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Chapter No. 488  
12/HR40/R1091SG  
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**HOUSE BILL NO. 372**

Originated in House  Clerk

HOUSE BILL NO. 372

AN ACT TO AMEND SECTION 47-7-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PERIOD OF TIME SERVED BY AN OFFENDER ON PAROLE PRIOR TO REVOCATION SHALL BE CREDITED TOWARD THE ORIGINAL SENTENCE IMPOSED BY A TRIAL COURT; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 47-7-27, Mississippi Code of 1972, is amended as follows:

47-7-27. (1) The board may, at any time \* \* \* and upon a showing of probable violation of parole, \* \* \* issue a warrant for the return of any paroled offender to the custody of the \* \* \* department \* \* \*. The warrant shall authorize all persons named therein to return the paroled offender to actual custody of the department \* \* \* from which he was paroled. Pending a hearing \* \* \* upon any charge of parole violation, the offender shall remain incarcerated in any \* \* \* place of detention designated by the department.

(2) Any field supervisor may arrest an offender without a warrant or may deputize any other person with power of arrest \* \* \* by giving him a written statement setting forth that the offender has, in the judgment of that field supervisor, violated the conditions of his parole or earned-release supervision. The written statement delivered with the offender by the arresting officer to the official in charge of the department facility from which the offender was released or other place of detention designated by the department shall be sufficient warrant for the detention of the offender.

(3) The field supervisor, after making an arrest, shall present to the detaining authorities a similar statement of the circumstances of violation. The field supervisor shall at once notify the board or department of the arrest and detention of the offender and shall submit a written report showing in what manner the offender has violated the conditions of parole or earned-release supervision. An offender for whose return a warrant has been issued by the board shall, after the issuance of the warrant, be deemed a fugitive from justice.

(4) The \* \* \* right of the State of Mississippi to extradite persons and return fugitives from justice, from other states to this state, shall not be impaired by this chapter and shall remain in full force and effect. An offender convicted of a felony committed while on parole, whether in the State of Mississippi or another state, shall immediately have his parole revoked upon presentment of a certified copy of the commitment order to the board. If an offender is on parole and the offender is convicted of a felony for a crime committed prior to the offender being placed on parole, whether in the State of Mississippi or another state, the offender may have his parole revoked upon presentment of a certified copy of the commitment order to the board.

(5) At the next meeting of the board \* \* \* after the issuance of a warrant for the return of an offender, \* \* \* if the offender has been taken into custody, he shall \* \* \* be given an opportunity to appeal to the board in writing or in person why his parole should not be revoked. The board may then, or at any time in its discretion, terminate the parole or modify the terms and conditions thereof. If the board \* \* \* revokes parole, the offender shall serve the remainder of the sentence originally imposed, but the time served on parole before revocation shall be credited toward the offender's sentence. \* \* \* The board may grant the offender a second parole. If a second parole shall not be granted, then the offender shall serve the remainder of the

sentence originally imposed, but the time served on parole before revocation shall \* \* \* be credited toward the offender's sentence \* \* \*.

(6) The chairman and each member of the board and the designated parole revocation hearing officer may, in the discharge of their duties, \* \* \* administer oaths, \* \* \* summon and examine witnesses, and take other steps as may be necessary to ascertain the truth of any matter about which they \* \* \* have the right to inquire.

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

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 13, 2012

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 5, 2012

  
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PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
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GOVERNOR

3:25 pm