

By: Representatives Stevens, Frierson,
Clarke

To: Corrections

HOUSE BILL NO. 474

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, 2004.