

By: Senator(s) Doxey

To: Corrections;  
Appropriations

SENATE BILL NO. 2623

1 AN ACT TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE TERM OF PAYMENTS OF INMATE TELEPHONE CALL COMMISSIONS  
3 TO THE INMATE TECHNOLOGY FUND; TO EXTEND THE REPEALER ON SUCH  
4 FUND; TO REVISE PAYMENTS TO THE PRISON AGRICULTURAL ENTERPRISE  
5 FUND TO CONFORM; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 47-5-158, Mississippi Code of 1972, is  
8 amended as follows:

9 47-5-158. (1) The department is authorized to maintain a  
10 bank account which shall be designated as the Inmate Welfare Fund.  
11 All monies now held in a similar fund for the benefit and welfare  
12 of inmates shall be deposited into the Inmate Welfare Fund. This  
13 fund shall be used for the benefit and welfare of inmates in the  
14 custody of the department.

15 (2) There shall be deposited into the Inmate Welfare Fund  
16 interest previously earned on inmate deposits, all net profits  
17 from the operation of inmate canteens, the annual prison rodeo,  
18 performances of the Penitentiary band, interest earned on the  
19 Inmate Welfare Fund and other revenues designated by the  
20 commissioner. All money shall be deposited into the Inmate  
21 Welfare Fund as provided in Section 7-9-21, Mississippi Code of  
22 1972.

23 (3) All inmate telephone call commissions shall be paid to  
24 the department. Monies in the fund may be expended by the  
25 department \* \* \*, upon requisition by the commissioner or his  
26 designee, only for the purposes established in this subsection.

27           (a) Twenty-five percent (25%) of the inmate telephone  
28 call commissions shall be used to purchase and maintain  
29 telecommunication equipment to be used by the department.

30           (b) Until July 1, 2008, twenty-five percent (25%) of  
31 the inmate telephone call commissions shall be deposited into the  
32 Prison Agricultural Enterprise Fund. Beginning on July 1, 2008,  
33 fifty percent (50%) of the inmate telephone call commissions shall  
34 be deposited into the Prison Agricultural Enterprise Fund.

35 The \* \* \* department \* \* \* may use these funds to supplement the  
36 Prison Agricultural Enterprise Fund created in Section 47-5-66.

37           (c) Twenty-five percent (25%) of the inmate telephone  
38 call commissions shall be deposited into the Inmate Welfare Fund.

39           (d) Until July 1, 2008, twenty-five percent (25%) shall  
40 be deposited in a fund called the Inmate Technology Fund to  
41 purchase an Inmate Information Technology System. This paragraph  
42 (d) shall repeal on July 1, 2008.

43           (4) The commissioner may invest in the manner authorized by  
44 law any money in the Inmate Welfare Fund that is not necessary for  
45 immediate use, and the interest earned shall be deposited in the  
46 Inmate Welfare Fund.

47           (5) The Deputy Commissioner for Administration and Finance  
48 shall be the custodian of the Inmate Welfare Fund. He shall  
49 establish and implement internal accounting controls that comply  
50 with generally accepted accounting principles. The Deputy  
51 Commissioner for Administration and Finance shall prepare and  
52 issue quarterly consolidated and individual facility financial  
53 statements to the prison auditor of the Joint Legislative  
54 Committee on Performance Evaluation and Expenditure Review. The  
55 deputy commissioner shall prepare an annual report which shall  
56 include a summary of expenditures from the fund by major  
57 categories and by individual facility. This annual report shall  
58 be sent to the prison auditor, the Legislative Budget Office, the  
59 Chairman of the Corrections Committee of the Senate, and the

60 Chairman of the Penitentiary Committee of the House of  
61 Representatives.

62 (6) A portion of the Inmate Welfare Fund shall be deposited  
63 in the Discharged Offenders Revolving Fund, as created under  
64 Section 47-5-155, in amounts necessary to provide a balance not to  
65 exceed One Hundred Thousand Dollars (\$100,000.00) in the  
66 Discharged Offenders Revolving Fund, and shall be used to  
67 supplement those amounts paid to discharged, paroled or pardoned  
68 offenders from the department. The superintendent of the Parchman  
69 facility shall establish equitable criteria for the making of  
70 supplemental payments which shall not exceed Two Hundred Dollars  
71 (\$200.00) for any offender. The supplemental payments shall be  
72 subject to the approval of the commissioner. The State Treasurer  
73 shall not be required to replenish the Discharged Offenders  
74 Revolving Fund for the supplemental payments made to discharged,  
75 paroled or pardoned offenders.

76 (7) The Inmate Welfare Fund Committee is hereby created and  
77 shall be composed of seven (7) members: The Deputy Commissioner  
78 for Community Corrections, the Deputy Commissioner of  
79 Institutions, the Superintendent of the Parchman facility, the  
80 Superintendent of the Rankin County facility, the Superintendent  
81 of the Greene County facility, and two (2) members to be appointed  
82 by the Commissioner of Corrections. The commissioner shall  
83 appoint the chairman of the committee. The committee shall  
84 administer and supervise the operations and expenditures from the  
85 Inmate Welfare Fund and shall maintain an official minute book  
86 upon which shall be spread its authorization and approval for all  
87 such expenditures. The committee may promulgate regulations  
88 governing the use and expenditures of the fund.

89 (8) The Department of Audit shall conduct an annual  
90 comprehensive audit of the Inmate Welfare Fund.

91 **SECTION 2.** This act shall take effect and be in force from  
92 and after its passage.