

By: Representative McElwain

To: Penitentiary;
Appropriations

HOUSE BILL NO. 90

1 AN ACT TO AMEND SECTION 47-5-931, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH TIPPAH
3 COUNTY TO HOUSE STATE OFFENDERS IN A REGIONAL CORRECTIONAL
4 FACILITY; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 47-5-931, Mississippi Code of 1972, is
7 amended as follows:

8 47-5-931. (1) The Department of Corrections, in its
9 discretion, may contract with the board of supervisors of one or
10 more counties and/or with a regional facility jointly operated by
11 two (2) or three (3) counties, to provide for housing, care and
12 control of not more than two hundred fifty (250) offenders who are
13 in the custody of the State of Mississippi. Any facility owned or
14 leased by a county or counties for this purpose shall be designed,
15 constructed, operated and maintained in accordance with American
16 Correctional Association standards, and shall comply with all
17 constitutional standards of the United States and the State of
18 Mississippi, and with all court orders that may now or hereinafter
19 be applicable to the facility. If the Department of Corrections
20 contracts with more than one (1) county to house state offenders
21 in county correctional facilities, excluding a regional facility,
22 then the first of such facilities shall be constructed in Sharkey
23 County and the second of such facilities shall be constructed in
24 Jefferson County.

25 (2) The Department of Corrections shall contract with the
26 boards of supervisors of the following counties to house state
27 inmates in regional facilities: (a) Marion and Walthall Counties;

28 (b) Carroll and Montgomery Counties; (c) Stone and Pearl River
29 Counties; (d) Winston and Choctaw Counties; (e) Kemper and Noxubee
30 Counties; (f) Holmes County and any contiguous county in which
31 there is located an unapproved jail; * * * (g) Bolivar County and
32 any contiguous county in which there is located an unapproved
33 jail; and (h) Tippah County and any contiguous county in which
34 there is located an unapproved jail. The Department of
35 Corrections shall decide the order of priority of the counties
36 listed in this subsection with which it will contract for the
37 housing of state inmates. For the purposes of this subsection the
38 term "unapproved jail" means any jail that the local grand jury
39 determines should be condemned or has found to be of substandard
40 condition or in need of substantial repair or reconstruction.

41 SECTION 2. This act shall take effect and be in force from
42 and after July 1, 1999.