

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2138

By Representative(s) Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

9 47-7-5. (1) The State Parole Board, created under former
10 Section 47-7-5, is hereby created, continued and reconstituted and
11 shall be composed of five (5) members. The Governor shall appoint
12 the members with the advice and consent of the Senate. All terms
13 shall be at the will and pleasure of the Governor. Any vacancy
14 shall be filled by the Governor, with the advice and consent of
15 the Senate. The Governor shall appoint a chairman of the board.

16 (2) Any person who is appointed to serve on the board shall
17 possess at least a bachelor's degree or a high school diploma and
18 four (4) years' work experience. Each member shall devote his
19 full time to the duties of his office and shall not engage in any
20 other business or profession or hold any other public office. A
21 member shall not receive compensation or per diem in addition to
22 his salary as prohibited under Section 25-3-38. Each member shall
23 keep such hours and workdays as required of full-time state
24 employees under Section 25-1-98. Individuals shall be appointed
25 to serve on the board without reference to their political
26 affiliations. Each board member, including the chairman, may be

27 reimbursed for actual and necessary expenses as authorized by
28 Section 25-3-41; but a member shall not be reimbursed for travel
29 expenses from his residence to the nearest state penitentiary.

30 (3) The board shall have exclusive responsibility for the
31 granting of parole as provided by Sections 47-7-3 and 47-7-17 and
32 shall have exclusive authority for revocation of the same. The
33 board shall have exclusive responsibility for investigating
34 clemency recommendations upon request of the Governor.

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

38 (5) The budget of the board shall be funded through a
39 separate line item within the general appropriation bill for the
40 support and maintenance of the department. Employees of the
41 department which are employed by or assigned to the board shall
42 work under the guidance and supervision of the board. There shall
43 be an executive secretary to the board who shall be responsible
44 for all administrative and general accounting duties related to
45 the board. The executive secretary shall keep and preserve all
46 records and papers pertaining to the board.

47 (6) The board shall have no authority or responsibility for
48 supervision of offenders granted a release for any reason,
49 including, but not limited to, probation, parole or executive
50 clemency or other offenders requiring the same through interstate
51 compact agreements. The supervision shall be provided exclusively
52 by the staff of the Division of Community Services of the
53 department.

54 (7) The State Parole Board, immediately after the effective
55 date of this act, shall review all cases where an offender was
56 denied parole and any eligibility for reconsideration for parole
57 for at least (1) year after denial.

58 (8) The State Parole Board shall review and investigate all
59 cases where offenders have been diagnosed with a serious illness.
60 If the Medical Director of the Department of Corrections
61 certifies to the State Parole Board that an offender is suffering

62 from a terminal illness, the State Parole Board shall parole the
63 offender with the approval and consent of the Commissioner of the
64 Department of Corrections and the medical director.

65 (9) (a) The Parole Board shall maintain a central registry
66 of paroled inmates. The Parole Board shall place the following
67 information on the registry: name, address, photograph, crime for
68 which paroled, the date of the end of parole or flat time date and
69 other information deemed necessary. The Parole Board shall
70 immediately remove information on a parolee at the end of his
71 parole or flat time date.

72 (b) When a person is placed on parole, the Parole Board
73 shall inform the parolee of the duty to report to the Parole
74 Officer any change in address ten (10) days before changing
75 address, except in exigent circumstances.

76 (c) The Parole Board shall utilize an internet website
77 or other electronic means to release or publish the information.

78 (d) Records maintained on the registry shall be open to
79 law enforcement agencies and the public.

80 (10) This section shall stand repealed on July 1, 2004.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE PAROLE BOARD TO MAINTAIN A CENTRAL REGISTRY OF
3 PAROLEES; TO REQUIRE CERTAIN INFORMATION TO BE MAINTAINED IN THE
4 REGISTRY; TO REQUIRE A PAROLEE TO NOTIFY PAROLE BOARD OF CHANGES;
5 TO EXTEND THE REPEALER; AND FOR RELATED PURPOSES.