

By: Senator(s) Doxey

To: Corrections

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.