

By: Senator(s) Simmons (12th)

To: Judiciary, Division B

SENATE BILL NO. 2249

1 AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972,
2 TO REVISE SENTENCING OF A NONVIOLENT HABITUAL OFFENDER DEPENDENT
3 ON THE AGE OF THE OFFENDER AT THE TIME OF THE COMMISSION OF THE
4 PRIOR OFFENSES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 99-19-81, Mississippi Code of 1972, is
7 amended as follows:

8 99-19-81. Every person convicted in this state of a felony
9 who shall have been convicted twice previously of any felony or
10 federal crime upon charges separately brought and arising out of
11 separate incidents at different times and who shall have been
12 sentenced to separate terms of one (1) year or more in any state
13 and/or federal penal institution, whether in this state or
14 elsewhere, and who was eighteen (18) years of age or older at the
15 time of the prior offenses, shall be sentenced to the maximum term
16 of imprisonment prescribed for such felony unless the court
17 provides an explanation in its sentencing order setting forth the
18 cause for deviating from the maximum sentence, and such sentence



19 shall not be reduced or suspended nor shall such person be
20 eligible for parole or probation.

21 **SECTION 2.** This act shall take effect and be in force from
22 and after July 1, 2023.

