

By: Representatives Malone, Coleman (29th)

To: Penitentiary

HOUSE BILL NO. 1139

1 AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE COMMISSIONER OF CORRECTIONS TO TRANSFER EMPLOYEES OF
3 THE DEPARTMENT TO ANY LOCATION; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 47-5-8, Mississippi Code of 1972, is
6 amended as follows:

7 47-5-8. (1) There is hereby created the Mississippi
8 Department of Corrections which shall be under the policy
9 direction of the Governor. The chief administrative officer of
10 the department shall be the Commissioner of Corrections. The
11 commissioner may, in his discretion, transfer employees of the
12 department to any location designated by the commissioner.

13 (2) (a) There shall be a Division of Administration and
14 Finance within the department which shall have as its chief
15 administrative officer a deputy commissioner for administration
16 and finance who shall be appointed by the commissioner, and shall
17 be directly responsible to the commissioner.

18 (b) There shall be a Division of Community Services
19 within the department which shall have as its chief administrative
20 officer a deputy commissioner for community services who shall be
21 appointed by the commissioner, and shall be directly responsible
22 to the commissioner. The Probation and Parole Board shall
23 continue to exercise the authority as provided by law, but after
24 July 1, 1976, the Division of Community Services shall serve as
25 the administrative agency for the Probation and Parole Board.

26 (3) The department shall succeed to the exclusive control of
27 all records, books, papers, equipment and supplies, and all lands,

28 buildings and other real and personal property now or hereafter
29 belonging to or assigned to the use and benefit or under the
30 control of the Mississippi State Penitentiary and the Mississippi
31 Probation and Parole Board, except the records of parole process
32 and revocation and legal matters related thereto, and shall have
33 the exercise and control of the use, distribution and disbursement
34 of all funds, appropriations and taxes now or hereafter in
35 possession, levied, collected or received or appropriated for the
36 use, benefit, support and maintenance of these two (2) agencies
37 except as otherwise provided by law, and the department shall have
38 general supervision of all the affairs of the two (2) agencies
39 herein named except as otherwise provided by law, and the care and
40 conduct of all buildings and grounds, business methods and
41 arrangements of accounts and records, the organization of the
42 administrative plans of each institution, and all other matters
43 incident to the proper functioning of the two (2) agencies.

44 (4) The commissioner may lease the lands for oil, gas,
45 mineral exploration and other purposes, and contract with other
46 state agencies for the proper management of lands under such
47 leases or for the provision of other services, and the proceeds
48 thereof shall be paid into the General Fund of the state.

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