

By: Senator(s) Canon

To: Corrections;
Appropriations

SENATE BILL NO. 2964

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

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

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

11 47-5-933. * * * For all contracts entered into after July 1,
12 2002, the Department of Corrections shall negotiate a per diem
13 rate for the regional facility based on the department's
14 assessment of the most efficient operating costs for a regional
15 facility. Such per diem shall not include compensation for
16 excessive costs, and shall include debt service payments necessary
17 and appropriate to cover the cost of housing state inmates only.
18 The state shall retain responsibility for medical care for state
19 offenders to the extent that is required by law.

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

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

23 47-5-935. Concurrent with the execution of a contract for
24 housing of state offenders as authorized by Sections 47-5-931
25 through 47-5-941, the sheriff of a county where the facility is
26 located is designated as the Chief Corrections Officer for the
27 facility housing state offenders, and in that capacity, shall
28 assume responsibility for management of the corrections facility
29 and for the provision of the care and control of the state



30 offenders housed therein. The sheriff shall be subject to the
31 direction of the department for management of the correctional
32 facility. In addition to the compensation provided by Section
33 25-3-25, the sheriff shall receive Fifteen Thousand Six Hundred
34 Dollars (\$15,600.00) as compensation for the duties specified in
35 Sections 47-5-931 through 47-5-941.

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

38 47-5-935. Concurrent with the execution of a contract for
39 housing of state offenders as authorized by Sections 47-5-931
40 through 47-5-941, the warden of the facility is designated as the
41 Chief Corrections Officer for the facility housing state
42 offenders, and in that capacity, shall assume responsibility for
43 management of the corrections facility and for the provision of
44 the care and control of the state offenders housed therein. * * *

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

