

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.

