

By: Representative Ford

To: Penitentiary

HOUSE BILL NO. 592
(As Passed the House)

1 AN ACT TO REENACT SECTION 47-7-49 WHICH REQUIRES CERTAIN
2 OFFENDERS TO PAY TO THE DEPARTMENT OF CORRECTIONS THIRTY DOLLARS
3 PER MONTH TO BE DEPOSITED IN THE COMMUNITY SERVICE REVOLVING FUND,
4 THE CRIME VICTIMS' COMPENSATION FUND AND THE TRAINING REVOLVING
5 FUND; TO AMEND REENACTED SECTION 47-7-49, MISSISSIPPI CODE OF
6 1972, TO EXTEND THE REPEALER; AND FOR RELATED 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 reenacted and 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.

54 No offender shall be required to make this payment for a
55 period of 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, 2003.

65 **SECTION 2.** This act shall take effect and be in force from
66 and after June 30, 2002.

