

By: Senator(s) Simmons (12th)

To: Judiciary, Division B

SENATE BILL NO. 2342

1 AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE CALCULATION TO DETERMINE WHETHER AN OFFENDER SHOULD
3 BE SENTENCED AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

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

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

7 99-19-81. (1) Every person convicted in this state of a
8 felony who shall have been convicted twice previously of any
9 felony or federal crime upon charges separately brought and
10 arising out of separate incidents at different times and who shall
11 have been sentenced to separate terms of one (1) year or more in
12 any state and/or federal penal institution, whether in this state
13 or elsewhere, shall be sentenced to the maximum term of
14 imprisonment prescribed for such felony unless the court provides
15 an explanation in its sentencing order setting forth the cause for
16 deviating from the maximum sentence, and such sentence shall not
17 be reduced or suspended nor shall such person be eligible for
18 parole or probation.



19 (2) A prior felony conviction shall not be considered for
20 the purposes of this section if more than ten (10) years have
21 elapsed between the date of completion of the sentence imposed for
22 the prior felony and the date of the commission of the offense or
23 offenses subject to sentencing enhancement under this section.

24 **SECTION 2.** This act shall take effect and be in force from
25 and after July 1, 2025.

