

By: Representative Fleming

To: Penitentiary

HOUSE BILL NO. 92

1 AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT AN OFFENDER SHALL MAKE THE INITIAL PAYMENT TO THE  
3 COMMUNITY CORRECTIONS DIVISION 30 DAYS AFTER BEING RELEASED AND TO  
4 PROVIDE THAT PAYMENTS TO THE DIVISION SHALL END ONCE THE OFFENDER  
5 HAS COMPLETED HIS TERM OF PAROLE OR PROBATION; AND FOR RELATED  
6 PURPOSES.

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

8 **SECTION 1.** Section 47-7-49, Mississippi Code of 1972, is  
9 amended as follows:

10 47-7-49. (1) Any offender on probation, parole,  
11 earned-release supervision, post-release supervision, earned  
12 probation or any other offender under the field supervision of the  
13 Community Corrections Division of the department shall pay to the  
14 department the sum of Thirty Dollars (\$30.00) per month by  
15 certified check or money order unless a hardship waiver is  
16 granted. A hardship waiver may be granted by the sentencing court  
17 or the Department of Corrections. A hardship waiver may not be  
18 granted for a period of time exceeding ninety (90) days. The  
19 commissioner or his designee shall deposit Twenty-five Dollars  
20 (\$25.00) of the payments received into a special fund in the State  
21 Treasury, which is hereby created, to be known as the Community  
22 Service Revolving Fund. Expenditures from this fund shall be made  
23 for: (a) the establishment of restitution and satellite centers;  
24 and (b) the establishment, administration and operation of the  
25 department's Drug Identification Program and the intensive and  
26 field supervision program. The Twenty-five Dollars (\$25.00) may  
27 be used for salaries and to purchase equipment, supplies and  
28 vehicles to be used by the Community Corrections Division in the  
29 performance of its duties. Expenditures for the purposes



30 established in this section may be made from the fund upon  
31 requisition by the commissioner or his designee.

32 Of the remaining amount, Three Dollars (\$3.00) of the  
33 payments shall be deposited in the Crime Victims' Compensation  
34 Fund created in Section 99-41-29, Two Dollars (\$2.00) shall be  
35 deposited into the Training Revolving Fund created pursuant to  
36 Section 47-7-51. When a person is convicted of a felony in this  
37 state, in addition to any other sentence it may impose, the court  
38 may, in its discretion, order the offender to pay a state  
39 assessment not to exceed the greater of One Thousand Dollars  
40 (\$1,000.00) or the maximum fine that may be imposed for the  
41 offense, into the Crime Victims' Compensation Fund created  
42 pursuant to Section 99-41-29.

43 Any federal funds made available to the department for  
44 training or for training facilities, equipment or services shall  
45 be deposited in the Correctional Training Revolving Fund created  
46 in Section 47-7-51. The funds deposited in this account shall be  
47 used to support an expansion of the department's training program  
48 to include the renovation of facilities for training purposes,  
49 purchase of equipment and contracting of training services with  
50 community colleges in the state.

51 The offender shall make the initial payment thirty (30) days  
52 after being released. The monthly payments shall end once the  
53 offender has completed his term of parole or probation. No  
54 offender shall be required to make this payment for a period of  
55 time longer than ten (10) years.

56 (2) The offender may be imprisoned until the payments are  
57 made if the offender is financially able to make the payments and  
58 the court in the county where the offender resides so finds,  
59 subject to the limitations hereinafter set out. The offender  
60 shall not be imprisoned if the offender is financially unable to  
61 make the payments and so states to the court in writing, under  
62 oath, and the court so finds.



63           (3) This section shall stand repealed from and after June  
64 30, 2002.

65           **SECTION 2.** This act shall take effect and be in force from  
66 and after July 1, 2002.

