

By: Senator(s) Smith

To: Corrections

SENATE BILL NO. 2874

1 AN ACT TO AMEND SECTION 47-5-938, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE REGIONAL PRISONS TO ESTABLISH WORK PROGRAMS WITH THE
3 MISSISSIPPI PRISON INDUSTRIES CORPORATION; AND FOR RELATED
4 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 nonprofit prison industries corporation as
15 defined under Section 47-5-539. The corporation and the chief
16 corrections officer may work offenders in any work program
17 authorized by law.

18 * * *

19 (2) The chief corrections officer shall promulgate rules and
20 regulations as may be necessary to govern the work performance of
21 the offenders for the parties to the agreements. Political
22 subdivisions of the State of Mississippi including, but not
23 limited to, counties, municipalities, school districts, drainage
24 districts, water management districts and joint county-municipal
25 endeavors are to have free use of the offender's labor but are
26 responsible for reimbursing the facility for costs of
27 transportation, guards, meals and other necessary costs when the

28 inmates are providing work for that political body. Offenders may
29 be compensated for work performed if the agreement so provides.

30 (3) There is created a special fund in the county treasury
31 to be known as the "offender's compensation fund." All
32 compensation paid to offenders shall be placed in the special fund
33 for use by the offenders to purchase certain goods and other items
34 of value as authorized in Section 47-5-109, for offenders housed
35 in state correctional facilities. As provided in Section
36 47-5-194, no cash is to be paid to offenders. The agreement shall
37 provide that a certain portion of the compensation shall be used
38 for the welfare of the offenders. Expenditures from that fund can
39 be made by the chief corrections officer for any lawful purpose
40 that is in the best interest and welfare of the offenders. The
41 chief corrections officer, his employees and the county or
42 counties owning the facility are given the authority necessary to
43 carry out the provisions of this section.

44 (4) The provisions of this section shall be supplemental to
45 any other provisions of law regarding offender labor and work
46 programs.

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