MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002

By: Representative Moak
To: Penitentiary

HOUSE BILL NO. 784

AN ACT TO AMEND SECTION 99-37-19, MISSISSIPPI CODE OF 1972,
TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE
BOARD OF SUPERVISORS OF ANY COUNTY WITHIN SOUTHWEST MISSISSIPPI TO
HOUSE TWO HUNDRED FIFTY OFFENDERS IN A RESTITUTION CENTER; TO
REQUIRE THE DEPARTMENT OF CORRECTIONS AND THE DEPARTMENT OF HUMAN
SERVICES TO INSTITUTE AND ADMINISTER SERVICES AT ANY SUCH
RESTITUTION CENTER; TO AMEND SECTION 99-37-21, MISSISSIPPI CODE OF
1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR
RELATED PURPOSES.

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

SECTION 1. Section 99-37-19, Mississippi Code of 1972, is
amended as follows:

99-37-19. (1) The boards of supervisors of the several
counties and the governing authorities of municipalities are
hereby authorized to cooperate with the Department of Corrections
in the establishment of restitution centers. Such centers may
house both probationers referred by the circuit courts as well as
inmates transferred from other facilities of the Department of
Corrections as provided in Section 47-5-110. Except as provided
in subsection (3) of this section, such centers shall be operated
by the Department of Corrections. County or municipal property
may be utilized with the approval of the board of supervisors or
municipal governing authority for the construction, renovation and
maintenance of facilities owned by the state or a local political
subdivision. Such facility may be leased to the Department of
Corrections for a period of time for use as a restitution center.

(2) Except as provided in subsection (3) of this section, it
is the intent of this section that county and local governments
contribute only to the establishment, renovation and maintenance
of the physical plant of a restitution center and that the
Department of Corrections support the operation of, and have sole jurisdiction over and responsibility for offenders in, such restitution program.

(3) The Department of Corrections may contract with the Board of Supervisors of any county located in southwest Mississippi (south of Interstate Highway 20 and west of the Pearl River) to house two hundred fifty (250) offenders in a restitution center owned or leased by the county. The board of supervisors of any such county shall be responsible for the housing, care and control of the offenders; however, the Department of Corrections and the Department of Human Services shall institute and administer services at any such restitution center as provided in Section 99-37-21.

SECTION 2. Section 99-37-21, Mississippi Code of 1972, is amended as follows:

99-37-21. (1) The Department of Human Services and the Department of Corrections may cooperate in the institution and administration of services at restitution centers as authorized by Section 99-37-19 and at other facilities which provide opportunities for restitution for criminal acts.

(2) The Department of Human Services and the Department of Corrections, jointly or separately, shall:

(a) Seek funding from federal or other sources to provide the maximum supportive services for offenders and the families of offenders who are participating in restitution programs;

(b) Develop additional programs whereby offenders may be afforded opportunities to contribute to society and the support of their families through restitution programs; and

(c) Develop pilot programs of counseling, training and supervision for parolees whereby restitution may be accomplished. Such programs may be residential or nonresidential as appropriate.
SECTION 3. This act shall take effect and be in force from and after July 1, 2002.