

By: Representative Moak

To: Penitentiary; County
Affairs

HOUSE BILL NO. 106

1 AN ACT TO AMEND SECTION 47-5-935, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY SHERIFF THAT CONTRACTS TO PROVIDE ADDITIONAL
3 MANAGEMENT SUPPORT FOR A REGIONAL CORRECTIONAL FACILITY SHALL BE
4 PAID A YEARLY AMOUNT EQUAL TO TWENTY-FIVE PERCENT OF THE AMOUNT TO
5 BE PAID TO THE CHIEF CORRECTIONS OFFICER; TO AMEND SECTION
6 47-5-937, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY OR
7 COUNTIES CONTRACTING FOR A REGIONAL CORRECTIONAL FACILITY SHALL
8 PROVIDE THE LAW ENFORCEMENT PERSONNEL THAT ARE NEEDED TO STAFF THE
9 FACILITY; AND FOR RELATED PURPOSES.

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

11 SECTION 1. Section 47-5-935, Mississippi Code of 1972, is
12 amended as follows:

13 47-5-935. Concurrent with the execution of a contract for
14 housing of state offenders as authorized by Sections 47-5-931
15 through 47-5-941, the sheriff of a county where the facility is
16 located is designated as the Chief Corrections Officer for the
17 facility housing state offenders, and in that capacity, shall
18 assume responsibility for management of the corrections facility
19 and for the provision of the care and control of the state
20 offenders housed therein. The sheriff shall be subject to the
21 direction of the department for management of the correctional
22 facility. In addition to the compensation provided by Section
23 25-3-25, the sheriff shall receive Fifteen Thousand Six Hundred
24 Dollars (\$15,600.00) as compensation for the duties specified in
25 Sections 47-5-931 through 47-5-941. If the Chief Corrections
26 Officer for a correctional facility created under Section
27 47-5-931, contracts with a sheriff of another county to provide
28 additional management support for the facility, then the sheriff
29 who is providing the additional support for the facility shall

30 receive, in addition to the compensation provided by Section
31 25-3-25, a yearly amount equal to twenty-five percent (25%) of the
32 pay authorized in this section for the Chief Corrections Officer.

33 SECTION 2. Section 47-5-937, Mississippi Code of 1972, is
34 amended as follows:

35 47-5-937. Sections 47-5-931 through 47-5-941 shall be full
36 and complete authority for the exercise of all powers and
37 authority granted herein and no requirements or restrictions of
38 law which would otherwise be applicable to acts of the county or
39 sheriff or the Department of Corrections shall be applicable
40 except as expressly provided herein. The sheriff is expressly
41 authorized to employ counsel to represent the facility to be paid
42 a salary within the range allowed for a legal assistant to a
43 district attorney with the employment to continue for a period of
44 time not to exceed the duration of the indebtedness incurred for
45 construction of the facility. The county or counties shall pay
46 this cost and other costs incurred in the operation of the
47 facility from the proceeds of the funds derived from the financing
48 of the project and the housing of offenders. The county or
49 counties also shall supply all law enforcement personnel that are
50 needed to staff a facility created under Section 47-5-931.

51 SECTION 3. This act shall take effect and be in force from
52 and after July 1, 1999.