

By: Senator(s) Huggins

To: Corrections

SENATE BILL NO. 2393
(As Passed the Senate)

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.

53 * * *

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