By: Representatives Bailey, Calhoun, Banks, Brown, Clarke, Coleman (65th), Hines, Reeves, Robinson (63rd), Thomas

To: Corrections

HOUSE BILL NO. 985

AN ACT TO AMEND SECTION 47-5-931, MISSISSIPPI CODE OF 1972, 1 2 TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE BOARDS OF SUPERVISORS OF WASHINGTON AND HINDS COUNTIES TO HOUSE 3 STATE INMATES IN A REGIONAL FACILITY; TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT FROM \$24.90 TO 4 5 \$29.74 THAT THE DEPARTMENT OF CORRECTIONS PAYS TO REGIONAL 6 7 FACILITIES FOR THE HOUSING OF STATE OFFENDERS; AND FOR RELATED 8 PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI: 9 10 SECTION 1. Section 47-5-931, Mississippi Code of 1972, is amended as follows: 11

47-5-931. (1) The Department of Corrections, in its 12 13 discretion, may contract with the board of supervisors of one or more counties and/or with a regional facility * * * operated by 14 15 one (1) or more counties, to provide for housing, care and control of not more than three hundred (300) offenders who are in the 16 17 custody of the State of Mississippi. Any facility owned or leased 18 by a county or counties for this purpose shall be designed, 19 constructed, operated and maintained in accordance with American Correctional Association standards, and shall comply with all 20 constitutional standards of the United States and the State of 21 Mississippi, and with all court orders that may now or hereinafter 22 23 be applicable to the facility. If the Department of Corrections 24 contracts with more than one (1) county to house state offenders in county correctional facilities, excluding a regional facility, 25 26 then the first of such facilities shall be constructed in Sharkey County and the second of such facilities shall be constructed in 27 Jefferson County. 28 (2) The Department of Corrections shall contract with the 29

30 boards of supervisors of the following counties to house state * HR07/ R1744* H. B. No. 985 G3/5 07/HR07/R1744 PAGE 1 (OM\HS)

31 inmates in regional facilities: (a) Marion and Walthall Counties; 32 (b) Carroll and Montgomery Counties; (c) Stone and Pearl River 33 Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba Counties; (f) Holmes County and any contiguous county in which 34 35 there is located an unapproved jail; and (g) Bolivar County and 36 any contiguous county in which there is located an unapproved 37 jail. The Department of Corrections may contract with the boards of supervisors of the following counties to house state inmates in 38 regional facilities: (a) Yazoo County * * *, (b) Chickasaw County 39 40 (c) George and Greene Counties and (d) Washington and Hinds Counties. The Department of Corrections shall decide the order of 41 42 priority of the counties listed in this subsection with which it will contract for the housing of state inmates. For the purposes 43 44 of this subsection the term "unapproved jail" means any jail that the local grand jury determines should be condemned or has found 45 46 to be of substandard condition or in need of substantial repair or 47 reconstruction.

48 SECTION 2. Section 47-5-933, Mississippi Code of 1972, is 49 amended as follows:

50 47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than 51 52 twenty (20) years. The contract may provide that the Department 53 of Corrections pay a fee of up to Twenty-seven Dollars and Seventy-four Cents (\$24.74) per day for each offender that is 54 55 housed in the facility. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) 56 57 annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent 58 59 that is required by law.

60 **SECTION 3.** This act shall take effect and be in force from 61 and after July 1, 2007.

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