

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

To: Corrections

HOUSE BILL NO. 985
(As Passed the House)

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

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

10 **SECTION 1.** Section 47-5-931, Mississippi Code of 1972, is
11 amended as follows:

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

29 (2) The Department of Corrections shall contract with the
30 boards of supervisors of the following counties to house state

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
34 Counties; (f) Holmes County and any contiguous county in which
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
38 of supervisors of the following counties to house state inmates in
39 regional facilities: (a) Yazoo County * * *, (b) Chickasaw
40 County, (c) George and Greene Counties, (d) Washington County, (e)
41 Hinds County and (f) Alcorn County. The Department of Corrections
42 shall decide the order of priority of the counties listed in this
43 subsection with which it will contract for the housing of state
44 inmates. For the purposes of this subsection the term "unapproved
45 jail" means any jail that the local grand jury determines should
46 be condemned or has found to be of substandard condition or in
47 need of substantial repair or 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
51 purposes set out in Section 47-5-931 for a period of not more than
52 twenty (20) years. The contract may provide that the Department
53 of Corrections pay a fee of up to Twenty-nine Dollars and
54 Seventy-four Cents (\$29.74) per day for each offender that is
55 housed in the facility. The Department of Corrections may include
56 in the contract, as an inflation factor, a three percent (3%)
57 annual increase in the contract price. The state shall retain
58 responsibility for medical care for state offenders to the extent
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.