

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 1121**

**By Senator(s) Smith**

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

23           **SECTION 1.** Section 47-5-26, Mississippi Code of 1972, is  
24 amended as follows:

25           47-5-26. (1) The commissioner shall employ the following  
26 personnel:

27                   (a) A Deputy Commissioner for Administration and  
28 Finance, who shall supervise and implement all fiscal policies and  
29 programs within the department, supervise and implement all hiring  
30 and personnel matters within the department, supervise the  
31 department's personnel director, supervise and implement all  
32 purchasing within the department and supervise and implement all  
33 data processing activities within the department, and who shall  
34 serve as the Chief Executive Officer of the Division of  
35 Administration and Finance. He shall possess either:

36                           (i) A master's degree from an accredited four-year  
37 college or university in public or business administration,  
38 accounting, economics or a directly related field, and four (4)  
39 years of experience in work related to the above-described duties,  
40 one (1) year of which must have included line or functional  
41 supervision; or

42                           (ii) A bachelor's degree from an accredited

43 four-year college or university in public or business  
44 administration, accounting, economics or a directly related field,  
45 and six (6) years of experience in work related to the  
46 above-described duties, one (1) year of which must have included  
47 line or functional supervision. Certification by the State of  
48 Mississippi as a certified public accountant may be substituted  
49 for one (1) year of the required experience.

50 (b) A Deputy Commissioner for Community Corrections,  
51 who shall initiate and administer programs, including, but not  
52 limited to, supervision of probationers, parolees and  
53 suspensioners, counseling, community-based treatment, interstate  
54 compact administration and enforcement, prevention programs,  
55 halfway houses and group homes, restitution centers, presentence  
56 investigations, and work and educational releases, and to serve as  
57 the Chief Executive Officer of the Division of Community Services.  
58 The Deputy Commissioner for Community Corrections is charged with  
59 full and complete cooperation with the State Parole Board and  
60 shall make monthly reports to the Chairman of the Parole Board in  
61 the form and type required by the chairman, in his discretion, for  
62 the proper performance of the probation and parole functions.  
63 After a plea or verdict of guilty to a felony is entered against a  
64 person and before he is sentenced, the Deputy Commissioner for  
65 Community Corrections shall procure from any available source and  
66 shall file in the presentence records any information regarding  
67 any criminal history of the person such as fingerprints, dates of  
68 arrests, complaints, civil and criminal charges, investigative  
69 reports of arresting and prosecuting agencies, reports of the  
70 National Crime Information Center, the nature and character of  
71 each offense, noting all particular circumstances thereof and any  
72 similar data about the person. The Deputy Commissioner for  
73 Community Corrections shall keep an accurate and complete  
74 duplicate record of this file and shall furnish the duplicate to  
75 the department. This file shall be placed in and shall constitute  
76 a part of the inmate's master file. The Deputy Commissioner for  
77 Community Corrections shall furnish this file to the State Parole

78 Board when the file is needed in the course of its official  
79 duties. He shall possess either: (i) a master's degree in  
80 counseling, corrections psychology, guidance, social work,  
81 criminal justice or some related field and at least four (4)  
82 years' full-time experience in such field, including at least one  
83 (1) year of supervisory experience; or (ii) a bachelor's degree in  
84 a field described in subparagraph (i) of this paragraph and at  
85 least six (6) years' full-time work in corrections, one (1) year  
86 of which shall have been at the supervisory level.

87 (c) A Deputy Commissioner for Institutions, who shall  
88 administer institutions, reception and diagnostic centers,  
89 prerelease centers and other facilities and programs provided  
90 therein, and to serve as the chief executive officer of the  
91 division of institutions. He shall possess either: (i) a  
92 master's degree in counseling, criminal justice, psychology,  
93 guidance, social work, business or some related field, and at  
94 least four (4) years' full-time experience in corrections,  
95 including at least one (1) year of correctional management  
96 experience; or (ii) a bachelor's degree in a field described in  
97 subparagraph (i) of this paragraph and at least six (6) years'  
98 full-time work in corrections, four (4) years of which shall have  
99 been at the correctional management level.

100 (2) The commissioner shall employ an administrative  
101 assistant for parole matters, who shall be an employee of the  
102 department assigned to the State Parole Board and who shall work  
103 under the guidance and supervision of the board.

104 (3) The administrative assistant for parole matters shall  
105 receive an annual salary to be established by the Legislature.  
106 The salaries of department employees not established by the  
107 Legislature shall receive an annual salary established by the  
108 State Personnel Board.

109 (4) The commissioner shall employ a superintendent for the  
110 Parchman facility, Central Mississippi Correctional Facility and  
111 South Mississippi Correctional Institution of the Department of  
112 Corrections. The superintendent of the Mississippi State

113 Penitentiary shall reside on the grounds of the Parchman facility.  
114 Each superintendent shall appoint an officer in charge when he is  
115 absent.

116 Each superintendent shall develop and implement a plan for  
117 the prevention and control of an inmate riot and shall file a  
118 report with the Chairman of the Senate Corrections Committee and  
119 the Chairman of the House Penitentiary Committee on the first day  
120 of each regular session of the Legislature regarding the status of  
121 the plan.

122 In order that the grievances and complaints of inmates,  
123 employees and visitors at each facility may be heard in a timely  
124 and orderly manner, each superintendent shall appoint or designate  
125 an employee at the facility to hear grievances and complaints and  
126 to report grievances and complaints to the superintendent. Each  
127 superintendent shall institute procedures as are necessary to  
128 provide confidentiality to those who file grievances and  
129 complaints.

130 **SECTION 2.** Section 47-5-8, Mississippi Code of 1972, is  
131 amended as follows:

132 47-5-8. (1) There is \* \* \* created the Mississippi  
133 Department of Corrections, which shall be under the policy  
134 direction of the Governor. The chief administrative officer of  
135 the department shall be the Commissioner of Corrections.

136 (2) (a) There shall be a Division of Administration and  
137 Finance within the department, which shall have as its chief  
138 administrative officer a Deputy Commissioner for Administration  
139 and Finance who shall be appointed by the commissioner, and shall  
140 be directly responsible to the commissioner.

141 (b) There shall be a Division of Community Corrections  
142 within the department, which shall have as its chief  
143 administrative officer a Deputy Commissioner for Community  
144 Corrections, who shall be appointed by the commissioner, and shall  
145 be directly responsible to the commissioner. The Probation and  
146 Parole Board shall continue to exercise the authority as provided  
147 by law, but after July 1, 1976, the Division of Community

148 Corrections shall serve as the administrative agency for the  
149 Probation and Parole Board.

150 (3) The department shall succeed to the exclusive control of  
151 all records, books, papers, equipment and supplies, and all lands,  
152 buildings and other real and personal property now or hereafter  
153 belonging to or assigned to the use and benefit or under the  
154 control of the Mississippi State Penitentiary and the Mississippi  
155 Probation and Parole Board, except the records of parole process  
156 and revocation and legal matters related thereto, and shall have  
157 the exercise and control of the use, distribution and disbursement  
158 of all funds, appropriations and taxes now or hereafter in  
159 possession, levied, collected or received or appropriated for the  
160 use, benefit, support and maintenance of these two (2) agencies  
161 except as otherwise provided by law, and the department shall have  
162 general supervision of all the affairs of the two (2) agencies  
163 herein named except as otherwise provided by law, and the care and  
164 conduct of all buildings and grounds, business methods and  
165 arrangements of accounts and records, the organization of the  
166 administrative plans of each institution, and all other matters  
167 incident to the proper functioning of the two (2) agencies.

168 (4) The commissioner may lease the lands for oil, gas,  
169 mineral exploration and other purposes, and contract with other  
170 state agencies for the proper management of lands under such  
171 leases or for the provision of other services, and the proceeds  
172 thereof shall be paid into the General Fund of the state.

173 **SECTION 3.** Section 47-5-158, Mississippi Code of 1972, is  
174 amended as follows:

175 47-5-158. (1) The department is authorized to maintain a  
176 bank account which shall be designated as the Inmate Welfare Fund.  
177 All monies now held in a similar fund for the benefit and welfare  
178 of inmates shall be deposited into the Inmate Welfare Fund. This  
179 fund shall be used for the benefit and welfare of inmates in the  
180 custody of the department.

181 (2) There shall be deposited into the Inmate Welfare Fund  
182 interest previously earned on inmate deposits, all net profits

183 from the operation of inmate canteens, the annual prison rodeo,  
184 performances of the Penitentiary band, interest earned on the  
185 Inmate Welfare Fund and other revenues designated by the  
186 commissioner. All money shall be deposited into the Inmate  
187 Welfare Fund as provided in Section 7-9-21, Mississippi Code of  
188 1972.

189 (3) All inmate telephone call commissions shall be paid to  
190 the department. Monies in the fund may be expended by the  
191 Department of Corrections, upon requisition by the commissioner or  
192 his designee, only for the purposes established in this  
193 subsection.

194 (a) \* \* \* Twenty-five percent (25%) of the inmate  
195 telephone call commissions shall be used to purchase and maintain  
196 telecommunication equipment to be used by the department.

197 \* \* \*

198 (b) Until July 1, 2007, twenty-five percent (25%) of  
199 the inmate telephone call commissions shall be deposited into the  
200 Prison Agriculture Enterprise Fund. After July 1, 2007, fifty  
201 percent (50%) of the inmate telephone call commissions shall be  
202 deposited into the Prison Agriculture Enterprise Fund. The  
203 Mississippi Department of Corrections may use these funds to  
204 supplement the Prison Agricultural Enterprise Fund created in  
205 Section 47-5-66.

206 (c) \* \* \* Twenty-five percent (25%) of the inmate  
207 telephone call commissions shall be deposited into the Inmate  
208 Welfare Fund.

209 (d) Twenty-five percent (25%) shall be deposited in a  
210 fund to be designated as the Inmate Technology Fund to purchase an  
211 Inmate Information Technology System. This paragraph shall repeal  
212 on July 1, 2007.

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

217 (5) The Deputy Commissioner for Administration and Finance

218 shall be the custodian of the Inmate Welfare Fund. He shall  
219 establish and implement internal accounting controls that comply  
220 with generally accepted accounting principles. The Deputy  
221 Commissioner for Administration and Finance shall prepare and  
222 issue quarterly consolidated and individual facility financial  
223 statements to the prison auditor of the Joint Legislative  
224 Committee on Performance Evaluation and Expenditure Review. The  
225 deputy commissioner shall prepare an annual report which shall  
226 include a summary of expenditures from the fund by major  
227 categories and by individual facility. This annual report shall  
228 be sent to the prison auditor, the Legislative Budget Office, the  
229 Chairman of the Corrections Committee of the Senate, and the  
230 Chairman of the Penitentiary Committee of the House of  
231 Representatives.

232 (6) A portion of the Inmate Welfare Fund shall be deposited  
233 in the Discharged Offenders Revolving Fund, as created under  
234 Section 47-5-155, in amounts necessary to provide a balance not to  
235 exceed One Hundred Thousand Dollars (\$100,000.00) in the  
236 Discharged Offenders Revolving Fund, and shall be used to  
237 supplement those amounts paid to discharged, paroled or pardoned  
238 offenders from the department. The superintendent of the Parchman  
239 facility shall establish equitable criteria for the making of  
240 supplemental payments which shall not exceed Two Hundred Dollars  
241 (\$200.00) for any offender. The supplemental payments shall be  
242 subject to the approval of the commissioner. The State Treasurer  
243 shall not be required to replenish the Discharged Offenders  
244 Revolving Fund for the supplemental payments made to discharged,  
245 paroled or pardoned offenders.

246 (7) The Inmate Welfare Fund Committee is hereby created and  
247 shall be composed of seven (7) members: the Deputy Commissioner  
248 for Community Corrections, the Deputy Commissioner of  
249 Institutions, the Superintendent of the Parchman facility, the  
250 Superintendent of the Rankin County facility, the Superintendent  
251 of the Greene County facility, and two (2) members to be appointed  
252 by the commissioner \* \* \*. The \* \* \* commissioner shall appoint

253 the chairman of the committee. The committee shall administer and  
254 supervise the operations and expenditures from the Inmate Welfare  
255 Fund and shall maintain an official minute book upon which shall  
256 be spread its authorization and approval for all such  
257 expenditures. The committee may promulgate regulations governing  
258 the use and expenditures of the fund.

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

261 **SECTION 4.** Section 47-7-5, Mississippi Code of 1972, is  
262 reenacted and amended as follows:

263 47-7-5. (1) The State Parole Board, created under former  
264 Section 47-7-5, is \* \* \* created, continued and reconstituted and  
265 shall be composed of five (5) members. The Governor shall appoint  
266 the members with the advice and consent of the Senate. All terms  
267 shall be at the will and pleasure of the Governor. Any vacancy  
268 shall be filled by the Governor, with the advice and consent of  
269 the Senate. The Governor shall appoint a chairman of the board.

270 (2) Any person who is appointed to serve on the board shall  
271 possess at least a bachelor's degree or a high school diploma and  
272 four (4) years' work experience. Each member shall devote his  
273 full time to the duties of his office and shall not engage in any  
274 other business or profession or hold any other public office. A  
275 member shall not receive compensation or per diem in addition to  
276 his salary as prohibited under Section 25-3-38. Each member shall  
277 keep such hours and workdays as required of full-time state  
278 employees under Section 25-1-98. Individuals shall be appointed  
279 to serve on the board without reference to their political  
280 affiliations. Each board member, including the chairman, may be  
281 reimbursed for actual and necessary expenses as authorized by  
282 Section 25-3-41; but a member shall not be reimbursed for travel  
283 expenses from his residence to the nearest State Penitentiary.

284 (3) The board shall have exclusive responsibility for the  
285 granting of parole as provided by Sections 47-7-3 and 47-7-17 and  
286 shall have exclusive authority for revocation of the same. The  
287 board shall have exclusive responsibility for investigating



288 clemency recommendations upon request of the Governor.

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

292 (5) The budget of the board shall be funded through a  
293 separate line item within the general appropriation bill for the  
294 support and maintenance of the department. Employees of the  
295 department which are employed by or assigned to the board shall  
296 work under the guidance and supervision of the board. There shall  
297 be an executive secretary to the board who shall be responsible  
298 for all administrative and general accounting duties related to  
299 the board. The executive secretary shall keep and preserve all  
300 records and papers pertaining to the board.

301 (6) The board shall have no authority or responsibility for  
302 supervision of offenders granted a release for any reason,  
303 including, but not limited to, probation, parole or executive  
304 clemency or other offenders requiring the same through interstate  
305 compact agreements. The supervision shall be provided exclusively  
306 by the staff of the Division of Community Corrections of the  
307 department.

308 \* \* \*

309 (7) The State Parole Board shall review and investigate all  
310 cases where offenders have been diagnosed with a serious illness.

311 If the Medical Director of the Department of Corrections  
312 certifies to the State Parole Board that an offender is suffering  
313 from a terminal illness, the State Parole Board shall parole the  
314 offender with the approval and consent of the Commissioner of the  
315 Department of Corrections and the medical director.

316 (8) (a) The Parole Board shall maintain a central registry  
317 of paroled inmates. The Parole Board shall place the following  
318 information on the registry: name, address, photograph, crime for  
319 which paroled, the date of the end of parole or flat time date and  
320 other information deemed necessary. The Parole Board shall  
321 immediately remove information on a parolee at the end of his  
322 parole or flat time date.

323           (b) When a person is placed on parole, the Parole Board  
324 shall inform the parolee of the duty to report to the Parole  
325 Officer any change in address ten (10) days before changing  
326 address.

327           (c) The Parole Board shall utilize an Internet website  
328 or other electronic means to release or publish the information.

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

331           (9) This section shall stand repealed on July 1, 2004.

332           **SECTION 5.** Section 47-7-9, Mississippi Code of 1972, is  
333 amended as follows:

334           47-7-9. (1) The circuit judges and county judges in the  
335 districts to which Division of Community Corrections personnel  
336 have been assigned shall have the power to request of the  
337 department transfer or removal of the division personnel from  
338 their court.

339           (2) (a) Division personnel shall investigate all cases  
340 referred to them for investigation by the board, the division or  
341 by any court in which they are authorized to serve. They shall  
342 furnish to each person released under their supervision a written  
343 statement of the conditions of probation, parole, earned-release  
344 supervision, post-release supervision or suspension and shall  
345 instruct him regarding the same. They shall keep informed  
346 concerning the conduct and conditions of persons under their  
347 supervision and use all suitable methods to aid and encourage them  
348 and to bring about improvements in their conduct and condition.  
349 They shall keep detailed records of their work and shall make such  
350 reports in writing as the court or the board may require.

351           (b) The division personnel duly assigned to court  
352 districts are hereby vested with all the powers of police officers  
353 or sheriffs to make arrests or perform any other duties required  
354 of policemen or sheriffs which may be incident to the division  
355 personnel responsibilities. All probation and parole officers  
356 hired on or after July 1, 1994, will be placed in the Law  
357 Enforcement Officers' Training Program and will be required to

358 meet the standards outlined by that program.

359 (c) It is the intention of the Legislature that insofar  
360 as practicable the case load of each division personnel  
361 supervising offenders in the community (hereinafter field  
362 supervisor) shall not exceed the number of cases that may be  
363 adequately handled.

364 (3) (a) Division personnel shall be provided to perform  
365 investigation for the court as provided in this subsection.  
366 Division personnel shall conduct presentence investigations on all  
367 persons convicted of a felony in any circuit court of the state,  
368 prior to sentencing and at the request of the circuit court judge  
369 of the court of conviction. The presentence evaluation report  
370 shall consist of a complete record of the offender's criminal  
371 history, educational level, employment history, psychological  
372 condition and such other information as the department or judge  
373 may deem necessary. Division personnel shall also prepare written  
374 victim impact statements at the request of the sentencing judge as  
375 provided in Section 99-19-157.

376 (b) In order that offenders in the custody of the  
377 department on July 1, 1976, may benefit from the kind of  
378 evaluations authorized in this section, an evaluation report to  
379 consist of the information required hereinabove, supplemented by  
380 an examination of an offender's record while in custody, shall be  
381 compiled by the division upon all offenders in the custody of the  
382 department on July 1, 1976. After a study of such reports by the  
383 State Parole Board those cases which the board believes would  
384 merit some type of executive clemency shall be submitted by the  
385 board to the Governor with its recommendation for the appropriate  
386 executive action.

387 (c) The department is authorized to accept gifts,  
388 grants and subsidies to conduct this activity.

389 **SECTION 6.** Section 47-7-34, Mississippi Code of 1972, is  
390 amended as follows:

391 47-7-34. (1) When a court imposes a sentence upon a  
392 conviction for any felony committed after June 30, 1995, the

393 court, in addition to any other punishment imposed if the other  
394 punishment includes a term of incarceration in a state or local  
395 correctional facility, may impose a term of post-release  
396 supervision. However, the total number of years of incarceration  
397 plus the total number of years of post-release supervision shall  
398 not exceed the maximum sentence authorized to be imposed by law  
399 for the felony committed. The defendant shall be placed under  
400 post-release supervision upon release from the term of  
401 incarceration. The period of supervision shall be established by  
402 the court.

403 (2) The period of post-release supervision shall be  
404 conducted in the same manner as a like period of supervised  
405 probation, including a requirement that the defendant shall abide  
406 by any terms and conditions as the court may establish. Failure  
407 to successfully abide by the terms and conditions shall be grounds  
408 to terminate the period of post-release supervision and to  
409 recommit the defendant to the correctional facility from which he  
410 was previously released. Procedures for termination and  
411 recommitment shall be conducted in the same manner as procedures  
412 for the revocation of probation and imposition of a suspended  
413 sentence.

414 (3) Post-release supervision programs shall be operated  
415 through the probation and parole unit of the Division of Community  
416 Corrections of the department. The maximum amount of time that  
417 the Mississippi Department of Corrections may supervise an  
418 offender on the post-release supervision program is five (5)  
419 years.

420 **SECTION 7.** Section 47-7-41, Mississippi Code of 1972, is  
421 amended as follows:

422 47-7-41. When a probationer shall be discharged from  
423 probation by the court of original jurisdiction, the field  
424 supervisor, upon receiving a written request from the probationer,  
425 shall forward a written report of the record of the probationer to  
426 the Division of Community Corrections of the department, which  
427 shall present a copy of this report to the Governor. The Governor

428 may, in his discretion, at any time thereafter by appropriate  
429 executive order restore any civil rights lost by the probationer  
430 by virtue of his conviction or plea of guilty in the court of  
431 original jurisdiction.

432 **SECTION 8.** Section 47-7-49, Mississippi Code of 1972, is  
433 reenacted and amended as follows:

434 47-7-49. (1) Any offender on probation, parole,  
435 earned-release supervision, post-release supervision, earned  
436 probation or any other offender under the field supervision of the  
437 Community Corrections Division of the department shall pay to the  
438 department the sum of Thirty Dollars (\$30.00) per month by  
439 certified check or money order unless a hardship waiver is  
440 granted. A hardship waiver may be granted by the sentencing court  
441 or the Department of Corrections. A hardship waiver may not be  
442 granted for a period of time exceeding ninety (90) days. The  
443 commissioner or his designee shall deposit Twenty-five Dollars  
444 (\$25.00) of the payments received into a special fund in the State  
445 Treasury, which is hereby created, to be known as the Community  
446 Service Revolving Fund. Expenditures from this fund shall be made  
447 for: (a) the establishment of restitution and satellite centers;  
448 and (b) the establishment, administration and operation of the  
449 department's Drug Identification Program and the intensive and  
450 field supervision program. The Twenty-five Dollars (\$25.00) may  
451 be used for salaries and to purchase equipment, supplies and  
452 vehicles to be used by the Community Corrections Division in the  
453 performance of its duties. Expenditures for the purposes  
454 established in this section may be made from the fund upon  
455 requisition by the commissioner, or his designee.

456 Of the remaining amount, Three Dollars (\$3.00) of the  
457 payments shall be deposited in the Crime Victims' Compensation  
458 Fund created in Section 99-41-29, Two Dollars (\$2.00) shall be  
459 deposited into the Training Revolving Fund created pursuant to  
460 Section 47-7-51. When a person is convicted of a felony in this  
461 state, in addition to any other sentence it may impose, the court  
462 may, in its discretion, order the offender to pay a state

463 assessment not to exceed the greater of One Thousand Dollars  
464 (\$1,000.00) or the maximum fine that may be imposed for the  
465 offense, into the Crime Victims' Compensation Fund created  
466 pursuant to Section 99-41-29.

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

475 The offender shall make the initial payment thirty (30) days  
476 after being released. The monthly payments shall end once the  
477 offender has completed his term of parole or probation.

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

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

487 (3) This section shall stand repealed from and after June  
488 30, 2004.

489 **SECTION 9.** Section 99-15-127, Mississippi Code of 1972, is  
490 amended as follows:

491 99-15-127. The Department of Corrections, Division of  
492 Community Corrections, is \* \* \* directed to support Sections  
493 99-15-101 through 99-15-127 to the extent that field support  
494 personnel are available in circuit court districts, and the  
495 Commissioner of Corrections shall certify to the court that the  
496 Division of Community Corrections has sufficient field parole  
497 officers to supervise and oversee those individuals who may be

498 placed in this program by the court.

499 **SECTION 10.** Section 99-19-45, Mississippi Code of 1972, is  
500 amended as follows:

501 99-19-45. The clerks of the circuit court of the counties in  
502 the State of Mississippi shall furnish the Mississippi Department  
503 of Corrections, within five (5) days after adjournment of court, a  
504 commitment paper showing the name of the person convicted, the  
505 crime, term of sentence, date of sentence, sex, race, and a brief  
506 history of the crime committed.

507 The clerks shall also furnish the Department of Corrections,  
508 within five (5) days after adjournment of such court, a certified  
509 copy of the probation order of an individual who is placed on  
510 probation under the supervision of the Division of Community  
511 Corrections of the department. Such order shall provide the name  
512 of the person placed on probation, the crime, term of sentence,  
513 date of sentence, period of probation, sex, race, and a brief  
514 history of the crime committed.

515 As compensation for such services they shall receive the sum  
516 of Fifty Cents (50¢) for each transcript, and the sum shall be  
517 paid out of the treasury of the county, with the approval of the  
518 board of supervisors, on the filing of a bill for such service.

519 **SECTION 11.** Section 99-19-48, Mississippi Code of 1972, is  
520 amended as follows:

521 99-19-48. The following form, to be furnished by the county,  
522 shall be used in transmitting the required data for any individual  
523 placed on probation under the supervision of the Division of  
524 Community Corrections of the Department of Corrections:

525 "Circuit Court, County of \_\_\_\_\_.

526 To the Mississippi Department of Corrections:

527 You are hereby notified that at the \_\_\_\_\_ term, 2 \_\_\_\_\_,  
528 of the circuit court, Judge \_\_\_\_\_ presiding, the following  
529 named person was tried, convicted and sentenced to a term in the  
530 State Penitentiary. The sentence was suspended and the person was  
531 placed on probation:

532 Name \_\_\_\_\_ Alias \_\_\_\_\_

533 Date of sentence \_\_\_\_\_ Crime \_\_\_\_\_  
534 Term of sentence \_\_\_\_\_ Sex \_\_\_\_\_  
535 Race \_\_\_\_\_ Appealed \_\_\_\_\_  
536 Remarks: Give brief summary of crime committed. \_\_\_\_\_  
537 \_\_\_\_\_  
538 \_\_\_\_\_  
539 \_\_\_\_\_

540 Dated \_\_\_\_\_, 2\_\_\_\_\_. \_\_\_\_\_ Clerk."

541 **SECTION 12.** This act shall take effect and be in force from  
542 and after July 2, 2002.

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

1 AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO  
2 RENAME THE DIVISION OF COMMUNITY SERVICES AND THE POSITION OF THE  
3 DEPUTY COMMISSIONER OF COMMUNITY SERVICES OF THE DEPARTMENT OF  
4 CORRECTIONS; TO MAKE A TECHNICAL CHANGE TO QUALIFICATIONS OF THE  
5 DEPUTY COMMISSIONER OF COMMUNITY SERVICES; TO AMEND SECTIONS  
6 47-5-8, 47-5-158, 47-7-9, 47-7-34, 47-7-41, 99-15-127, 99-19-45  
7 AND 99-19-48, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
8 PROVISIONS OF THIS ACT; TO FURTHER AMEND SECTION 47-5-158,  
9 MISSISSIPPI CODE OF 1972, TO REVISE THE ALLOCATION AND  
10 DISTRIBUTION OF THE INMATE WELFARE FUND; TO REENACT SECTION  
11 47-7-5, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE STATE  
12 PAROLE BOARD; TO AMEND REENACTED SECTION 47-7-5, MISSISSIPPI CODE  
13 OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT AND TO EXTEND  
14 THE REPEALER ON THE PAROLE BOARD; TO DELETE THE REQUIREMENT THAT  
15 THE PAROLE BOARD REVIEW ALL CASES; TO REQUIRE THE PAROLE BOARD TO  
16 MAINTAIN A CENTRAL REGISTRY; TO REENACT SECTION 47-7-49,  
17 MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMUNITY SERVICE  
18 REVOLVING FUND; TO AMEND REENACTED SECTION 47-7-49, MISSISSIPPI  
19 CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT AND TO  
20 EXTEND THE REPEALER ON THE COMMUNITY SERVICE REVOLVING FUND; AND  
21 FOR RELATED PURPOSES.