To: Penitentiary

MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001
By: Representatives Malone, Coleman (29th)    To: Penitentiary

HOUSE BILL NO. 1139
(As Passed the House)

AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO
AUTHORIZE THE COMMISSIONER OF CORRECTIONS TO TRANSFER CERTAIN
EMPLOYEES OF THE DEPARTMENT TO ANY FACILITY, AND FOR RELATED
PURPOSES.

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

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

47-5-8. (1) There is hereby created the Mississippi
Department of Corrections which shall be under the policy
direction of the Governor. The chief administrative officer of
the department shall be the Commissioner of Corrections.
(2) The commissioner, in his discretion, may transfer
wardens, deputy wardens, division directors and superintendents of
the department to any facility designated by the commissioner.
This subsection (2) shall stand repealed from and after June 30,
2002.
(3) (a) There shall be a Division of Administration and
Finance within the department which shall have as its chief
administrative officer a deputy commissioner for administration
and finance who shall be appointed by the commissioner, and shall
be directly responsible to the commissioner.
(b) There shall be a Division of Community Services
within the department which shall have as its chief administrative
officer a deputy commissioner for community services who shall be
appointed by the commissioner, and shall be directly responsible
to the commissioner. The Probation and Parole Board shall
continue to exercise the authority as provided by law, but after
July 1, 1976, the Division of Community Services shall serve as
the administrative agency for the Probation and Parole Board.

(4) The department shall succeed to the exclusive control of
all records, books, papers, equipment and supplies, and all lands,
buildings and other real and personal property now or hereafter
belonging to or assigned to the use and benefit or under the
control of the Mississippi State Penitentiary and the Mississippi
Probation and Parole Board, except the records of parole process
and revocation and legal matters related thereto, and shall have
the exercise and control of the use, distribution and disbursement
of all funds, appropriations and taxes now or hereafter in
possession, levied, collected or received or appropriated for the
use, benefit, support and maintenance of these two (2) agencies
except as otherwise provided by law, and the department shall have
general supervision of all the affairs of the two (2) agencies
herein named except as otherwise provided by law, and the care and
conduct of all buildings and grounds, business methods and
arrangements of accounts and records, the organization of the
administrative plans of each institution, and all other matters
incident to the proper functioning of the two (2) agencies.

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

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