

By: Representative Mayo

To: Corrections

HOUSE BILL NO. 4

1 AN ACT TO AMEND SECTION 47-1-1, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO REQUIRE CONVICTS WHO ARE  
3 IMPRISONED IN COUNTY JAILS TO ASSIST IN THE PAYMENT OF THE COSTS  
4 OF INCARCERATION; TO AMEND SECTION 47-1-39, MISSISSIPPI CODE OF  
5 1972, TO AUTHORIZE ANY MUNICIPAL GOVERNING AUTHORITIES TO REQUIRE  
6 CONVICTS WHO ARE IMPRISONED IN MUNICIPAL JAILS TO ASSIST IN THE  
7 PAYMENT OF THE COSTS OF INCARCERATION; AND FOR RELATED PURPOSES.

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

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

11 47-1-1. Every convict sentenced to imprisonment in the  
12 county jail, or to such imprisonment and the payment of a fine, or  
13 the payment of a fine, shall be committed to jail, and shall  
14 remain in close confinement for the full time specified for  
15 imprisonment in the sentence of the court, and in like confinement  
16 until the fine, costs and jail fees be fully paid, unless  
17 discharged in due course of law, or as hereinafter provided. But  
18 no convict shall be held in continuous confinement under a  
19 conviction for any one (1) offense for failure to pay a fine and  
20 costs in such case for a period of more than two (2) years.  
21 The board of supervisors of any county are authorized to charge  
22 convicts who are imprisoned in county jails for the costs of  
23 incarceration at a rate not to exceed the amount the state pays  
24 counties for incarcerating state offenders in county jails due to  
25 a lack of capacity at state correctional institutions as  
26 prescribed in Section 47-5-901.

27 **SECTION 2.** Section 47-1-39, Mississippi Code of 1972, is  
28 amended as follows:

29           47-1-39. (1) The governing authorities of municipalities  
30 shall have the power to construct and maintain a municipal prison,  
31 and to regulate the keeping of the same and the prisoners therein,  
32 and to contract with the board of supervisors, which is empowered  
33 in the premises, for the use of the county jail by the  
34 municipality; and to provide for the working of the streets by  
35 municipal prisoners, and to contract with the county for such work  
36 by county prisoners or the working of county roads by municipal  
37 prisoners, or for working same on the county farms. Municipal  
38 prisoners shall be worked on county roads or county farms only in  
39 the county in which the municipality is situated. Males and  
40 females shall be confined in separate cells or compartments.

41           (2) The governing authorities of municipalities are  
42 authorized to charge convicts who are imprisoned in municipal  
43 jails for the costs of incarceration at a rate not to exceed the  
44 amount the state pays counties for incarcerating state offenders  
45 in county jails due to a lack of capacity at state correctional  
46 institutions as prescribed in Section 47-5-901.

47           (3) The municipality shall pay the tuition, living and  
48 travel expenses incurred by a person attending and participating  
49 in the basic and continuing education courses for jail officers.

50           **SECTION 3.** This act shall take effect and be in force from  
51 and after July 1, 2004.