

By: Representatives Stevens, Bowles, Clarke, Frierson, Horne To: Penitentiary

HOUSE BILL NO. 993

1 AN ACT TO AMEND SECTION 47-5-935, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT A WARDEN APPOINTED BY THE COUNTY BOARD OF  
3 SUPERVISORS SHALL BE THE CHIEF CORRECTIONS OFFICER IN ANY COUNTY  
4 WITH A REGIONAL CORRECTIONAL FACILITY THAT HOUSES STATE INMATES;  
5 TO AMEND SECTION 47-5-937, MISSISSIPPI CODE OF 1972, TO PROVIDE  
6 THAT A WARDEN APPOINTED BY THE COUNTY BOARD OF SUPERVISORS SHALL  
7 EMPLOY LEGAL SERVICES TO REPRESENT A REGIONAL CORRECTIONAL  
8 FACILITY AND TO PROVIDE THAT CONTRACTS FOR LEGAL SERVICES MAY NOT  
9 EXCEED THE TERM OF OFFICE OF THE BOARD OF SUPERVISORS SITTING AT  
10 THE TIME THE CONTRACT IS ADOPTED; AND FOR RELATED PURPOSES.

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

12 SECTION 1. Section 47-5-935, Mississippi Code of 1972, is  
13 amended as follows:

14 47-5-935. Concurrent with the execution of a contract for  
15 housing of state offenders as authorized by Sections 47-5-931  
16 through 47-5-941, a warden hired by the board of supervisors of a  
17 county where the facility is located is designated as the chief  
18 corrections officer for the facility housing state offenders, and  
19 in that capacity, shall assume responsibility for management of  
20 the corrections facility and for the provision of the care and  
21 control of the state offenders housed in the facility. The warden  
22 shall be subject to the direction of the department for management  
23 of the correctional facility. \* \* \*

24 SECTION 2. Section 47-5-937, Mississippi Code of 1972, is  
25 amended as follows:

26 47-5-937. Sections 47-5-931 through 47-5-941 shall be full  
27 and complete authority for the exercise of all powers and  
28 authority granted herein and no requirements or restrictions of  
29 law which would otherwise be applicable to acts of the  
30 county \* \* \* or the Department of Corrections shall be applicable  
31 except as expressly provided in this section. The warden is



32 expressly authorized to employ counsel to represent the facility  
33 to be paid a salary within the range allowed for a legal assistant  
34 to a district attorney with the employment to continue for a  
35 period of time not to exceed the term of the board of supervisors  
36 sitting at the time the contract is approved. The county or  
37 counties shall pay this cost and other costs incurred in the  
38 operation of the facility from the proceeds of the funds derived  
39 from the financing of the project and the housing of offenders.

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

