

By: Representative Malone

To: Penitentiary

HOUSE BILL NO. 675  
(As Passed the House)

1 AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE MONTHLY FEE TO BE PAID BY OFFENDERS WHO ARE ON  
3 PROBATION, PAROLE OR UNDER OTHER FIELD SUPERVISION OF THE  
4 MISSISSIPPI DEPARTMENT OF CORRECTIONS COMMUNITY SERVICES DIVISION;  
5 TO PROVIDE THAT SUCH INITIAL MONTHLY FEES SHALL BE PAID BY  
6 OFFENDERS WITHIN THIRTY DAYS OF RELEASE UNLESS A WAIVER IS  
7 GRANTED; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 47-7-49, Mississippi Code of 1972, is  
10 amended as follows:

11 47-7-49. (1) Any offender on probation, parole,  
12 earned-release supervision, post-release supervision, earned  
13 probation or any other offender under the field supervision of the  
14 Community Services Division of the department shall pay to the  
15 department the sum of Thirty-five Dollars (\$35.00) per month by  
16 certified check or money order unless a hardship waiver is  
17 granted. An offender shall make the initial payment within thirty  
18 (30) days after being released from imprisonment unless a hardship  
19 waiver is granted. A hardship waiver may be granted by the  
20 sentencing court or the Department of Corrections. A hardship  
21 waiver may not be granted for a period of time exceeding ninety  
22 (90) days. The commissioner or his designee shall deposit Thirty  
23 Dollars (\$30.00) of each payment received into a special fund in  
24 the State Treasury, which is hereby created, to be known as the  
25 Community Service Revolving Fund. Expenditures from this fund  
26 shall be made for: (a) the establishment of restitution and  
27 satellite centers; and (b) the establishment, administration and  
28 operation of the department's Drug Identification Program and the  
29 intensive and field supervision program. The Thirty Dollars



30 (\$30.00) may be used for salaries and to purchase equipment,  
31 supplies and vehicles to be used by the Community Services  
32 Division in the performance of its duties. Expenditures for the  
33 purposes established in this section may be made from the fund  
34 upon requisition by the commissioner, or his designee.

35 Of the remaining amount, Three Dollars (\$3.00) of each  
36 payment shall be deposited in the Crime Victims' Compensation Fund  
37 created in Section 99-41-29, and Two Dollars (\$2.00) shall be  
38 deposited into the Training Revolving Fund created pursuant to  
39 Section 47-7-51. When a person is convicted of a felony in this  
40 state, in addition to any other sentence it may impose, the court  
41 may, in its discretion, order the offender to pay a state  
42 assessment not to exceed the greater of One Thousand Dollars  
43 (\$1,000.00) or the maximum fine that may be imposed for the  
44 offense, into the Crime Victims' Compensation Fund created  
45 pursuant to Section 99-41-29.

46 Any federal funds made available to the department for  
47 training or for training facilities, equipment or services shall  
48 be deposited in the Correctional Training Revolving Fund created  
49 in Section 47-7-51. The funds deposited in this account shall be  
50 used to support an expansion of the department's training program  
51 to include the renovation of facilities for training purposes,  
52 purchase of equipment and contracting of training services with  
53 community colleges in the state.

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

56 (2) The offender may be imprisoned until the payments are  
57 made if the offender is financially able to make the payments and  
58 the court in the county where the offender resides so finds,  
59 subject to the limitations hereinafter set out. The offender  
60 shall not be imprisoned if the offender is financially unable to  
61 make the payments and so states to the court in writing, under  
62 oath, and the court so finds.



63           (3) This section shall stand repealed from and after June  
64 30, 2004.

65           **SECTION 2.** This act shall take effect and be in force from  
66 and after July 1, 2003.

