

Amendment Proposed To

Amed #1

HOUSE BILL NO. 755

BY: Representative Scott

1 **AMEND** by inserting the following language after line 168 and
2 renumbering the succeeding section:

3 " **SECTION 2.** Section 47-7-40, Mississippi Code of 1972, is
4 amended as follows:

5 47-7-40. (1) The commissioner shall establish rules and
6 regulations for implementing the earned-discharge program that
7 allows offenders on probation and parole to reduce the period of
8 supervision for complying with conditions of probation. Such
9 rules and regulations shall also be established for discharge
10 credits earned pursuant to subsection (7) of this section. The
11 department shall have the authority to award earned-discharge
12 credits to all offenders placed on probation, parole, or
13 post-release supervision who are in compliance with the terms and
14 conditions of supervision. An offender serving a Mississippi



15 sentence for an eligible offense in any jurisdiction under the
16 Interstate Compact for Adult Offender Supervision shall be
17 eligible for earned-discharge credits under this section.
18 Offenders shall not be denied earned-discharge credits solely
19 based on nonpayment of fees or fines if a hardship waiver has been
20 granted as provided in Section 47-7-49.

21 (2) In addition to the deduction allowed under subsection
22 (7) of this section, for each full calendar month of compliance
23 with the conditions of supervision, earned-discharge credits equal
24 to the number of days in that month shall be deducted from the
25 offender's sentence discharge date. Credits begin to accrue for
26 eligible offenders after the first full calendar month of
27 compliance supervision conditions. For the purposes of this
28 section, an offender is deemed to be in compliance with the
29 conditions of supervision if there was no violation of the
30 conditions of supervision.

31 (3) No earned-discharge credits may accrue for a calendar
32 month in which a violation report has been submitted, the offender
33 has absconded from supervision, the offender is serving a term of
34 imprisonment in a technical violation center, or for the months
35 between the submission of the violation report and the final
36 action on the violation report by the court or the board.

37 (4) Earned-discharge credits shall be applied to the
38 sentence within thirty (30) days of the end of the month in which
39 the credits were earned. At least every six (6) months, an



40 offender who is serving a sentence eligible for earned-discharge
41 credits shall be notified of the current sentence discharge date.

42 (5) Once the combination of time served on probation, parole
43 or post-release supervision, and earned-discharge credits satisfy
44 the term of probation, parole, or post-release supervision, the
45 board or sentencing court shall order final discharge of the
46 offender. No less than sixty (60) days prior to the date of final
47 discharge, the department shall notify the sentencing court and
48 the board of the impending discharge.

49 (6) The department shall provide semiannually to the
50 Oversight Task Force the number and percentage of offenders who
51 qualify for earned discharge in one or more months of the year and
52 the average amount of credits earned within the year.

53 (7) (a) From and after July 1, 2024, any offender who is on
54 probation and parole, which includes the intensive supervision
55 program, may have his or her placement on probation and parole or
56 intensive supervision, as the case maybe, reduced by participating
57 in faith-based activities or faith-based sponsored activities. An
58 offender may be awarded thirty (30) days' reduction of supervision
59 for each thirty (30) days of participation in a faith-based
60 activity or faith-based sponsored activity.

61 (b) An offender who earns earned-discharge credit
62 pursuant to this section must have a designated leader of the
63 faith-based entity where the offender is participating in the
64 faith-based activity or faith-based sponsored activity to provide



65 a monthly report by the 15th day of the month following the
66 offender's participation in the faith-based activity. Such report
67 must be provided to the ^{Community service division} ~~commissioner~~ of the Department of
68 Corrections who may apply the earned-discharged credits in the
69 time provided under subsection (4) of this section. The
70 department shall ~~develop regulations to administer the provisions~~
71 ~~of this subsection.~~ "provide the time sheets necessary
to be made available at the local parole office."

72 **AMEND** further the title to conform.

The time sheets shall include the name of the participant, MDOC number, Criminal Cause number, date of participation in activities and any other pertinent information needed to effectuate the process.



65 a monthly report by the 15th day of the month following the
66 offender's participation in the faith-based activity. Such report
67 must be provided to the ~~commissioner~~ *Community Services division* of the Department of
68 Corrections who may apply the earned-discharged credits in the
69 time provided under subsection (4) of this section. The
70 department shall ~~develop regulations to administer the provisions~~
71 ~~of this subsection.~~ *provide the time sheets to be*

72 *picked up at the local parole offices.*
AMEND further the title to conform.

*The time sheets shall include the name,
MDOC number, Criminal case number,
date of participation in activities,
and any other information needed to
effectuate the process.*

