

By: Representative Malone

To: Corrections

HOUSE BILL NO. 427

1 AN ACT TO AMEND SECTION 47-5-1005, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT PARTICIPANTS IN THE INTENSIVE SUPERVISION PROGRAM FROM
3 LEAVING THE JURISDICTION OF THE STATE OF MISSISSIPPI; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 47-5-1005, Mississippi Code of 1972, is
7 amended as follows:

8 47-5-1005. (1) The department shall promulgate rules that
9 prescribe reasonable guidelines under which an intensive
10 supervision program shall operate. These rules shall include, but
11 not be limited to, the following:

12 (a) The participant shall remain within the interior
13 premises or within the property boundaries of his or her residence
14 at all times during the hours designated by the correctional field
15 officer.

16 (b) Approved absences from the home may include, but
17 are not limited to, the following:

18 (i) Working or employment approved by the court or
19 department and traveling to or from approved employment;

20 (ii) Unemployed and seeking employment approved
21 for the participant by the court or department;

22 (iii) Undergoing medical, psychiatric, mental
23 health treatment, counseling or other treatment programs approved
24 for the participant by the court or department;

25 (iv) Attending an educational institution or a
26 program approved for the participant by the court or department;

27 (v) Participating in community work release or a
28 community service program approved for the participant by the
29 court or department; or

30 (vi) For another compelling reason consistent with
31 the public interest, as approved by the court or department.

32 (c) No participant in the intensive supervision program
33 may leave the jurisdiction of the State of Mississippi.

34 (2) The department shall select and approve all electronic
35 monitoring devices used under Sections 47-5-1001 through
36 47-5-1015.

37 (3) The department may lease the equipment necessary to
38 implement the intensive supervision program and to contract for
39 the monitoring of such devices. The department is authorized to
40 select the lowest price and best source in contracting for these
41 services.

42 **SECTION 2.** This act shall take effect and be in force from
43 and after July 1, 2007.