

By: Senator(s) Smith

To: Corrections;  
Appropriations

SENATE BILL NO. 2463

1 AN ACT TO AMEND SECTION 47-5-931, MISSISSIPPI CODE OF 1972,  
2 TO GIVE PRIORITY TO A REGIONAL FACILITY DESIGNED TO HOUSE  
3 NONVIOLENT OFFENDERS NEEDING SUBSTANCE ABUSE TREATMENT AND  
4 COUNSELING; TO PLACE CERTAIN REQUIREMENTS ON SUCH FACILITY AND  
5 OFFENDERS; AND FOR RELATED PURPOSES.

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

7 SECTION 1. A need exists for careful planning to expand  
8 local correctional facilities to enable local governments  
9 adequately to incarcerate offenders who are awaiting trial or  
10 serving sentences of imprisonment at the local level. At the same  
11 time, Mississippi faces a critical need for more prison space to  
12 accommodate the projected increase in the inmate population. At a  
13 time when the state's prisons are becoming increasingly  
14 overcrowded, budgetary resources are becoming more limited and the  
15 future availability of funding for more prison construction is  
16 uncertain.

17 To ensure that adequate space is available in state  
18 corrections facilities for violent and habitual offenders, a need  
19 exists for additional community correctional facilities to enable  
20 courts to sentence nonviolent offenders to these less costly  
21 community correctional facilities which enable the offenders to  
22 participate in programs emphasizing substance abuse, education and  
23 mental health counseling.

24 SECTION 2. Section 47-5-931, Mississippi Code of 1972, is  
25 amended as follows:

26 47-5-931. (1) The Department of Corrections, in its  
27 discretion, may contract with the board of supervisors of one or  
28 more counties and/or with a regional facility jointly operated by

29 two (2) or three (3) counties, to provide for housing, care and  
30 control of not more than two hundred fifty (250) offenders who are  
31 in the custody of the State of Mississippi. Any facility owned or  
32 leased by a county or counties for this purpose shall be designed,  
33 constructed, operated and maintained in accordance with American  
34 Correctional Association standards, and shall comply with all  
35 constitutional standards of the United States and the State of  
36 Mississippi, and with all court orders that may now or hereinafter  
37 be applicable to the facility. If the Department of Corrections  
38 contracts with more than one (1) county to house state offenders  
39 in county correctional facilities, excluding a regional facility,  
40 then the first of such facilities shall be constructed in Sharkey  
41 County and the second of such facilities shall be constructed in  
42 Jefferson County.

43 (2) The Department of Corrections shall contract with the  
44 boards of supervisors of the following counties to house state  
45 inmates in regional facilities: (a) Marion and Walthall Counties;  
46 (b) Carroll and Montgomery Counties; (c) Stone and Pearl River  
47 Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba  
48 Counties; (f) Holmes County and any contiguous county in which  
49 there is located an unapproved jail; and (g) Bolivar County and  
50 any contiguous county in which there is located an unapproved  
51 jail. The Department of Corrections may contract with the boards  
52 of supervisors of the following counties to house state inmates in  
53 regional facilities: (a) Yazoo County and any contiguous county,  
54 (b) Chickasaw County; and (c) George and Greene Counties. The  
55 Department of Corrections shall decide the order of priority of  
56 the counties listed in this subsection with which it will contract  
57 for the housing of state inmates. For the purposes of this  
58 subsection the term "unapproved jail" means any jail that the  
59 local grand jury determines should be condemned or has found to be  
60 of substandard condition or in need of substantial repair or  
61 reconstruction.

62       (3) (a) Notwithstanding the provisions of subsections (1)  
63 and (2), the department shall contract for a regional facility for  
64 the exclusive use of supervising and rehabilitating drug and  
65 alcohol and other nonviolent offenders with less than twenty-four  
66 (24) months to serve and who can be incarcerated safely in a  
67 regional facility.

68       (b) The regional facility must provide for intensive  
69 addiction therapy, treatment and rehabilitation of offenders. All  
70 personnel, including the guards, must have training or experience  
71 in alcohol and drug rehabilitation. In addition to alcohol and  
72 drug therapy, all offenders shall be required to participate in  
73 the regimented inmate discipline program.

74       SECTION 3. This act shall take effect and be in force from  
75 and after its passage.