

By: Senator(s) Jordan (18th)

To: Corrections; County  
Affairs

SENATE BILL NO. 3006

1 AN ACT TO PROVIDE FOR AN EXPANDED WORK PROGRAM FOR CONVICTS  
2 IN COUNTY JAILS; TO AUTHORIZE THE BOARDS OF SUPERVISORS AND  
3 SHERIFFS TO PROVIDE WORK PROGRAMS; TO PLACE LIMITATIONS ON WORK  
4 PERFORMED; TO AMEND SECTION 47-1-19, MISSISSIPPI CODE OF 1972 TO  
5 CONFORM; AND FOR RELATED PURPOSES.

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

7 SECTION 1. (1) The board of supervisors of any county may  
8 authorize the sheriff to offer a program under which any person  
9 incarcerated in county facilities may participate in a work  
10 program. In addition to work authorized under Chapter 1 of Title  
11 47 of the Mississippi Code of 1972, the work program may consist  
12 of any of the following:

13 (a) Work on public facilities and property.

14 (b) Work in support of nonprofit organizations. As  
15 used in this section "nonprofit organizations" means organizations  
16 established or operated for the benefit of the public or in  
17 support of a significant public interest as set forth in Section  
18 501(c)(3) of the Internal Revenue Code. Organizations established  
19 or operated for the primary purpose of benefiting their own  
20 memberships are specifically excluded.

21 (c) Work on any project for which the board of  
22 supervisors could lawfully expend funds and for which it  
23 determines necessary for the health, safety or welfare of the  
24 citizens of the county.

25 (2) The board of supervisors and the sheriff shall prescribe  
26 rules and regulations for participation in and operation of the  
27 work program.

28           (3) A person may participate in the work program only if the  
29 sheriff determines that the person is eligible for the program. A  
30 person participating in the program shall remain under the  
31 exclusive control of the sheriff's department.

32           (4) Any person participating in the work program shall  
33 receive credit for the work as provided under Section 47-1-47.

34           (5) Any item grown, produced, processed or manufactured and  
35 not required for use in the work program may be furnished or sold  
36 to any state agency, political subdivision of the state or to the  
37 public.

38           SECTION 2. Section 47-1-19, Mississippi Code of 1972, is  
39 amended as follows:

40           47-1-19. (1) It is unlawful for any county prisoner or  
41 prisoners to be leased or hired to any individual or corporation  
42 for any purpose whatsoever. Nor shall they be worked under any  
43 contractor; but in working them on county farms, or on the public  
44 roads or on any other work, which work must be of an exclusively  
45 public character, they shall be under exclusive official control  
46 and management.

47           (2) (a) It is lawful for a \* \* \* municipality to provide  
48 prisoners for public service work for nonprofit charitable  
49 organizations as defined under Section 501(c)(3) of the Internal  
50 Revenue Code if that nonprofit charitable organization provides  
51 food to charities.

52           (b) The prisoners participating in the public service  
53 work under paragraph (a) shall remain under the exclusive control  
54 and management of the \* \* \* municipality.

55           (c) A prisoner performing public service work under  
56 this subsection shall be entitled to earned credits as provided  
57 under this chapter.

58           SECTION 3. This act shall take effect and be in force from  
59 and after its passage.