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Chapter No. 545

12/SS01/R571SG

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**SENATE BILL NO. 2731**

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2731

AN ACT TO AMEND SECTION 47-7-4, MISSISSIPPI CODE OF 1972, TO REVISE WHO THE COMMISSIONER OF CORRECTIONS MAY PLACE ON CONDITIONAL MEDICAL RELEASE; TO AUTHORIZE THE COMMISSIONER TO PLACE BEDRIDDEN OFFENDERS ON SUCH RELEASE; TO CLARIFY THAT IF AN OFFENDER IS NO LONGER ELIGIBLE FOR CONDITIONAL MEDICAL RELEASE THEN SUCH OFFENDER SHALL BE RETURNED TO THE ACTUAL CUSTODY OF THE DEPARTMENT OF CORRECTIONS; AND FOR RELATED PURPOSES.

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

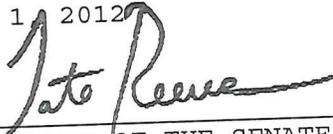
**SECTION 1.** Section 47-7-4, Mississippi Code of 1972, is amended as follows:

47-7-4. The commissioner and the medical director of the department may place an offender who has served not less than one (1) year of his or her sentence, except an offender convicted of a sex crime, on conditional medical release. However, a nonviolent offender who is bedridden may be placed on conditional medical release regardless of the time served on his or her sentence. Upon the release of a nonviolent offender who is bedridden, the state shall not be responsible or liable for any medical costs that may be incurred if such costs are acquired after the offender is no longer incarcerated due to his or her placement on conditional medical release. The commissioner shall not place an offender on conditional medical release unless the medical director of the department certifies to the commissioner that (a) the offender is suffering from a significant permanent physical medical condition with no possibility of recovery; (b) that his or her further incarceration will serve no rehabilitative purposes; and (c) that the state would incur unreasonable expenses as a result of his or her continued incarceration. Any offender placed on conditional medical release shall be supervised by the Division

of Community Corrections of the department for the remainder of his or her sentence. An offender's conditional medical release may be revoked and the offender returned and placed in actual custody of the department if the offender violates an order or condition of his or her conditional medical release. An offender who is no longer bedridden shall be returned and placed in the actual custody of the department.

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

PASSED BY THE SENATE  
May 1, 2012

  
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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 30, 2012

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

  
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GOVERNOR

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