

By: Senator(s) Huggins

To: Corrections

SENATE BILL NO. 2869

1 AN ACT TO AMEND SECTION 47-5-938, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT FUNDS FROM CANTEEN OPERATIONS IN REGIONAL JAILS
3 SHALL REMAIN WITH THE REGIONAL JAIL AND SHALL BE PLACED IN A
4 SPECIAL FUND OF THE COUNTY; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 47-5-938, Mississippi Code of 1972, is
7 amended as follows:

8 47-5-938. (1) Offenders are encouraged to participate in
9 work programs. The chief corrections officer as created in
10 Section 47-5-935, with ratification of the board of supervisors of
11 the county in which a correctional facility established pursuant
12 to Sections 47-5-931 through 47-5-941, is located, may enter into
13 agreements to provide work for any state offender housed in the
14 facility, with the approval of the Commissioner of Corrections, to
15 perform any work:

16 (a) Authorized in the Mississippi Prison Industries Act
17 of 1990 as provided in Sections 47-5-531 through 47-5-575;

18 (b) Authorized in the Prison Agricultural Enterprises
19 Act as provided in Sections 47-5-351 through 47-5-357;

20 (c) Authorized in the Penitentiary Made Goods Law of
21 1978 as provided in Sections 47-5-301 through 47-5-331;

22 (d) Authorized in the Public Service Work Programs Act
23 as provided in Sections 47-5-401 through 47-5-421;

24 (e) Authorized in Section 47-5-431, which authorizes
25 the sheriff to use county or state offenders to pick up trash
26 along public roads and state highways.

27 (2) The chief corrections officer shall promulgate rules and
28 regulations as may be necessary to govern the work performance of
29 the offenders for the parties to the agreements. Political
30 subdivisions of the State of Mississippi including but not limited
31 to counties, municipalities, school districts, drainage districts,
32 water management districts and joint county-municipal endeavors
33 are to have free use of the offender's labor but are responsible
34 for reimbursing the facility for costs of transportation, guards,
35 meals and other necessary costs when the inmates are providing
36 work for that political body. Offenders may be compensated for
37 work performed if the agreement so provides.

38 (3) There is created a special fund in the county treasury
39 to be known as the "offender's compensation fund." All
40 compensation paid to offenders shall be placed in the special fund
41 for use by the offenders to purchase certain goods and other items
42 of value as authorized in Section 47-5-109, for offenders housed
43 in state correctional facilities. As provided in Section
44 47-5-194, no cash is to be paid to offenders. The agreement shall
45 provide that a certain portion of the compensation shall be used
46 for the welfare of the offenders. All money collected from the
47 regional jail canteen operations shall be placed in a county
48 special fund. Expenditures from that fund can be made by the
49 chief corrections officer for any lawful purpose that is in the
50 best interest and welfare of the offenders. The chief corrections
51 officer, his employees and the county or counties owning the
52 facility are given the authority necessary to carry out the
53 provisions of this section.

54 (4) The provisions of this section shall be supplemental to
55 any other provisions of law regarding offender labor and work
56 programs.

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