

By: Senator(s) Huggins

To: Corrections

SENATE BILL NO. 2393

1 AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, BY  
2 REMOVING THE REPEALER; AND FOR RELATED PURPOSES.

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

4 SECTION 1. Section 47-7-49, Mississippi Code of 1972, is  
5 amended as follows:

6 47-7-49. (1) Any offender on probation, parole,  
7 earned-release supervision, post-release supervision, earned  
8 probation or any other offender under the field supervision of the  
9 Community Services Division of the department shall pay to the  
10 department the sum of Twenty-five Dollars (\$25.00) per month by  
11 certified check or money order unless a hardship waiver is granted  
12 by the sentencing court. The commissioner, or his designee, shall  
13 deposit Twenty Dollars (\$20.00) of the payments received into a  
14 special fund in the State Treasury, which is hereby created, to be  
15 known as the Community Service Revolving Fund. Expenditures from  
16 this fund shall be made for: (a) the establishment of restitution  
17 and satellite centers; and (b) the establishment, administration  
18 and operation of the department's Drug Identification Program and  
19 the intensive supervision program. Ten Dollars (\$10.00) of the  
20 Twenty Dollars (\$20.00) may be used for salaries and to purchase  
21 equipment, supplies and vehicles to be used by the Community  
22 Services Division in the performance of its duties. Expenditures  
23 for the purposes established in this section may be made from the  
24 fund upon requisition by the commissioner, or his designee.

25 Of the remaining amount, Three Dollars (\$3.00) of the  
26 payments shall be deposited in the Crime Victims' Compensation

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

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

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

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

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54 SECTION 2. This act shall take effect and be in force from  
55 and after its passage.