

By: Representative Ford

To: Penitentiary

HOUSE BILL NO. 558  
(As Passed the House)

1 AN ACT TO REENACT AND AMEND SECTION 47-7-49, MISSISSIPPI CODE  
2 OF 1972, TO EXTEND FROM JUNE 30, 1999, TO JUNE 30, 2000, THE DATE  
3 ON WHICH THE COMMUNITY SERVICE REVOLVING FUND WILL BE REPEALED;  
4 AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 47-7-49, Mississippi Code of 1972, is  
7 reenacted and amended as follows:

8 47-7-49. (1) Any offender on probation, parole,  
9 earned-release supervision, post-release supervision, earned  
10 probation or any other offender under the field supervision of the  
11 Community Services Division of the department shall pay to the  
12 department the sum of Twenty-five Dollars (\$25.00) per month by  
13 certified check or money order unless a hardship waiver is granted  
14 by the sentencing court. The commissioner or his designee shall  
15 deposit Twenty Dollars (\$20.00) of the payments received into a  
16 special fund in the State Treasury, which is hereby created, to be  
17 known as the Community Service Revolving Fund. Expenditures from  
18 this fund shall be made for: (a) the establishment of restitution  
19 and satellite centers; and (b) the establishment, administration  
20 and operation of the department's Drug Identification Program and  
21 the intensive supervision program. Ten Dollars (\$10.00) of the  
22 Twenty Dollars (\$20.00) may be used for salaries and to purchase  
23 equipment, supplies and vehicles to be used by the Community  
24 Services Division in the performance of its duties. Expenditures  
25 for the purposes established in this section may be made from the  
26 fund upon requisition by the commissioner or his designee.

27 Of the remaining amount, Three Dollars (\$3.00) of the

28 payments shall be deposited in the Crime Victims' Compensation  
29 Fund created in Section 99-41-29, Two Dollars (\$2.00) shall be  
30 deposited into the Training Revolving Fund created pursuant to  
31 Section 47-7-51. When a person is convicted of a felony in this  
32 state, in addition to any other sentence it may impose, the court  
33 may, in its discretion, order the offender to pay a state  
34 assessment not to exceed the greater of One Thousand Dollars  
35 (\$1,000.00) or the maximum fine that may be imposed for the  
36 offense, into the Crime Victims' Compensation Fund created  
37 pursuant to Section 99-41-29.

38 Any federal funds made available to the department for  
39 training or for training facilities, equipment or services shall  
40 be deposited in the Correctional Training Revolving Fund created  
41 in Section 47-7-51. The funds deposited in this account shall be  
42 used to support an expansion of the department's training program  
43 to include the renovation of facilities for training purposes,  
44 purchase of equipment and contracting of training services with  
45 community colleges in the state.

46 No offender shall be required to make this payment for a  
47 period of time longer than ten (10) years.

48 (2) The offender may be imprisoned until the payments are  
49 made if the offender is financially able to make the payments and  
50 the court in the county where the offender resides so finds,  
51 subject to the limitations hereinafter set out. The offender  
52 shall not be imprisoned if the offender is financially unable to  
53 make the payments and so states to the court in writing, under  
54 oath, and the court so finds.

55 (3) This section shall stand repealed from and after  
56 June 30, 2000.

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