

By: Senator(s) Smith

To: Corrections

SENATE BILL NO. 2332

1 AN ACT TO AMEND SECTION 47-5-116, MISSISSIPPI CODE OF 1972,  
2 TO MAKE IT UNLAWFUL TO TRANSPORT ANY PRISONER COMMITTED TO THE  
3 CUSTODY OF THE DEPARTMENT OF CORRECTIONS IN A VEHICLE WITHOUT A  
4 BIDDLE GUARD; TO IMPOSE LIABILITY FOR VIOLATIONS; AND FOR RELATED  
5 PURPOSES.

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

7 SECTION 1. Section 47-5-116, Mississippi Code of 1972, is  
8 amended as follows:

9 47-5-116. (1) \* \* \* The term "Biddle guard" \* \* \* means a  
10 device or partition installed in a vehicle operated by a law  
11 enforcement officer which separates the front and rear passenger  
12 compartments.

13 (2) It is unlawful to transport a prisoner who is \* \* \*  
14 committed to the Department of Corrections \* \* \* in a vehicle  
15 which is not equipped with a secure Biddle guard \* \* \*.

16 (3) The commissioner \* \* \*, sheriff, or chief law  
17 enforcement officer who is responsible for a vehicle in which a  
18 prisoner is transported in violation of this section shall \* \* \*  
19 be liable personally for any damages arising from injuries to  
20 persons or property caused by a prisoner who \* \* \* escapes while  
21 being transported in violation of this section.

22 (4) This section does not \* \* \* apply to any vehicle used by  
23 a correctional officer for \* \* \* transporting prisoners \* \* \* on  
24 the grounds of a correctional facility under the jurisdiction of  
25 the \* \* \* department \* \* \*.

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