

By: Representatives Johnson, Clark

To: Penitentiary;  
Appropriations

## HOUSE BILL NO. 1439

1 AN ACT TO AMEND SECTION 99-37-19, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE  
3 BOARD OF SUPERVISORS OF YAZOO COUNTY TO HOUSE TWO HUNDRED FIFTY  
4 OFFENDERS IN A RESTITUTION CENTER; TO REQUIRE THE DEPARTMENT OF  
5 CORRECTIONS AND THE DEPARTMENT OF HUMAN SERVICES TO INSTITUTE AND  
6 ADMINISTER SERVICES AT THE RESTITUTION CENTER; TO AMEND SECTION  
7 99-37-21, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR  
8 RELATED PURPOSES.

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

10 SECTION 1. Section 99-37-19, Mississippi Code of 1972, is  
11 amended as follows:

12 99-37-19. (1) The boards of supervisors of the several  
13 counties and the governing authorities of municipalities are  
14 hereby authorized to cooperate with the Department of Corrections  
15 in the establishment of restitution centers. Such centers may  
16 house both probationers referred by the circuit courts as well as  
17 inmates transferred from other facilities of the Department of  
18 Corrections as provided in Section 47-5-110. Except as provided  
19 in subsection (3) of this section, such centers shall be operated  
20 by the Department of Corrections. County or municipal property  
21 may be utilized with the approval of the board of supervisors or  
22 municipal governing authority for the construction, renovation and  
23 maintenance of facilities owned by the state or a local political  
24 subdivision. Such facility may be leased to the Department of  
25 Corrections for a period of time for use as a restitution center.

26 (2) Except as provided in subsection (3) of this section, it  
27 is the intent of this section that county and local governments  
28 contribute only to the establishment, renovation and maintenance  
29 of the physical plant of a restitution center and that the

30 Department of Corrections support the operation of, and have sole  
31 jurisdiction over and responsibility for offenders in, such  
32 restitution program.

33 (3) The Department of Corrections is authorized to contract  
34 with the Board of Supervisors of Yazoo County to house two hundred  
35 fifty (250) offenders in a restitution center owned or leased by  
36 the county. The board of supervisors shall be responsible for the  
37 housing, care and control of the offenders; however, the  
38 Department of Corrections and the Department of Human Services  
39 shall institute and administer services at the restitution center  
40 as provided in Section 99-37-21.

41 SECTION 2. Section 99-37-21, Mississippi Code of 1972, is  
42 amended as follows:

43 99-37-21. (1) The Department of Human Services and the  
44 Department of Corrections are hereby authorized to cooperate in  
45 the institution and administration of services at restitution  
46 centers as authorized by Section 99-37-19 and at other facilities  
47 which provide opportunities for restitution for criminal acts.

48 (2) The Department of Human Services and the Department of  
49 Corrections are authorized and directed, jointly or separately:

50 (a) To seek funding from federal or other sources to  
51 provide the maximum supportive services for offenders and the  
52 families of offenders who are participating in restitution  
53 programs;

54 (b) To develop additional programs whereby offenders  
55 may be afforded opportunities to contribute to society and the  
56 support of their families through restitution programs; and

57 (c) To develop pilot programs of counseling, training  
58 and supervision for parolees whereby restitution may be  
59 accomplished; such programs may be residential or nonresidential  
60 as appropriate.

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