

By: Hyde-Smith

To: Judiciary

SENATE BILL NO. 3034

1 AN ACT TO AMEND SECTION 47-5-451 MCA 1972 TO PROVIDE THAT AN
2 EXCEPTION TO PROHIBITING AN INMATE CONVICTED OF A CRIME OF
3 VIOLENCE FROM PARTICIPATING IN WORK PROGRAM IF THERE ARE
4 MITIGATING CIRCUMSTANCE; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 47-5-451, Mississippi Code of 1972, is
7 amended as follows:[LTR1]

8 47-5-451. (1) There is hereby authorized, in each county of
9 the state, a public service work program for state inmates in
10 custody of the county. Such a program may be established at the
11 option of the county in accordance with the provisions of Sections
12 47-5-401 through 47-5-421. The department shall also recommend
13 rules and regulations concerning the participation of state
14 inmates in the program.

15 (2) An inmate shall not be eligible to participate in a work
16 program established in accordance with the provisions of Sections
17 47-5-401 through 47-5-421, if he has been convicted of any crime
18 of violence, including but not limited to murder, aggravated
19 assault, rape, robbery or armed robbery unless based on mitigating
20 circumstances indicating a particular inmate's individual
21 trustworthiness and needed work skill, the Sheriff in charge of
22 the work program may declare an exception to limitations in this
23 section and shall notify the Classification Committee of the
24 Department of Corrections in writing.

25 (3) The inmates participating in the work program
26 established in accordance with the provisions of Sections 47-5-401
27 through 47-5-421, are restricted to the performance of public

28 service work for counties, municipalities, the state or nonprofit
29 charitable organizations, as defined by Section 501(c)(3) of the
30 Internal Revenue Code of 1986, except that the Classification
31 Committee of the Department of Corrections must approve all
32 requests by nonprofit charitable organizations to use offenders to
33 perform any public service work. Upon request of the Board of
34 Trustees of State Institutions of Higher Learning, or the board of
35 trustees of a county school district, municipal school district or
36 junior college district, the inmates may be permitted to perform
37 work for such boards.

38 SECTION 2. This act shall take effect and be in force from
39 and after July 1, 2000.