SENATE BILL NO. 2905

AN ACT TO AMEND SECTION 47-5-931, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH MONTGOMERY COUNTY FOR A REGIONAL JAIL FOR FEMALE OFFENDERS; TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE REIMBURSEMENT RATE FOR HOUSING FEMALE 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.

(2) The Department of Corrections shall contract with the boards of supervisors of the following counties to house state
inmates 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 the following counties to house state inmates in regional facilities: (a) Yazoo County and any contiguous county; (b) Chickasaw County; and (c) George and Greene Counties. The Department of Corrections shall contract with the board of supervisors of Montgomery County for a facility to house not more than Three Hundred (300) female offenders. The Department of Corrections shall decide the order of priority of the counties listed in this subsection with which it will contract for the housing of state inmates. 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. Section 47-5-933, Mississippi Code of 1972, is amended as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of up to Twenty-four Dollars and Ninety Cents ($24.90) per day for each male offender that is housed in the facility. The contract may provide that the Department of Corrections pay a fee not to exceed Twenty-eight Dollars and Fifty Cents ($28.50) per day for each female offender. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law.
SECTION 3. This act shall take effect and be in force from and after July 1, 2001.