

By: Senator(s) Smith

To: Corrections

SENATE BILL NO. 2361

1 AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE REPEALER ON THE DEPARTMENT OF CORRECTIONS COMMUNITY
3 SERVICE REVOLVING FUND; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 47-7-49, Mississippi Code of 1972, is
6 amended as follows:

7 47-7-49. (1) Any offender on probation, parole,
8 earned-release supervision, post-release supervision, earned
9 probation or any other offender under the field supervision of the
10 Community Services Division of the department shall pay to the
11 department the sum of Thirty Dollars (\$30.00) per month by
12 certified check or money order unless a hardship waiver is
13 granted. A hardship waiver may be granted by the sentencing court
14 or the Department of Corrections. A hardship waiver may not be
15 granted for a period of time exceeding ninety (90) days. The
16 commissioner or his designee shall deposit Twenty-five Dollars
17 (\$25.00) of the payments received into a special fund in the State
18 Treasury, which is hereby created, to be known as the Community
19 Service Revolving Fund. Expenditures from this fund shall be made
20 for: (a) the establishment of restitution and satellite centers;
21 and (b) the establishment, administration and operation of the
22 department's Drug Identification Program and the intensive and
23 field supervision program. The Twenty-five Dollars (\$25.00) may
24 be used for salaries and to purchase equipment, supplies and
25 vehicles to be used by the Community Services Division in the
26 performance of its duties. Expenditures for the purposes



established in this section may be made from the fund upon requisition by the commissioner or his designee.

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

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

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

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

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



59 **SECTION 2.** This act shall take effect and be in force from
60 and after its passage.

