

By: Senator(s) Dearing, Burton, Hewes

To: Corrections

SENATE BILL NO. 2163

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 HOUSING STATE INMATES; TO
 5 AMEND SECTION 47-5-937, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
 6 REGIONAL FACILITIES' CONTRACTS FOR LEGAL SERVICES MAY NOT EXCEED
 7 THE TERM OF OFFICE OF THE BOARD OF SUPERVISORS SITTING AT THE TIME
 8 THE CONTRACT IS ADOPTED; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 47-5-935, Mississippi Code of 1972, is
 11 amended as follows:

12 47-5-935. Concurrent with the execution of a contract for
 13 housing of state offenders as authorized by Sections 47-5-931
 14 through 47-5-941, a warden hired by the board of supervisors of a
 15 county where the facility is located is designated as the chief
 16 corrections officer for the facility housing state offenders, and
 17 in that capacity, shall assume responsibility for management of
 18 the corrections facility and for the provision of the care and
 19 control of the state offenders housed therein. The warden shall
 20 be subject to the direction of the department for management of
 21 the correctional facility. * * *

22 **SECTION 2.** Section 47-5-937, Mississippi Code of 1972, is
 23 amended as follows:

24 47-5-937. Sections 47-5-931 through 47-5-941 shall be full
 25 and complete authority for the exercise of all powers and
 26 authority granted herein and no requirements or restrictions of
 27 law which would otherwise be applicable to acts of the
 28 county * * * or the Department of Corrections shall be applicable
 29 except as expressly provided herein. The warden is expressly
 30 authorized to employ counsel to represent the facility to be paid

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

38 **SECTION 3.** This act shall take effect and be in force from
39 and after October 1, 2004.