

By: Senator(s) Smith

To: Corrections

SENATE BILL NO. 2983

1 AN ACT TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE ALLOCATION AND DISTRIBUTION OF THE INMATE WELFARE
3 FUND TO PROVIDE FOR THE PURCHASE OF AN INMATE INFORMATION
4 TECHNOLOGY SYSTEM; TO INCREASE THE SIZE OF THE INMATE WELFARE FUND
5 COMMITTEE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 47-5-158, Mississippi Code of 1972, is
8 amended as follows:

9 47-5-158. (1) The department is authorized to maintain a
10 bank account which shall be designated as the Inmate Welfare Fund.
11 All monies now held in a similar fund for the benefit and welfare
12 of inmates shall be deposited into the Inmate Welfare Fund. This
13 fund shall be used for the benefit and welfare of inmates in the
14 custody of the department.

15 (2) There shall be deposited into the Inmate Welfare Fund
16 interest previously earned on inmate deposits, all net profits
17 from the operation of inmate canteens, the annual prison rodeo,
18 performances of the Penitentiary band, interest earned on the
19 Inmate Welfare Fund and other revenues designated by the
20 commissioner. All money shall be deposited into the Inmate
21 Welfare Fund as provided in Section 7-9-21, Mississippi Code of
22 1972.

23 (3) All inmate telephone call commissions shall be paid to
24 the department. Monies in the fund may be expended by the
25 Department of Corrections, upon requisition by the commissioner or
26 his designee, only for the purposes established in this
27 subsection.



28 (a) Beginning July 1, 1995, twenty-five percent (25%)
29 of the inmate telephone call commissions shall be used to purchase
30 and maintain telecommunication equipment to be used by the
31 department.

32 * * *

33 **(b) Beginning July 1, 2002, twenty-five percent (25%)**
34 of the inmate telephone call commissions shall be deposited into
35 the Prison Agriculture Enterprise Fund. The Mississippi
36 Department of Corrections may use these funds to supplement the
37 Prison Agricultural Enterprise Fund created in Section
38 47-5-66. * * * Twenty-five percent (25%) of the inmate telephone
39 call commissions shall be deposited into the Inmate Welfare Fund.

40 **(c) The remaining twenty-five percent (25%) shall be**
41 **deposited in a fund called the Inmate Technology Fund to purchase**
42 **an Inmate Information Technology System. This paragraph (c) shall**
43 **repeal on July 1, 2007.**

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

48 (5) The Deputy Commissioner for Administration and Finance
49 shall be the custodian of the Inmate Welfare Fund. He shall
50 establish and implement internal accounting controls that comply
51 with generally accepted accounting principles. The Deputy
52 Commissioner for Administration and Finance shall prepare and
53 issue quarterly consolidated and individual facility financial
54 statements to the prison auditor of the Joint Legislative
55 Committee on Performance Evaluation and Expenditure Review. The
56 deputy commissioner shall prepare an annual report which shall
57 include a summary of expenditures from the fund by major
58 categories and by individual facility. This annual report shall
59 be sent to the prison auditor, the Legislative Budget Office, the
60 Chairman of the Corrections Committee of the Senate, and the



61 Chairman of the Penitentiary Committee of the House of
62 Representatives.

63 (6) A portion of the Inmate Welfare Fund shall be deposited
64 in the Discharged Offenders Revolving Fund, as created under
65 Section 47-5-155, in amounts necessary to provide a balance not to
66 exceed One Hundred Thousand Dollars (\$100,000.00) in the
67 Discharged Offenders Revolving Fund, and shall be used to
68 supplement those amounts paid to discharged, paroled or pardoned
69 offenders from the department. The superintendent of the Parchman
70 facility shall establish equitable criteria for the making of
71 supplemental payments which shall not exceed Two Hundred Dollars
72 (\$200.00) for any offender. The supplemental payments shall be
73 subject to the approval of the commissioner. The State Treasurer
74 shall not be required to replenish the Discharged Offenders
75 Revolving Fund for the supplemental payments made to discharged,
76 paroled or pardoned offenders.

77 (7) The Inmate Welfare Fund Committee is hereby created and
78 shall be composed of seven (7) members: The Deputy Commissioner
79 for Community Services, the Deputy Commissioner of Institutions,
80 the Superintendent of the Parchman facility, the Superintendent of
81 the Rankin County facility, the Superintendent of the Greene
82 County facility, and two (2) members to be appointed by the
83 Commissioner of Corrections. The * * * commissioner shall appoint
84 the chairman of the committee. The committee shall administer and
85 supervise the operations and expenditures from the Inmate Welfare
86 Fund and shall maintain an official minute book upon which shall
87 be spread its authorization and approval for all such
88 expenditures. The committee may promulgate regulations governing
89 the use and expenditures of the fund.

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

92 **SECTION 2.** This act shall take effect and be in force from
93 and after July 1, 2002.

