revocation of the same. The
324 board shall have exclusive responsibility for investigating
325 clemency recommendations upon request of the Governor.

326 (4) The board, its members and staff, shall be immune from
327 civil liability for any official acts taken in good faith and in
328 exercise of the board's legitimate governmental authority.

329 (5) The budget of the board shall be funded through a
330 separate line item within the general appropriation bill for the
331 support and maintenance of the department. Employees of the
332 department which are employed by or assigned to the board shall
333 work under the guidance and supervision of the board. There shall
334 be an executive secretary to the board who shall be responsible
335 for all administrative and general accounting duties related to
336 the board. The executive secretary shall keep and preserve all
337 records and papers pertaining to the board.

338 (6) The board shall have no authority or responsibility for
339 supervision of offenders granted a release for any reason,
340 including, but not limited to, probation, parole or executive
341 clemency or other offenders requiring the same through interstate
342 compact agreements. The supervision shall be provided exclusively
343 by the staff of the Division of Community Corrections of the
344 department. The Division of Community Corrections shall also
345 provide exclusive supervision of offenders granted a release or



allowance under the Earned-Time Allowance Program under Section
47-5-138, Mississippi Code of 1972.

(7) (a) The Parole Board is authorized to select and place
offenders in an electronic monitoring program under the conditions
and criteria imposed by the Parole Board. The conditions,
restrictions and requirements of Section 47-7-17 and Sections
47-5-1001 through 47-5-1015 shall apply to the Parole Board and
any offender placed in an electronic monitoring program by the
Parole Board.

(b) Any offender placed in an electronic monitoring
program under this subsection shall pay the program fee provided
in Section 47-5-1013. The program fees shall be deposited in the
special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from
liability for any injury resulting from a determination by the
Parole Board that an offender be placed in an electronic
monitoring program.

(8) (a) The Parole Board shall maintain a central registry
of paroled inmates. The Parole Board shall place the following
information on the registry: name, address, photograph, crime for
which paroled, the date of the end of parole or flat-time date and
other information deemed necessary. The Parole Board shall
immediately remove information on a parolee at the end of his
parole or flat-time date.



(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, 2027.

SECTION 14. Section 47-7-27, Mississippi Code of 1972, is amended as follows:

47-7-27. (1) The board may, at any time and upon a showing of probable violation of parole, issue a warrant for the return of any paroled offender to the custody of the department. The warrant shall authorize all persons named therein to return the paroled offender to actual custody of the department from which he was paroled.

(2) Any field supervisor may arrest an offender without a warrant or may deputize any other person with power of arrest by giving him a written statement setting forth that the offender has, in the judgment of that field supervisor, violated the



395 conditions of his parole * * * supervision. The written statement
396 delivered with the offender by the arresting officer to the
397 official in charge of the department facility from which the
398 offender was released or other place of detention designated by
399 the department shall be sufficient warrant for the detention of
400 the offender.

401 (3) The field supervisor, after making an arrest, shall
402 present to the detaining authorities a similar statement of the
403 circumstances of violation. The field supervisor shall at once
404 notify the board or department of the arrest and detention of the
405 offender and shall submit a written report showing in what manner
406 the offender has violated the conditions of parole * * *. An
407 offender for whose return a warrant has been issued by the board
408 shall, after the issuance of the warrant, be deemed a fugitive
409 from justice.

410 (4) Whenever an offender is arrested on a warrant for an
411 alleged violation of parole as herein provided, the board shall
412 hold an informal preliminary hearing within seventy-two (72) hours
413 to determine whether there is reasonable cause to believe the
414 person has violated a condition of parole. A preliminary hearing
415 shall not be required when the offender is not under arrest on a
416 warrant or the offender signed a waiver of a preliminary hearing.
417 The preliminary hearing may be conducted electronically.

418 (5) The right of the State of Mississippi to extradite
419 persons and return fugitives from justice, from other states to



this state, shall not be impaired by this chapter and shall remain in full force and effect. An offender convicted of a felony committed while on parole, whether in the State of Mississippi or another state, shall immediately have his parole revoked upon presentment of a certified copy of the commitment order to the board. If an offender is on parole and the offender is convicted of a felony for a crime committed prior to the offender being placed on parole, whether in the State of Mississippi or another state, the offender may have his parole revoked upon presentment of a certified copy of the commitment order to the board.

(6) (a) The board shall hold a hearing for any parolee who is detained as a result of a warrant or a violation report within twenty-one (21) days of the parolee's admission to detention. The board may, in its discretion, terminate the parole or modify the terms and conditions thereof. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred * * * eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The



period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(b) If the board does not hold a hearing or does not take action on the violation within the twenty-one-day time frame in paragraph (a) of this subsection, the parolee shall be released from detention and shall return to parole status. The board may subsequently hold a hearing and may revoke parole or may continue parole and modify the terms and conditions of parole. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(c) For a parolee charged with one or more technical violations who has not been detained awaiting the revocation hearing, the board may hold a hearing within a reasonable time. The board may revoke parole or may continue parole and modify the



terms and conditions of parole. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(7) Unless good cause for the delay is established in the record of the proceeding, the parole revocation charge shall be dismissed if the revocation hearing is not held within the thirty (30) days of the issuance of the warrant.

(8) The chairman and each member of the board and the designated parole revocation hearing officer may, in the discharge of their duties, administer oaths, summon and examine witnesses, and take other steps as may be necessary to ascertain the truth of any matter about which they have the right to inquire.

(9) The board shall provide semiannually to the Oversight Task Force the number of warrants issued for an alleged violation



of parole, the average time between detention on a warrant and preliminary hearing, the average time between detention on a warrant and revocation hearing, the number of ninety-day sentences in a technical violation center issued by the board, the number of one-hundred-twenty-day sentences in a technical violation center issued by the board, the number of one-hundred-eighty-day sentences issued by the board, and the number and average length of the suspended sentences imposed by the board in response to a violation.

SECTION 15. Section 47-7-49, Mississippi Code of 1972, is amended as follows:

47-7-49. (1) Any offender on probation, parole, * * * post-release supervision, earned probation or any other offender under the field supervision of the Community Services Division of the department shall pay to the department the sum of Fifty-five Dollars (\$55.00) per month by certified check or money order unless a hardship waiver is granted. An offender shall make the initial payment within sixty (60) days after being released from imprisonment unless a hardship waiver is granted. A hardship waiver may be granted by the sentencing court or the Department of Corrections. A hardship waiver may not be granted for a period of time exceeding ninety (90) days. The commissioner or his designee shall deposit Fifty Dollars (\$50.00) of each payment received into a special fund in the State Treasury, which is hereby created, to be known as the Community Service Revolving Fund. Expenditures



from this fund shall be made for: (a) the establishment of restitution and satellite centers; and (b) the establishment, administration and operation of the department's Drug Identification Program and the intensive and field supervision program. The Fifty Dollars (\$50.00) may be used for salaries and to purchase equipment, supplies and vehicles to be used by the Community Services Division in the performance of its duties. Expenditures for the purposes established in this section may be made from the fund upon requisition by the commissioner, or his designee.

Of the remaining amount, Three Dollars (\$3.00) of each payment shall be deposited into the Crime Victims' Compensation Fund created in Section 99-41-29, and Two Dollars (\$2.00) shall be deposited into the Training Revolving Fund created pursuant to Section 47-7-51. When a person is convicted of a felony in this state, in addition to any other sentence it may impose, the court may, in its discretion, order the offender to pay a state assessment not to exceed the greater of One Thousand Dollars (\$1,000.00) or the maximum fine that may be imposed for the offense, into the Crime Victims' Compensation Fund created pursuant to Section 99-41-29.

Any federal funds made available to the department for training or for training facilities, equipment or services shall be deposited into the Correctional Training Revolving Fund created in Section 47-7-51. The funds deposited in this account shall be



used to support an expansion of the department's training program to include the renovation of facilities for training purposes, purchase of equipment and contracting of training services with community colleges in the state.

No offender shall be required to make this payment for a period of time longer than ten (10) years.

(2) The offender may be imprisoned until the payments are made if the offender is financially able to make the payments and the court in the county where the offender resides so finds, subject to the limitations hereinafter set out. The offender shall not be imprisoned if the offender is financially unable to make the payments and so states to the court in writing, under oath, and the court so finds.

(3) An offender's responsibilities under this section may be satisfied by an offender's employer under Section 47-7-36.1(2).

(4) This section shall stand repealed from and after June 30, 2026.

SECTION 16. Section 47-5-723, Mississippi Code of 1972, is amended as follows:

47-5-723. Revocation of the conditional advancement of the parole eligibility date is a permissible prison disciplinary action * * *.

SECTION 17. Section 47-5-727, Mississippi Code of 1972, is amended as follows:



47-5-727. Advancement of parole eligibility dates under Sections 47-5-701 through 47-5-729 shall occur independently of all other adjustments of the parole eligibility dates * * *.

SECTION 18. Section 47-5-198, Mississippi Code of 1972, is amended as follows:

47-5-198. (1) It is unlawful for any person to sell within, bring to, or be in possession of, in any correctional facility or convict camp within the state or any county, municipal or other jail within the state, except as authorized by law, any controlled substance or narcotic drug.

(2) It is unlawful for any person who is the keeper or officer in charge of the facility, camp or jail, or who is employed in or about the facility, camp or jail to knowingly permit any controlled substance or narcotic drug to be sold, possessed or used therein contrary to law.

(3) Any person who violates the provisions of this section and is convicted shall be fined up to Twenty-five Thousand Dollars (\$25,000.00) and be punished by imprisonment for not less than three (3) years nor more than seven (7) years; and the person is not eligible for probation, parole, suspension of sentence, * * * or any other reduction of sentence.

SECTION 19. This act shall take effect and be in force from and after July 1, 2025.

