

By: Representatives Formby, Barbour, Cameron, Chism, Davis, Denny, Howell, Janus, Jennings, Martinson, Montgomery (74th), Moore (60th), Nicholson, Roberson, Robertson, Robinson (84th), Rotenberry, Smith (59th), Snowden, Warren, Woods

To: Penitentiary

HOUSE BILL NO. 1364

1 AN ACT TO AMEND SECTION 47-5-931, MISSISSIPPI CODE OF 1972,  
2 TO ALLOW THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO CONTRACT  
3 WITH ANY COUNTY TO HOUSE STATE OFFENDERS; AND FOR RELATED  
4 PURPOSES.

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

6 SECTION 1. Section 47-5-931, Mississippi Code of 1972, is  
7 amended as follows:

8 47-5-931. (1) The Department of Corrections, in its  
9 discretion, may contract with the board of supervisors of one or  
10 more counties and/or with a regional facility jointly operated by  
11 two (2) or three (3) counties, to provide for housing, care and  
12 control of not more than two hundred fifty (250) offenders who are  
13 in the custody of the State of Mississippi. Any facility owned or  
14 leased by a county or counties for this purpose shall be designed,  
15 constructed, operated and maintained in accordance with American  
16 Correctional Association standards, and shall comply with all  
17 constitutional standards of the United States and the State of  
18 Mississippi, and with all court orders that may now or hereinafter  
19 be applicable to the facility. If the Department of Corrections  
20 contracts with more than one (1) county to house state offenders  
21 in county correctional facilities, excluding a regional facility,  
22 then the first of such facilities shall be constructed in Sharkey  
23 County and the second of such facilities shall be constructed in  
24 Jefferson County. The Department of Corrections may contract with  
25 the board of supervisors of any county to house state offenders in  
26 county correctional facilities.

27           (2) The Department of Corrections shall contract with the  
28 boards of supervisors of the following counties to house state  
29 offenders in regional facilities: (a) Marion and Walthall  
30 Counties; (b) Carroll and Montgomery Counties; (c) Stone and Pearl  
31 River Counties; (d) Winston and Choctaw Counties; (e) Kemper and  
32 Neshoba Counties; (f) Holmes County and any contiguous county in  
33 which there is located an unapproved jail; and (g) Bolivar County  
34 and any contiguous county in which there is located an unapproved  
35 jail. The Department of Corrections may contract with the boards  
36 of supervisors of any county to house state offenders in regional  
37 facilities. \* \* \* The Department of Corrections shall decide the  
38 order of priority of the counties \* \* \* with which it will  
39 contract for the housing of state offenders. For the purposes of  
40 this subsection the term "unapproved jail" means any jail that the  
41 local grand jury determines should be condemned or has found to be  
42 of substandard condition or in need of substantial repair or  
43 reconstruction.

44           SECTION 2. This act shall take effect and be in force from  
45 and after its passage.