

By: Representative McElwain

To: Penitentiary;
Appropriations

HOUSE BILL NO. 1466

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 TWO HUNDRED FIFTY OFFENDERS; AND FOR RELATED
4 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; and (g) Bolivar County and
32 any contiguous county in which there is located an unapproved
33 jail. The Department of Corrections shall decide the order of
34 priority of the counties listed in this subsection with which it
35 will contract for the housing of state inmates. For the purposes
36 of this subsection the term "unapproved jail" means any jail that
37 the local grand jury determines should be condemned or has found
38 to be of substandard condition or in need of substantial repair or
39 reconstruction.

40 (3) The Department of Corrections may contract with the
41 Board of Supervisors of Tippah County to provide housing, care and
42 control of not more than two hundred fifty (250) offenders who are
43 in the custody of the State of Mississippi. A correctional
44 facility owned or leased by Tippah County for this purpose shall
45 be designed, constructed, operated and maintained in accordance
46 with American Correctional Association standards and shall comply
47 with all constitutional standards of the United States and the
48 State of Mississippi.

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