

Senate Amendments to House Bill No. 1230

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

7 **SECTION 1.** Section 47-7-18, Mississippi Code of 1972, is
8 amended as follows:

9 47-7-18 (1) No inmate convicted of a sex offense as defined
10 by Section 45-33-23(h), a crime of violence as defined by Section
11 97-3-2, or both, nor an inmate who is eligible for geriatric
12 parole shall be released on parole without a hearing before the
13 Parole Board as required by Section 47-7-17. All other inmates
14 eligible for parole pursuant to Section 47-7-3 * * * may, in the
15 discretion of the State Parole Board, be released from
16 incarceration to parole supervision on the inmate's parole
17 eligibility date, without a hearing before the board, if:

18 (a) The inmate has met the requirements of the parole
19 case plan established pursuant to Section 47-7-3.1;

20 (b) A victim of the offense has not requested the board
21 conduct a hearing;

22 (c) The inmate has not received a serious or major
23 violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the

50 incomplete case plan is not the fault of the inmate and that
51 granting parole is not incompatible with public safety, the board
52 may then parole the inmate with appropriate conditions. If the
53 board determines that the inmate has sufficiently complied with
54 the case plan but the discharge plan indicates that the inmate
55 does not have appropriate housing immediately upon release, the
56 board may parole the inmate to a transitional reentry center with
57 the condition that the inmate spends no more than six (6) months
58 in the center. If the board determines that the inmate has not
59 substantively complied with the requirement(s) of the case plan it
60 may deny parole. If the board denies parole, the board may
61 schedule a subsequent parole hearing and, if a new date is
62 scheduled, the board shall identify the corrective action the
63 inmate will need to take in order to be granted parole. Any
64 inmate not released at the time of the inmate's initial parole
65 date shall have a parole hearing at least every year.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THAT NONVIOLENT INMATES ELIGIBLE FOR PAROLE MAY, IN THE
3 DISCRETION OF THE STATE PAROLE BOARD, BE RELEASED FROM
4 INCARCERATION TO PAROLE SUPERVISION ON THE PAROLE-ELIGIBLE DATE;
5 AND FOR RELATED PURPOSES.

SS26\HB1230A.1J

Amanda White
Secretary of the Senate