SENATE BILL NO. 2870

AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF CORRECTIONS TO TRANSFER EMPLOYEES OF THE DEPARTMENT TO ANY LOCATION; 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. The commissioner may, in his discretion, transfer employees of the department to any location designated by the commissioner.

(2) (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.

(3) 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.

(4) 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.