

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 844**

**BY: Committee**

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

8           **SECTION 1.** Section 47-7-17, Mississippi Code of 1972, is  
9 amended as follows:

10           47-7-17. (1) Within one (1) year after his admission and at  
11 such intervals thereafter as it may determine, the board shall  
12 secure and consider all pertinent information regarding each  
13 offender, except any under sentence of death or otherwise  
14 ineligible for parole, including the circumstances of his offense,  
15 his previous social history, his previous criminal record,  
16 including any records of law enforcement agencies or of a youth  
17 court regarding that offender's juvenile criminal history, his



18 conduct, employment and attitude while in the custody of the  
19 department, the case plan created to prepare the offender for  
20 parole, and the reports of such physical and mental examinations  
21 as have been made. The board shall furnish at least three (3)  
22 months' written notice to each such offender of the date on which  
23 he is eligible for parole.

24 (2) Except as provided in Section 47-7-18, the board shall  
25 require a parole-eligible offender to have a hearing as required  
26 in this chapter before the board and to be interviewed. The  
27 hearing shall be held no later than thirty (30) days prior to the  
28 month of eligibility. No application for parole of a person  
29 convicted of a capital offense shall be considered by the board  
30 unless and until notice of the filing of such application shall  
31 have been published at least once a week for two (2) weeks in a  
32 newspaper published in or having general circulation in the county  
33 in which the crime was committed. The board shall, within thirty  
34 (30) days prior to the scheduled hearing, also give notice of the  
35 filing of the application for parole to the victim of the offense  
36 for which the prisoner is incarcerated and being considered for  
37 parole or, in case the offense be homicide, a designee of the  
38 immediate family of the victim, provided the victim or designated  
39 family member has furnished in writing a current address to the  
40 board for such purpose. The victim or designated family member  
41 shall be provided an opportunity to be heard by the board before  
42 the board makes a decision regarding release on parole. The board



43 shall consider whether any restitution ordered has been paid in  
44 full. Parole release shall, at the hearing, be ordered only for  
45 the best interest of society, not as an award of clemency; it  
46 shall not be considered to be a reduction of sentence or pardon.  
47 An offender shall be placed on parole only when arrangements have  
48 been made for his proper employment or for his maintenance and  
49 care, and when the board believes that he is able and willing to  
50 fulfill the obligations of a law-abiding citizen. When the board  
51 determines that the offender will need transitional housing upon  
52 release in order to improve the likelihood of the offender  
53 becoming a law-abiding citizen, the board may parole the offender  
54 with the condition that the inmate spends no more than six (6)  
55 months in a transitional reentry center. At least fifteen (15)  
56 days prior to the release of an offender on parole, the director  
57 of records of the department shall give the written notice which  
58 is required pursuant to Section 47-5-177. Every offender while on  
59 parole shall remain in the legal custody of the department from  
60 which he was released and shall be amenable to the orders of the  
61 board. Upon determination by the board that an offender is  
62 eligible for release by parole, notice shall also be given within  
63 at least fifteen (15) days before release, by the board to the  
64 victim of the offense or the victim's family member, as indicated  
65 above, regarding the date when the offender's release shall occur,  
66 provided a current address of the victim or the victim's family



67 member has been furnished in writing to the board for such  
68 purpose.

69       (3) The board shall, within thirty (30) days prior to the  
70 scheduled hearing, solicit the written or oral recommendations of  
71 the Attorney General, the attorney who prosecuted the case, the  
72 judge who presided over the case, the chief of police of the  
73 municipality where the offender was convicted, the sheriff of the  
74 county where the offender was convicted, and the offender's  
75 attorney of record.

76       (4) The board shall, within thirty (30) days prior to the  
77 scheduled hearing, also give written or electronic notice of the  
78 filing of the application for parole to the attorney who  
79 prosecuted the case, the judge who presided over the case, the  
80 chief of police of the municipality where the offender was  
81 convicted, the sheriff of the county where the offender was  
82 convicted, and the offender's attorney of record.

83       (5) If the attorney who prosecuted the case or the judge who  
84 presided over the case is not living or serving, solicitation for  
85 recommendations under subsection (3) and notice under subsection  
86 (4) shall be given to the district attorney and one of the judges  
87 of the court in which the offender was convicted.

88       ( \* \* \*6) Failure to provide notice to the victim or the  
89 victim's family member of the filing of the application for parole  
90 or of any decision made by the board regarding parole shall not



91 constitute grounds for vacating an otherwise lawful parole  
92 determination nor shall it create any right or liability, civilly  
93 or criminally, against the board or any member thereof.

94 ( \* \* \*7) A letter of protest against granting an offender  
95 parole shall not be treated as the conclusive and only reason for  
96 not granting parole.

97 ( \* \* \*8) The board may adopt such other rules not  
98 inconsistent with law as it may deem proper or necessary with  
99 respect to the eligibility of offenders for parole, the conduct of  
100 parole hearings, or conditions to be imposed upon parolees,  
101 including a condition that the parolee submit, as provided in  
102 Section 47-5-601 to any type of breath, saliva or urine chemical  
103 analysis test, the purpose of which is to detect the possible  
104 presence of alcohol or a substance prohibited or controlled by any  
105 law of the State of Mississippi or the United States. The board  
106 shall have the authority to adopt rules related to the placement  
107 of certain offenders on unsupervised parole and for the operation  
108 of transitional reentry centers. However, in no case shall an  
109 offender be placed on unsupervised parole before he has served a  
110 minimum of fifty percent (50%) of the period of supervised parole.

111 **SECTION 2.** This act shall take effect and be in force from  
112 and after July 1, 2024.

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



1 AN ACT TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO SOLICIT  
3 RECOMMENDATIONS FROM CERTAIN INDIVIDUALS BEFORE A PAROLE HEARING;  
4 TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO NOTIFY CERTAIN  
5 INDIVIDUALS WITHIN A SET PERIOD OF TIME BEFORE A PAROLE HEARING;  
6 AND FOR RELATED PURPOSES.

