

By: Representative Warren

To: Corrections

HOUSE BILL NO. 766

1 AN ACT TO AMEND SECTION 99-37-19, MISSISSIPPI CODE OF 1972,
2 WHICH AUTHORIZES BOARDS OF SUPERVISORS AND THE GOVERNING
3 AUTHORITIES OF MUNICIPALITIES TO COOPERATE WITH THE DEPARTMENT OF
4 CORRECTIONS TO ESTABLISH RESTITUTION CENTERS; TO EXTEND THE DATE
5 OF REPEAL ON THIS SECTION FROM JULY 1, 2007, TO JULY 1, 2009; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 99-37-19, Mississippi Code of 1972, is
9 amended as follows:

10 99-37-19. The boards of supervisors of * * * several
11 counties and the governing authorities of municipalities are
12 hereby authorized to cooperate with the Department of Corrections
13 in the establishment of restitution centers. Such centers may
14 house both probationers referred by the circuit courts as well as
15 inmates transferred from other facilities of the Department of
16 Corrections as provided in Section 47-5-110. In order to qualify
17 for placement in a restitution center, an offender must: (a) be
18 convicted of a nonviolent offense that constitutes a felony, (b)
19 not be convicted of a sex crime, and (c) not have drug, alcohol,
20 emotional or physical problems so serious that the offender
21 appears unlikely to meet obligations of the restitution program.
22 Such centers shall be operated by the Department of Corrections.
23 County or municipal property may be utilized with the approval of
24 the board of supervisors or municipal governing authority for the
25 construction, renovation and maintenance of facilities owned by
26 the state or a local political subdivision. Such facility may be
27 leased to the Department of Corrections for a period of time for
28 use as a restitution center.

29 It is the intent of this section that county and local
30 governments contribute only to the establishment, renovation and
31 maintenance of the physical plant of a restitution center and that
32 the Department of Corrections support the operation of, and have
33 sole jurisdiction over and responsibility for offenders in, such
34 restitution program.

35 This section shall stand repealed on July 1, 2009.

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