

By: Representative Malone

To: Penitentiary

## HOUSE BILL NO. 1121

1 AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO  
2 RENAME THE DIVISION OF COMMUNITY SERVICES AND THE POSITION OF THE  
3 DEPUTY COMMISSIONER OF COMMUNITY SERVICES OF THE DEPARTMENT OF  
4 CORRECTIONS; TO MAKE A TECHNICAL CHANGE TO QUALIFICATIONS OF THE  
5 DEPUTY COMMISSIONER OF COMMUNITY SERVICES; TO AMEND SECTIONS  
6 47-5-8, 47-5-158, 47-7-9, 47-7-34, 47-7-41, 99-15-127, 99-19-45  
7 AND 99-19-48, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
8 PROVISIONS OF THIS ACT; TO REENACT SECTION 47-7-5, MISSISSIPPI  
9 CODE OF 1972, WHICH ESTABLISHES THE STATE PAROLE BOARD; TO AMEND  
10 REENACTED SECTION 47-7-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
11 TO THE PROVISIONS OF THIS ACT AND TO EXTEND THE REPEALER ON THE  
12 PAROLE BOARD; TO REENACT SECTION 47-7-49, MISSISSIPPI CODE OF  
13 1972, WHICH CREATES THE COMMUNITY SERVICE REVOLVING FUND; TO  
14 AMEND REENACTED SECTION 47-7-49, MISSISSIPPI CODE OF 1972, IN  
15 CONFORMITY TO THE PROVISIONS OF THIS ACT AND TO EXTEND THE  
16 REPEALER ON THE COMMUNITY SERVICE REVOLVING FUND; AND FOR RELATED  
17 PURPOSES.

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

19 **SECTION 1.** Section 47-5-26, Mississippi Code of 1972, is  
20 amended as follows:

21 47-5-26. (1) The commissioner shall employ the following  
22 personnel:

23 (a) A Deputy Commissioner for Administration and  
24 Finance, who shall supervise and implement all fiscal policies and  
25 programs within the department, supervise and implement all hiring  
26 and personnel matters within the department, supervise the  
27 department's personnel director, supervise and implement all  
28 purchasing within the department and supervise and implement all  
29 data processing activities within the department, and who shall  
30 serve as the Chief Executive Officer of the Division of  
31 Administration and Finance. He shall possess either:

32 (i) A master's degree from an accredited four-year  
33 college or university in public or business administration,  
34 accounting, economics or a directly related field, and four (4)



35 years of experience in work related to the above-described duties,  
36 one (1) year of which must have included line or functional  
37 supervision; or

38 (ii) A bachelor's degree from an accredited  
39 four-year college or university in public or business  
40 administration, accounting, economics or a directly related field,  
41 and six (6) years of experience in work related to the  
42 above-described duties, one (1) year of which must have included  
43 line or functional supervision. Certification by the State of  
44 Mississippi as a certified public accountant may be substituted  
45 for one (1) year of the required experience.

46 (b) A Deputy Commissioner for Community Corrections,  
47 who shall initiate and administer programs, including, but not  
48 limited to, supervision of probationers, parolees and  
49 suspensioners, counseling, community-based treatment, interstate  
50 compact administration and enforcement, prevention programs,  
51 halfway houses and group homes, restitution centers, presentence  
52 investigations, and work and educational releases, and shall serve  
53 as the Chief Executive Officer of the Division of Community  
54 Services. The Deputy Commissioner for Community Corrections is  
55 charged with full and complete cooperation with the State Parole  
56 Board and shall make monthly reports to the Chairman of the Parole  
57 Board in the form and type required by the chairman, in his  
58 discretion, for the proper performance of the probation and parole  
59 functions. After a plea or verdict of guilty to a felony is  
60 entered against a person and before he is sentenced, the Deputy  
61 Commissioner for Community Corrections shall procure from any  
62 available source and shall file in the presentence records any  
63 information regarding any criminal history of the person such as  
64 fingerprints, dates of arrests, complaints, civil and criminal  
65 charges, investigative reports of arresting and prosecuting  
66 agencies, reports of the National Crime Information Center, the  
67 nature and character of each offense, noting all particular



68 circumstances thereof and any similar data about the person. The  
69 Deputy Commissioner for Community Corrections shall keep an  
70 accurate and complete duplicate record of this file and shall  
71 furnish the duplicate to the department. This file shall be  
72 placed in and shall constitute a part of the inmate's master file.  
73 The Deputy Commissioner for Community Corrections shall furnish  
74 this file to the State Parole Board when the file is needed in the  
75 course of its official duties. He shall possess either: (i) a  
76 master's degree in counseling, corrections psychology, guidance,  
77 social work, criminal justice or some related field and at least  
78 four (4) years' full-time experience in such field, including at  
79 least one (1) year of supervisory experience; or (ii) a bachelor's  
80 degree in a field described in subparagraph (i) of this paragraph  
81 and at least six (6) years' full-time work in corrections, one (1)  
82 year of which shall have been at the supervisory level.

83 (c) A Deputy Commissioner for Institutions, who shall  
84 administer institutions, reception and diagnostic centers,  
85 prerelease centers and other facilities and programs provided  
86 therein, and shall serve as the chief executive officer of the  
87 division of institutions. He shall possess either: (i) a  
88 master's degree in counseling, criminal justice, psychology,  
89 guidance, social work, business or some related field, and at  
90 least four (4) years' full-time experience in corrections,  
91 including at least one (1) year of correctional management  
92 experience; or (ii) a bachelor's degree in a field described in  
93 subparagraph (i) of this paragraph and at least six (6) years'  
94 full-time work in corrections, four (4) years of which shall have  
95 been at the correctional management level.

96 (2) The commissioner shall employ an administrative  
97 assistant for parole matters, who shall be an employee of the  
98 department assigned to the State Parole Board and who shall work  
99 under the guidance and supervision of the board.



100           (3) The administrative assistant for parole matters shall  
101 receive an annual salary to be established by the Legislature.  
102 The salaries of department employees not established by the  
103 Legislature shall receive an annual salary established by the  
104 State Personnel Board.

105           (4) The commissioner shall employ a superintendent for the  
106 Parchman facility, Central Mississippi Correctional Facility and  
107 South Mississippi Correctional Institution of the Department of  
108 Corrections. The superintendent of the Mississippi State  
109 Penitentiary shall reside on the grounds of the Parchman facility.  
110 Each superintendent shall appoint an officer in charge when he is  
111 absent.

112           Each superintendent shall develop and implement a plan for  
113 the prevention and control of an inmate riot and shall file a  
114 report with the Chairman of the Senate Corrections Committee and  
115 the Chairman of the House Penitentiary Committee on the first day  
116 of each regular session of the Legislature regarding the status of  
117 the plan.

118           In order that the grievances and complaints of inmates,  
119 employees and visitors at each facility may be heard in a timely  
120 and orderly manner, each superintendent shall appoint or designate  
121 an employee at the facility to hear grievances and complaints and  
122 to report grievances and complaints to the superintendent. Each  
123 superintendent shall institute procedures as are necessary to  
124 provide confidentiality to those who file grievances and  
125 complaints.

126           **SECTION 2.** Section 47-5-8, Mississippi Code of 1972, is  
127 amended as follows:

128           47-5-8. (1) There is \* \* \* created the Mississippi  
129 Department of Corrections, which shall be under the policy  
130 direction of the Governor. The chief administrative officer of  
131 the department shall be the Commissioner of Corrections.



132           (2)   (a)   There shall be a Division of Administration and  
133 Finance within the department, which shall have as its chief  
134 administrative officer a Deputy Commissioner for Administration  
135 and Finance who shall be appointed by the commissioner, and shall  
136 be directly responsible to the commissioner.

137           (b)   There shall be a Division of Community Corrections  
138 within the department, which shall have as its chief  
139 administrative officer a Deputy Commissioner for Community  
140 Corrections, who shall be appointed by the commissioner, and shall  
141 be directly responsible to the commissioner. The Probation and  
142 Parole Board shall continue to exercise the authority as provided  
143 by law, but after July 1, 1976, the Division of Community  
144 Corrections shall serve as the administrative agency for the  
145 Probation and Parole Board.

146           (3)   The department shall succeed to the exclusive control of  
147 all records, books, papers, equipment and supplies, and all lands,  
148 buildings and other real and personal property now or hereafter  
149 belonging to or assigned to the use and benefit or under the  
150 control of the Mississippi State Penitentiary and the Mississippi  
151 Probation and Parole Board, except the records of parole process  
152 and revocation and legal matters related thereto, and shall have  
153 the exercise and control of the use, distribution and disbursement  
154 of all funds, appropriations and taxes now or hereafter in  
155 possession, levied, collected or received or appropriated for the  
156 use, benefit, support and maintenance of these two (2) agencies  
157 except as otherwise provided by law, and the department shall have  
158 general supervision of all the affairs of the two (2) agencies  
159 herein named except as otherwise provided by law, and the care and  
160 conduct of all buildings and grounds, business methods and  
161 arrangements of accounts and records, the organization of the  
162 administrative plans of each institution, and all other matters  
163 incident to the proper functioning of the two (2) agencies.



164 (4) The commissioner may lease the lands for oil, gas,  
165 mineral exploration and other purposes, and contract with other  
166 state agencies for the proper management of lands under such  
167 leases or for the provision of other services, and the proceeds  
168 thereof shall be paid into the General Fund of the state.

169 **SECTION 3.** Section 47-5-158, Mississippi Code of 1972, is  
170 amended as follows:

171 47-5-158. (1) The department is authorized to maintain a  
172 bank account which shall be designated as the Inmate Welfare Fund.  
173 All monies now held in a similar fund for the benefit and welfare  
174 of inmates shall be deposited into the Inmate Welfare Fund. This  
175 fund shall be used for the benefit and welfare of inmates in the  
176 custody of the department.

177 (2) There shall be deposited into the Inmate Welfare Fund  
178 interest previously earned on inmate deposits, all net profits  
179 from the operation of inmate canteens, the annual prison rodeo,  
180 performances of the Penitentiary band, interest earned on the  
181 Inmate Welfare Fund and other revenues designated by the  
182 commissioner. All money shall be deposited into the Inmate  
183 Welfare Fund as provided in Section 7-9-21.

184 (3) All inmate telephone call commissions shall be paid to  
185 the department. Monies in the fund may be expended by the  
186 Department of Corrections, upon requisition by the commissioner or  
187 his designee, only for the purposes established in this  
188 subsection.

189 (a) \* \* \* Twenty-five percent (25%) of the inmate  
190 telephone call commissions shall be used to purchase and maintain  
191 telecommunication equipment to be used by the department.

192 \* \* \*

193 (b) \* \* \* Fifty percent (50%) of the inmate telephone  
194 call commissions shall be deposited into the Prison Agriculture  
195 Enterprise Fund. The Mississippi Department of Corrections may



196 use these funds to supplement the Prison Agricultural Enterprise  
197 Fund created in Section 47-5-66.

198           (c) \* \* \* Twenty-five percent (25%) of the inmate  
199 telephone call commissions shall be deposited into the Inmate  
200 Welfare Fund.

201           (4) The commissioner may invest in the manner authorized by  
202 law any money in the Inmate Welfare Fund that is not necessary for  
203 immediate use, and the interest earned shall be deposited in the  
204 Inmate Welfare Fund.

205           (5) The Deputy Commissioner for Administration and Finance  
206 shall be the custodian of the Inmate Welfare Fund. He shall  
207 establish and implement internal accounting controls that comply  
208 with generally accepted accounting principles. The Deputy  
209 Commissioner for Administration and Finance shall prepare and  
210 issue quarterly consolidated and individual facility financial  
211 statements to the prison auditor of the Joint Legislative  
212 Committee on Performance Evaluation and Expenditure Review. The  
213 deputy commissioner shall prepare an annual report which shall  
214 include a summary of expenditures from the fund by major  
215 categories and by individual facility. This annual report shall  
216 be sent to the prison auditor, the Legislative Budget Office, the  
217 Chairman of the Corrections Committee of the Senate, and the  
218 Chairman of the Penitentiary Committee of the House of  
219 Representatives.

220           (6) A portion of the Inmate Welfare Fund shall be deposited  
221 in the Discharged Offenders Revolving Fund, as created under  
222 Section 47-5-155, in amounts necessary to provide a balance not to  
223 exceed One Hundred Thousand Dollars (\$100,000.00) in the  
224 Discharged Offenders Revolving Fund, and shall be used to  
225 supplement those amounts paid to discharged, paroled or pardoned  
226 offenders from the department. The superintendent of the Parchman  
227 facility shall establish equitable criteria for the making of  
228 supplemental payments which shall not exceed Two Hundred Dollars



229 (\$200.00) for any offender. The supplemental payments shall be  
230 subject to the approval of the commissioner. The State Treasurer  
231 shall not be required to replenish the Discharged Offenders  
232 Revolving Fund for the supplemental payments made to discharged,  
233 paroled or pardoned offenders.

234 (7) The Inmate Welfare Fund Committee is hereby created and  
235 shall be composed of five (5) members: the Deputy Commissioner  
236 for Community Corrections, the Superintendent of the Parchman  
237 facility, the Superintendent of the Rankin County facility, the  
238 Superintendent of the Greene County facility, and one (1) member  
239 to be appointed by the Commissioner of Corrections. The member  
240 appointed by the commissioner shall be the chairman of the  
241 committee. The committee shall administer and supervise the  
242 operations and expenditures from the Inmate Welfare Fund and shall  
243 maintain an official minute book upon which shall be spread its  
244 authorization and approval for all such expenditures. The  
245 committee may promulgate regulations governing the use and  
246 expenditures of the fund.

247 (8) The Department of Audit shall conduct an annual  
248 comprehensive audit of the Inmate Welfare Fund.

249 **SECTION 4.** Section 47-7-5, Mississippi Code of 1972, is  
250 reenacted and amended as follows:

251 47-7-5. (1) The State Parole Board, created under former  
252 Section 47-7-5, is \* \* \* created, continued and reconstituted and  
253 shall be composed of five (5) members. The Governor shall appoint  
254 the members with the advice and consent of the Senate. All terms  
255 shall be at the will and pleasure of the Governor. Any vacancy  
256 shall be filled by the Governor, with the advice and consent of  
257 the Senate. The Governor shall appoint a chairman of the board.

258 (2) Any person who is appointed to serve on the board shall  
259 possess at least a bachelor's degree or a high school diploma and  
260 four (4) years' work experience. Each member shall devote his  
261 full time to the duties of his office and shall not engage in any





262 other business or profession or hold any other public office. A  
263 member shall not receive compensation or per diem in addition to  
264 his salary as prohibited under Section 25-3-38. Each member shall  
265 keep such hours and workdays as required of full-time state  
266 employees under Section 25-1-98. Individuals shall be appointed  
267 to serve on the board without reference to their political  
268 affiliations. Each board member, including the chairman, may be  
269 reimbursed for actual and necessary expenses as authorized by  
270 Section 25-3-41; but a member shall not be reimbursed for travel  
271 expenses from his residence to the nearest State Penitentiary.

272 (3) The board shall have exclusive responsibility for the  
273 granting of parole as provided by Sections 47-7-3 and 47-7-17 and  
274 shall have exclusive authority for revocation of the same. The  
275 board shall have exclusive responsibility for investigating  
276 clemency recommendations upon request of the Governor.

277 (4) The board, its members and staff shall be immune from  
278 civil liability for any official acts taken in good faith and in  
279 exercise of the board's legitimate governmental authority.

280 (5) The budget of the board shall be funded through a  
281 separate line item within the general appropriation bill for the  
282 support and maintenance of the department. Employees of the  
283 department which are employed by or assigned to the board shall  
284 work under the guidance and supervision of the board. There shall  
285 be an executive secretary to the board who shall be responsible  
286 for all administrative and general accounting duties related to  
287 the board. The executive secretary shall keep and preserve all  
288 records and papers pertaining to the board.

289 (6) The board shall have no authority or responsibility for  
290 supervision of offenders granted a release for any reason,  
291 including, but not limited to, probation, parole or executive  
292 clemency or other offenders requiring the same through interstate  
293 compact agreements. The supervision shall be provided exclusively



294 by the staff of the Division of Community Corrections of the  
295 department.

296 (7) The State Parole Board, immediately after May 22, 2000,  
297 shall review all cases where an offender was denied parole and any  
298 eligibility for reconsideration for parole for at least one (1)  
299 year after denial.

300 (8) The State Parole Board shall review and investigate all  
301 cases where offenders have been diagnosed with a serious illness.  
302 If the Medical Director of the Department of Corrections certifies  
303 to the State Parole Board that an offender is suffering from a  
304 terminal illness, the State Parole Board shall parole the offender  
305 with the approval and consent of the Commissioner of the  
306 Department of Corrections and the medical director.

307 (9) This section shall stand repealed on July 1, 2004.

308 **SECTION 5.** Section 47-7-9, Mississippi Code of 1972, is  
309 amended as follows:

310 47-7-9. (1) The circuit judges and county judges in the  
311 districts to which Division of Community Corrections personnel  
312 have been assigned shall have the power to request of the  
313 department transfer or removal of the division personnel from  
314 their court.

315 (2) (a) Division personnel shall investigate all cases  
316 referred to them for investigation by the board, the division or  
317 by any court in which they are authorized to serve. They shall  
318 furnish to each person released under their supervision a written  
319 statement of the conditions of probation, parole, earned-release  
320 supervision, post-release supervision or suspension and shall  
321 instruct him regarding the same. They shall keep informed  
322 concerning the conduct and conditions of persons under their  
323 supervision and use all suitable methods to aid and encourage them  
324 and to bring about improvements in their conduct and condition.  
325 They shall keep detailed records of their work and shall make such  
326 reports in writing as the court or the board may require.



327           (b) The division personnel duly assigned to court  
328 districts are hereby vested with all the powers of police officers  
329 or sheriffs to make arrests or perform any other duties required  
330 of policemen or sheriffs which may be incident to the division  
331 personnel responsibilities. All probation and parole officers  
332 hired on or after July 1, 1994, will be placed in the Law  
333 Enforcement Officers' Training Program and will be required to  
334 meet the standards outlined by that program.

335           (c) It is the intention of the Legislature that insofar  
336 as practicable the case load of each division personnel  
337 supervising offenders in the community (hereinafter field  
338 supervisor) shall not exceed the number of cases that may be  
339 adequately handled.

340           (3) (a) Division personnel shall be provided to perform  
341 investigation for the court as provided in this subsection.  
342 Division personnel shall conduct presentence investigations on all  
343 persons convicted of a felony in any circuit court of the state,  
344 prior to sentencing and at the request of the circuit court judge  
345 of the court of conviction. The presentence evaluation report  
346 shall consist of a complete record of the offender's criminal  
347 history, educational level, employment history, psychological  
348 condition and such other information as the department or judge  
349 may deem necessary. Division personnel shall also prepare written  
350 victim impact statements at the request of the sentencing judge as  
351 provided in Section 99-19-157.

352           (b) In order that offenders in the custody of the  
353 department on July 1, 1976, may benefit from the kind of  
354 evaluations authorized in this section, an evaluation report to  
355 consist of the information required hereinabove, supplemented by  
356 an examination of an offender's record while in custody, shall be  
357 compiled by the division upon all offenders in the custody of the  
358 department on July 1, 1976. After a study of such reports by the  
359 State Parole Board those cases which the board believes would



360 merit some type of executive clemency shall be submitted by the  
361 board to the Governor with its recommendation for the appropriate  
362 executive action.

363 (c) The department is authorized to accept gifts,  
364 grants and subsidies to conduct this activity.

365 **SECTION 6.** Section 47-7-34, Mississippi Code of 1972, is  
366 amended as follows:

367 47-7-34. (1) When a court imposes a sentence upon a  
368 conviction for any felony committed after June 30, 1995, the  
369 court, in addition to any other punishment imposed if the other  
370 punishment includes a term of incarceration in a state or local  
371 correctional facility, may impose a term of post-release  
372 supervision. However, the total number of years of incarceration  
373 plus the total number of years of post-release supervision shall  
374 not exceed the maximum sentence authorized to be imposed by law  
375 for the felony committed. The defendant shall be placed under  
376 post-release supervision upon release from the term of  
377 incarceration. The period of supervision shall be established by  
378 the court.

379 (2) The period of post-release supervision shall be  
380 conducted in the same manner as a like period of supervised  
381 probation, including a requirement that the defendant shall abide  
382 by any terms and conditions as the court may establish. Failure  
383 to successfully abide by the terms and conditions shall be grounds  
384 to terminate the period of post-release supervision and to  
385 recommit the defendant to the correctional facility from which he  
386 was previously released. Procedures for termination and  
387 recommitment shall be conducted in the same manner as procedures  
388 for the revocation of probation and imposition of a suspended  
389 sentence.

390 (3) Post-release supervision programs shall be operated  
391 through the probation and parole unit of the Division of Community  
392 Corrections of the department. The maximum amount of time that



393 the Mississippi Department of Corrections may supervise an  
394 offender on the post-release supervision program is five (5)  
395 years.

396 **SECTION 7.** Section 47-7-41, Mississippi Code of 1972, is  
397 amended as follows:

398 47-7-41. When a probationer shall be discharged from  
399 probation by the court of original jurisdiction, the field  
400 supervisor, upon receiving a written request from the probationer,  
401 shall forward a written report of the record of the probationer to  
402 the Division of Community Corrections of the department, which  
403 shall present a copy of this report to the Governor. The Governor  
404 may, in his discretion, at any time thereafter by appropriate  
405 executive order restore any civil rights lost by the probationer  
406 by virtue of his conviction or plea of guilty in the court of  
407 original jurisdiction.

408 **SECTION 8.** Section 47-7-49, Mississippi Code of 1972, is  
409 reenacted and amended as follows:

410 47-7-49. (1) Any offender on probation, parole,  
411 earned-release supervision, post-release supervision, earned  
412 probation or any other offender under the field supervision of the  
413 Community Corrections Division of the department shall pay to the  
414 department the sum of Thirty Dollars (\$30.00) per month by  
415 certified check or money order unless a hardship waiver is  
416 granted. A hardship waiver may be granted by the sentencing court  
417 or the Department of Corrections. A hardship waiver may not be  
418 granted for a period of time exceeding ninety (90) days. The  
419 commissioner or his designee shall deposit Twenty-five Dollars  
420 (\$25.00) of the payments received into a special fund in the State  
421 Treasury, which is hereby created, to be known as the Community  
422 Service Revolving Fund. Expenditures from this fund shall be made  
423 for: (a) the establishment of restitution and satellite centers;  
424 and (b) the establishment, administration and operation of the  
425 department's Drug Identification Program and the intensive and



426 field supervision program. The Twenty-five Dollars (\$25.00) may  
427 be used for salaries and to purchase equipment, supplies and  
428 vehicles to be used by the Community Corrections Division in the  
429 performance of its duties. Expenditures for the purposes  
430 established in this section may be made from the fund upon  
431 requisition by the commissioner, or his designee.

432 Of the remaining amount, Three Dollars (\$3.00) of the  
433 payments shall be deposited in the Crime Victims' Compensation  
434 Fund created in Section 99-41-29, Two Dollars (\$2.00) shall be  
435 deposited into the Training Revolving Fund created pursuant to  
436 Section 47-7-51. When a person is convicted of a felony in this  
437 state, in addition to any other sentence it may impose, the court  
438 may, in its discretion, order the offender to pay a state  
439 assessment not to exceed the greater of One Thousand Dollars  
440 (\$1,000.00) or the maximum fine that may be imposed for the  
441 offense, into the Crime Victims' Compensation Fund created  
442 pursuant to Section 99-41-29.

443 Any federal funds made available to the department for  
444 training or for training facilities, equipment or services shall  
445 be deposited in the Correctional Training Revolving Fund created  
446 in Section 47-7-51. The funds deposited in this account shall be  
447 used to support an expansion of the department's training program  
448 to include the renovation of facilities for training purposes,  
449 purchase of equipment and contracting of training services with  
450 community colleges in the state.

451 No offender shall be required to make this payment for a  
452 period of time longer than ten (10) years.

453 (2) The offender may be imprisoned until the payments are  
454 made if the offender is financially able to make the payments and  
455 the court in the county where the offender resides so finds,  
456 subject to the limitations hereinafter set out. The offender  
457 shall not be imprisoned if the offender is financially unable to



458 make the payments and so states to the court in writing, under  
459 oath, and the court so finds.

460 (3) This section shall stand repealed from and after June  
461 30, 2004.

462 **SECTION 9.** Section 99-15-127, Mississippi Code of 1972, is  
463 amended as follows:

464 99-15-127. The Department of Corrections, Division of  
465 Community Corrections, is \* \* \* directed to support Sections  
466 99-15-101 through 99-15-127 to the extent that field support  
467 personnel are available in circuit court districts, and the  
468 Commissioner of Corrections shall certify to the court that the  
469 Division of Community Corrections has sufficient field parole  
470 officers to supervise and oversee those individuals who may be  
471 placed in this program by the court.

472 **SECTION 10.** Section 99-19-45, Mississippi Code of 1972, is  
473 amended as follows:

474 99-19-45. The clerks of the circuit court of the counties in  
475 the State of Mississippi shall furnish the Mississippi Department  
476 of Corrections, within five (5) days after adjournment of court, a  
477 commitment paper showing the name of the person convicted, the  
478 crime, term of sentence, date of sentence, sex, race, and a brief  
479 history of the crime committed.

480 The clerks shall also furnish the Department of Corrections,  
481 within five (5) days after adjournment of such court, a certified  
482 copy of the probation order of an individual who is placed on  
483 probation under the supervision of the Division of Community  
484 Corrections of the department. Such order shall provide the name  
485 of the person placed on probation, the crime, term of sentence,  
486 date of sentence, period of probation, sex, race, and a brief  
487 history of the crime committed.

488 As compensation for such services they shall receive the sum  
489 of Fifty Cents (50¢) for each transcript, and the sum shall be



490 paid out of the treasury of the county, with the approval of the  
491 board of supervisors, on the filing of a bill for such service.

492 **SECTION 11.** Section 99-19-48, Mississippi Code of 1972, is  
493 amended as follows:

494 99-19-48. The following form, to be furnished by the county,  
495 shall be used in transmitting the required data for any individual  
496 placed on probation under the supervision of the Division of  
497 Community Corrections of the Department of Corrections:

498 "Circuit Court, County of \_\_\_\_\_.

499 To the Mississippi Department of Corrections:

500 You are hereby notified that at the \_\_\_\_\_ term, 2\_\_\_\_\_,  
501 of the circuit court, Judge \_\_\_\_\_ presiding, the following  
502 named person was tried, convicted and sentenced to a term in the  
503 State Penitentiary. The sentence was suspended and the person was  
504 placed on probation:

505 Name \_\_\_\_\_ Alias \_\_\_\_\_

506 Date of sentence \_\_\_\_\_ Crime \_\_\_\_\_

507 Term of sentence \_\_\_\_\_ Sex \_\_\_\_\_

508 Race \_\_\_\_\_ Appealed \_\_\_\_\_

509 Remarks: Give brief summary of crime committed. \_\_\_\_\_

510 \_\_\_\_\_

511 \_\_\_\_\_

512 \_\_\_\_\_

513 Dated \_\_\_\_\_, 2\_\_\_\_\_. \_\_\_\_\_ Clerk."

514 **SECTION 12.** This act shall take effect and be in force from  
515 and after July 1, 2002.

