

By: Representative Malone

To: Corrections;
Appropriations

HOUSE BILL NO. 780

1 AN ACT TO AMEND SECTION 47-5-931, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE NUMBER OF STATE OFFENDERS FROM 250 TO 300 FOR
3 WHICH THE DEPARTMENT OF CORRECTIONS MAY CONTRACT FOR THE HOUSING
4 OF STATE OFFENDERS AT COUNTY REGIONAL CORRECTIONAL FACILITIES; AND
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 47-5-931, Mississippi Code of 1972, is
8 amended as follows:

9 47-5-931. (1) The Department of Corrections, in its
10 discretion, may contract with the board of supervisors of one or
11 more counties and/or with a regional facility jointly operated by
12 two (2) or three (3) counties, to provide for housing, care and
13 control of not more than three hundred (300) offenders who are in
14 the custody of the State of Mississippi. Any facility owned or
15 leased by a county or counties for this purpose shall be designed,
16 constructed, operated and maintained in accordance with American
17 Correctional Association standards, and shall comply with all
18 constitutional standards of the United States and the State of
19 Mississippi, and with all court orders that may now or hereinafter
20 be applicable to the facility. If the Department of Corrections
21 contracts with more than one (1) county to house state offenders
22 in county correctional facilities, excluding a regional facility,
23 then the first of such facilities shall be constructed in Sharkey
24 County and the second of such facilities shall be constructed in
25 Jefferson County.

26 (2) The Department of Corrections shall contract with the
27 boards of supervisors of the following counties to house state
28 inmates in regional facilities: (a) Marion and Walthall Counties;

29 (b) Carroll and Montgomery Counties; (c) Stone and Pearl River
30 Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba
31 Counties; (f) Holmes County and any contiguous county in which
32 there is located an unapproved jail; and (g) Bolivar County and
33 any contiguous county in which there is located an unapproved
34 jail. The Department of Corrections may contract with the boards
35 of supervisors of the following counties to house state inmates in
36 regional facilities: (a) Yazoo County and any contiguous county,
37 (b) Chickasaw County; and (c) George and Greene Counties. The
38 Department of Corrections shall decide the order of priority of
39 the counties listed in this subsection with which it will contract
40 for the housing of state inmates. For the purposes of this
41 subsection the term "unapproved jail" means any jail that the
42 local grand jury determines should be condemned or has found to be
43 of substandard condition or in need of substantial repair or
44 reconstruction.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after July 1, 2004.