

By: Representative Malone

To: Corrections

HOUSE BILL NO. 686
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 47-5-138.1, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE REDUCTION OF SENTENCE THAT MAY BE AWARDED AS A
3 TRUSTY TIME ALLOWANCE FOR A TRUSTY WHO PARTICIPATES DURING ANY
4 CALENDAR MONTH IN AN APPROVED PROGRAM; TO PROVIDE THAT CERTAIN
5 OFFENDERS WHO ARE IN TRUSTY STATUS SHALL NOT BE ELIGIBLE TO
6 RECEIVE A TRUSTY TIME ALLOWANCE FOR A REDUCTION OF SENTENCE; AND
7 FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 47-5-138.1, Mississippi Code of 1972, is
10 amended as follows:

11 47-5-138.1. (1) In addition to any other administrative
12 reduction of sentence, an offender in trusty status as defined by
13 the classification board of the Department of Corrections may be
14 awarded a trusty time allowance of thirty (30) days' reduction of
15 sentence for each thirty (30) days of participation during any
16 calendar month in an approved program while in trusty status,
17 including satisfactory participation in education or instructional
18 programs, satisfactory participation in work projects and
19 satisfactory participation in any special incentive program.

20 (2) An offender in trusty status shall not be eligible for a
21 reduction of sentence under this section if:

22 (a) The offender was sentenced to life imprisonment;

23 (b) The offender was convicted as an habitual offender
24 under Sections 99-19-81 through 99-19-87;

25 (c) The offender was convicted of a sex crime;

26 (d) The offender has not served the mandatory time
27 required for parole eligibility, as prescribed under Section
28 47-7-3, for a conviction of robbery or attempted robbery through

29 the display of a deadly weapon, carjacking through the display of
30 a deadly weapon or a drive-by shooting;

31 (e) The offender was convicted of violating Section
32 41-29-139(a) and sentenced under Section 41-29-139(b) or
33 41-29-139(f); or

34 (f) The offender was convicted of trafficking in
35 controlled substances under Section 41-29-139.

36 **SECTION 2.** This act shall take effect and be in force from
37 and after its passage.