MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002

By: Representative Guice
To: Penitentiary

HOUSE BILL NO. 508

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

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

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

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

(2) Drug rehabilitation counselors shall be located on the premises of the facility which houses the offenders described in subsection (1). The drug rehabilitation counselors shall be readily available to all of these offenders.
SECTION 2. This act shall take effect and be in force from and after July 1, 2002.