

By: Representative Guice

To: Penitentiary

HOUSE BILL NO. 508

1 AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION
 2 47-5-121.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER
 3 OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO SEGREGATE
 4 OFFENDERS CONVICTED OF A FIRST OFFENSE OF THE POSSESSION OF DRUGS
 5 OR CONTROLLED SUBSTANCES AND OFFENDERS CONVICTED OF A FIRST
 6 OFFENSE OF THE OPERATION OF A VEHICLE UNDER THE INFLUENCE OF
 7 INTOXICATING LIQUOR, DRUGS OR OTHER SUBSTANCES, FROM OTHER
 8 OFFENDERS IN THE GENERAL PRISON POPULATION; TO REQUIRE THESE
 9 OFFENDERS TO BE PLACED IN A SEPARATE FACILITY WHERE PRACTICABLE;
 10 TO REQUIRE DRUG REHABILITATION COUNSELORS TO BE ON THE PREMISES
 11 AND TO BE READILY AVAILABLE TO THESE OFFENDERS; AND FOR RELATED
 12 PURPOSES.

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

14 **SECTION 1.** The following shall be codified as Section
 15 47-5-121.1, Mississippi Code 1972:

16 47-5-121.1. (1) All offenders convicted of a first offense
 17 under the provisions of Section 41-29-139, relating to the
 18 possession of drugs or controlled substances, and all offenders
 19 convicted of a first offense under the provisions of Section
 20 63-11-30, relating to the operation of a vehicle under the
 21 influence of intoxicating liquor, drugs or other substances which
 22 impair the ability to operate a vehicle, shall be kept separate
 23 and apart from other offenders in the general prison population.
 24 Where practicable, the commissioner shall keep these offenders
 25 within a separate facility from the general prison population.
 26 The commissioner shall establish the necessary rules and
 27 regulations governing the segregation of such offenders.

28 (2) Drug rehabilitation counselors shall be located on the
 29 premises of the facility which houses the offenders described in
 30 subsection (1). The drug rehabilitation counselors shall be
 31 readily available to all of these offenders.



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

