SENATE BILL NO. 2964

AN ACT TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT FUTURE REGIONAL PRISON CONTRACTS BETWEEN COUNTIES AND THE DEPARTMENT OF CORRECTIONS BE ENTERED INTO AT A PER DIEM RATE BASED ON AN EFFICIENT OPERATING COST; TO AMEND SECTION 47-5-935, MISSISSIPPI CODE OF 1972, TO MAKE THE WARDEN OF EACH REGIONAL FACILITY THE CHIEF CORRECTIONAL OFFICER OF THE FACILITY; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 47-5-933, Mississippi Code of 1972, is amended as follows:

47-5-933. **For all contracts entered into after July 1, 2002, the Department of Corrections shall negotiate a per diem rate for the regional facility based on the department's assessment of the most efficient operating costs for a regional facility. Such per diem shall not include compensation for excessive costs, and shall include debt service payments necessary and appropriate to cover the cost of housing state inmates only. The state shall retain responsibility for medical care for state offenders to the extent that is required by law.**

SECTION 2. Section 47-5-935, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2004, this section shall read as follows:]

47-5-935. Concurrent with the execution of a contract for housing of state offenders as authorized by Sections 47-5-931 through 47-5-941, the sheriff of a county where the facility is located is designated as the Chief Corrections Officer for the facility housing state offenders, and in that capacity, shall assume responsibility for management of the corrections facility and for the provision of the care and control of the state
offenders housed therein. The sheriff shall be subject to the
direction of the department for management of the correctional
facility. In addition to the compensation provided by Section
25-3-25, the sheriff shall receive Fifteen Thousand Six Hundred
Dollars ($15,600.00) as compensation for the duties specified in
Sections 47-5-931 through 47-5-941.

[From and after January 1, 2004, this section shall read as
follows:]

47-5-935. Concurrent with the execution of a contract for
housing of state offenders as authorized by Sections 47-5-931
through 47-5-941, the warden of the facility is designated as the
Chief Corrections Officer for the facility housing state
offenders, and in that capacity, shall assume responsibility for
management of the corrections facility and for the provision of
the care and control of the state offenders housed therein. * * *

SECTION 3. This act shall take effect and be in force from
and after July 1, 2002.