

By: Representative Ford

To: Penitentiary

HOUSE BILL NO. 477

1 AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972,
2 WHICH CREATES THE COMMUNITY SERVICE REVOLVING FUND, REQUIRE
3 CERTAIN OFFENDERS TO MAKE PAYMENTS TO THE COMMUNITY SERVICES
4 DIVISION OF THE DEPARTMENT, PROVIDE FOR THE DISPOSITION OF THE
5 PAYMENTS AND PROVIDE A TIME LIMITATION ON THE PAYMENTS, TO EXTEND
6 THE REPEAL DATE FROM JUNE 30, 2001, TO JUNE 30, 2002; AND FOR
7 RELATED PURPOSES.

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

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

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

28 for the purposes established in this section may be made from the
29 fund upon requisition by the commissioner or his designee.

30 Of the remaining amount, Three Dollars (\$3.00) of the
31 payments shall be deposited in the Crime Victims' Compensation
32 Fund created in Section 99-41-29, Two Dollars (\$2.00) shall be
33 deposited into the Training Revolving Fund created pursuant to
34 Section 47-7-51. When a person is convicted of a felony in this
35 state, in addition to any other sentence it may impose, the court
36 may, in its discretion, order the offender to pay a state
37 assessment not to exceed the greater of One Thousand Dollars
38 (\$1,000.00) or the maximum fine that may be imposed for the
39 offense, into the Crime Victims' Compensation Fund created
40 pursuant to Section 99-41-29.

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

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

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

58 (3) This section shall stand repealed from and after June
59 30, 2002.

60 SECTION 2. This act shall take effect and be in force from
61 and after July 1, 2001.