

By: Representative Moak

To: Penitentiary;
Appropriations

HOUSE BILL NO. 36

1 AN ACT TO AMEND SECTION 99-37-19, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE
3 BOARD OF SUPERVISORS OF ANY COUNTY WITHIN SOUTHWEST MISSISSIPPI TO
4 HOUSE TWO HUNDRED FIFTY OFFENDERS IN A RESTITUTION CENTER; TO
5 REQUIRE THE DEPARTMENT OF CORRECTIONS AND THE DEPARTMENT OF HUMAN
6 SERVICES TO INSTITUTE AND ADMINISTER SERVICES AT ANY SUCH
7 RESTITUTION CENTER; TO AMEND SECTION 99-37-21, MISSISSIPPI CODE OF
8 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR
9 RELATED PURPOSES.

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

11 **SECTION 1.** Section 99-37-19, Mississippi Code of 1972, is
12 amended as follows:

13 99-37-19. (1) The boards of supervisors of the several
14 counties and the governing authorities of municipalities are
15 hereby authorized to cooperate with the Department of Corrections
16 in the establishment of restitution centers. Such centers may
17 house both probationers referred by the circuit courts as well as
18 inmates transferred from other facilities of the Department of
19 Corrections as provided in Section 47-5-110. Except as provided
20 in subsection (3) of this section, such centers shall be operated
21 by the Department of Corrections. County or municipal property
22 may be utilized with the approval of the board of supervisors or
23 municipal governing authority for the construction, renovation and
24 maintenance of facilities owned by the state or a local political
25 subdivision. Such facility may be leased to the Department of
26 Corrections for a period of time for use as a restitution center.

27 (2) Except as provided in subsection (3) of this section, it
28 is the intent of this section that county and local governments
29 contribute only to the establishment, renovation and maintenance
30 of the physical plant of a restitution center and that the



31 Department of Corrections support the operation of, and have sole
32 jurisdiction over and responsibility for offenders in, such
33 restitution program.

34 (3) The Department of Corrections may contract with the
35 board of supervisors of any county located in southwest
36 Mississippi (south of Interstate Highway 20 and west of the Pearl
37 River) to house two hundred fifty (250) offenders in a restitution
38 center owned or leased by the county. The board of supervisors of
39 any such county shall be responsible for the housing, care and
40 control of the offenders; however, the Department of Corrections
41 and the Department of Human Services shall institute and
42 administer services at any such restitution center as provided in
43 Section 99-37-21.

44 **SECTION 2.** Section 99-37-21, Mississippi Code of 1972, is
45 amended as follows:

46 99-37-21. (1) The Department of Human Services and the
47 Department of Corrections may cooperate in the institution and
48 administration of services at restitution centers as authorized by
49 Section 99-37-19 and at other facilities which provide
50 opportunities for restitution for criminal acts.

51 (2) The Department of Human Services and the Department of
52 Corrections * * *, jointly or separately, shall:

53 (a) * * * Seek funding from federal or other sources to
54 provide the maximum supportive services for offenders and the
55 families of offenders who are participating in restitution
56 programs;

57 (b) * * * Develop additional programs whereby offenders
58 may be afforded opportunities to contribute to society and the
59 support of their families through restitution programs; and

60 (c) * * * Develop pilot programs of counseling,
61 training and supervision for parolees whereby restitution may be
62 accomplished. Such programs may be residential or nonresidential
63 as appropriate.



64 **SECTION 3.** This act shall take effect and be in force from
65 and after July 1, 2003.

