



Bill Summary: Habitual Penalty Reform HB 1024, Rep. Bain

Bill Purpose: Mississippi’s “habitual offender” law requires the maximum sentence without the possibility of parole for people with two or more prior felony convictions, and mandatory life sentences if one of those prior felony convictions is for a crime of violence. Under current law, prior felony convictions count no matter when the crime happened or the person was sentenced for them – in other words, a 25-year-old felony conviction could be used to apply the habitual offender law to a person.

HB 1024 would restrict the application of the habitual penalty by counting only those prior convictions that a person committed or was sentenced for within the last 15 years.

FAMM’s Position on the Bill: Support

Bill Status: *This bill is not a law yet.* To become law, this bill must go through the committee process, pass through both the Senate and House, and be signed by the governor.

What the Bill Would Do: If passed, HB 1024 would

1. Apply the mandatory maximum sentence only to people who’ve had two felony convictions within the past 15 years, counted as:
 - a. From the date of the conviction for the previous crime, if the person wasn’t incarcerated for that crime, or
 - b. From the date that the person was physically released from prison for that crime
2. Apply the mandatory life sentence penalty only to people whose current offense is a crime of violence and who’ve had two prior felonies, one which is a crime of violence within the past 15 years, counted as:
 - a. From the date of the conviction for the previous crime, if the person wasn’t incarcerated for that crime, or
 - b. From the date that the person was physically released from prison for that crime.
3. Allow people sentenced before HB 1024 becomes law to seek parole if they would receive a shorter sentences based on the changes made in HB 1024.

