

By: Representative Malone

To: Penitentiary

HOUSE BILL NO. 1382

1 AN ACT TO AMEND SECTION 47-7-35, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE AN OFFENDER TO ALLOW A CORRECTIONAL FIELD OFFICER TO MAKE
3 CERTAIN SEARCHES AS A CONDITION OF POST-RELEASE SUPERVISION; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 47-7-35, Mississippi Code of 1972, is
7 amended as follows:

8 47-7-35. The courts referred to in Section 47-7-33 or
9 47-7-34 shall determine the terms and conditions of probation or
10 post-release supervision and may alter or modify, at any time
11 during the period of probation or post-release supervision, the
12 conditions, and may include among them the following or any other:

13 That the offender shall:

14 (a) Commit no offense against the laws of this or any
15 other state of the United States, or of the United States;

16 (b) Avoid injurious or vicious habits;

17 (c) Avoid persons or places of disreputable or harmful
18 character;

19 (d) Report to the probation and parole officer as
20 directed;

21 (e) Permit the probation and parole officer to visit
22 him at home or elsewhere;

23 (f) Work faithfully at suitable employment so far as
24 possible;

25 (g) Remain within a specified area;

26 (h) Pay his fine in one (1) or several sums;

27 (i) Support his dependents;



28 (j) Submit, as provided in Section 47-5-601, to any
29 type of breath, saliva or urine chemical analysis test, the
30 purpose of which is to detect the possible presence of alcohol or
31 a substance prohibited or controlled by any law of the State of
32 Mississippi or the United States;

33 (k) Permit the correctional field officer to search his
34 official residence or any automobile operated by the offender at
35 any time or place.

36 **SECTION 2.** This act shall take effect and be in force from
37 and after July 1, 2002.

