To:  Penitentiary

MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001
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

HOUSE BILL NO. 1364

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

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

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

47-5-931. (1) The Department of Corrections, in its
discretion, may contract with the board of supervisors of one or
more counties and/or with a regional facility jointly operated by
two (2) or three (3) counties, to provide for housing, care and
control of not more than two hundred fifty (250) offenders who are
in the custody of the State of Mississippi. Any facility owned or
leased by a county or counties for this purpose shall be designed,
constructed, operated and maintained in accordance with American
Correctional Association standards, and shall comply with all
constitutional standards of the United States and the State of
Mississippi, and with all court orders that may now or hereinafter
be applicable to the facility. If the Department of Corrections
contracts with more than one (1) county to house state offenders
in county correctional facilities, excluding a regional facility,
then the first of such facilities shall be constructed in Sharkey
County and the second of such facilities shall be constructed in
Jefferson County. The Department of Corrections may contract with
the board of supervisors of any county to house state offenders in
county correctional facilities.
(2) The Department of Corrections shall contract with the boards of supervisors of the following counties to house state offenders in regional facilities: (a) Marion and Walthall Counties; (b) Carroll and Montgomery Counties; (c) Stone and Pearl River Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba Counties; (f) Holmes County and any contiguous county in which there is located an unapproved jail; and (g) Bolivar County and any contiguous county in which there is located an unapproved jail. The Department of Corrections may contract with the boards of supervisors of any county to house state offenders in regional facilities. ** The Department of Corrections shall decide the order of priority of the counties ** with which it will contract for the housing of state offenders. For the purposes of this subsection the term "unapproved jail" means any jail that the local grand jury determines should be condemned or has found to be of substandard condition or in need of substantial repair or reconstruction. 

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