

By: Senator(s) Walley

To: Corrections

SENATE BILL NO. 2440

1 AN ACT TO AMEND SECTIONS 47-5-108 AND 47-5-109, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT CERTAIN MONIES FROM EMPLOYEE  
3 COMMISSARIES AND CANTEENS AT DEPARTMENT OF CORRECTIONS FACILITIES  
4 SHALL BE USED FOR THE BENEFIT OF EMPLOYEES AT SUCH FACILITIES; AND  
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 47-5-108, Mississippi Code of 1972, is  
8 amended as follows:

9 47-5-108. The department may provide self-sustaining  
10 facilities for the preparation and serving of food for employees  
11 and visitors of the Mississippi State Penitentiary, the Central  
12 Mississippi Correctional Facility, and the South Mississippi  
13 Correctional Institution. The commissioner shall promulgate  
14 policies and procedures for the operation of such facilities. In  
15 addition, the funds derived from these operations shall remain in  
16 separate accounts at each facility, hereafter known as the  
17 "Employee Cafeteria Funds." The profits, if any, shall be used  
18 for the benefit of the employees at that facility at the direction  
19 of the superintendent of the facility.

20 **SECTION 2.** Section 47-5-109, Mississippi Code of 1972, is  
21 amended as follows:

22 47-5-109. (1) The department may operate a facility or  
23 facilities to be known as an inmate canteen facility or  
24 facilities, \* \* \* to make available certain goods and other items  
25 of value for purchase by offenders confined at the State  
26 Penitentiary at Parchman, offenders confined at any other facility  
27 of the department, certain employees of the department and certain  
28 persons visiting offenders or employees. The commissioner shall

29 promulgate rules and regulations for the operation of such a  
30 facility.

31 (2) Any funds which may be derived from the operation of an  
32 inmate canteen facility or facilities shall be deposited into an  
33 account to be known as the Canteen Fund. For accounting purposes,  
34 certain allocated costs attributable to the operation of such a  
35 facility, and as prescribed by the rules and regulations \* \* \*,  
36 shall be chargeable as operating costs against profits earned.  
37 These costs of operation which are chargeable shall include, but  
38 shall not be limited to, rent allocation, utility allocation and  
39 employee wages. Any net profits which may accrue from the  
40 operation of such a facility and any interest earned thereon shall  
41 be deposited into the Inmate Welfare Fund.

42 (3) Any profits derived from the operation of canteens and  
43 commissaries for employees and visitors of a facility shall be  
44 deposited into a separate account to be used for the benefit of  
45 employees at that facility at the direction of the superintendent  
46 of the facility.

47 **SECTION 3.** This act shall take effect and be in force from  
48 and after July 1, 2005.