

## House Amendments to Senate Bill No. 2623

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

16           47-5-158. (1) The department is authorized to maintain a  
17 bank account which shall be designated as the Inmate Welfare Fund.  
18 All monies now held in a similar fund for the benefit and welfare  
19 of inmates shall be deposited into the Inmate Welfare Fund. This  
20 fund shall be used for the benefit and welfare of inmates in the  
21 custody of the department.

22           (2) There shall be deposited into the Inmate Welfare Fund  
23 interest previously earned on inmate deposits, all net profits  
24 from the operation of inmate canteens, the annual prison rodeo,  
25 performances of the Penitentiary band, interest earned on the  
26 Inmate Welfare Fund and other revenues designated by the  
27 commissioner. All money shall be deposited into the Inmate  
28 Welfare Fund as provided in Section 7-9-21, Mississippi Code of  
29 1972.

30           (3) All inmate telephone call commissions shall be paid to  
31 the department. Monies in the fund may be expended by the  
32 Department of Corrections, upon requisition by the commissioner or  
33 his designee, only for the purposes established in this  
34 subsection.

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

38           (b) Until July 1, 2008, twenty-five percent (25%) of  
39 the inmate telephone call commissions shall be deposited into the

40 Prison Agricultural Enterprise Fund. Beginning on July 1, 2008,  
41 fifty percent (50%) of the inmate telephone call commissions shall  
42 be deposited into the Prison Agricultural Enterprise Fund. The  
43 Mississippi Department of Corrections may use these funds to  
44 supplement the Prison Agricultural Enterprise Fund created in  
45 Section 47-5-66.

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

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

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

56 (5) The Deputy Commissioner for Administration and Finance  
57 shall be the custodian of the Inmate Welfare Fund. He shall  
58 establish and implement internal accounting controls that comply  
59 with generally accepted accounting principles. The Deputy  
60 Commissioner for Administration and Finance shall prepare and  
61 issue quarterly consolidated and individual facility financial  
62 statements to the prison auditor of the Joint Legislative  
63 Committee on Performance Evaluation and Expenditure Review. The  
64 deputy commissioner shall prepare an annual report which shall  
65 include a summary of expenditures from the fund by major  
66 categories and by individual facility. This annual report shall  
67 be sent to the prison auditor, the Legislative Budget Office, the  
68 Chairman of the Corrections Committee of the Senate, and the  
69 Chairman of the Penitentiary Committee of the House of  
70 Representatives.

71 (6) A portion of the Inmate Welfare Fund shall be deposited  
72 in the Discharged Offenders Revolving Fund, as created under  
73 Section 47-5-155, in amounts necessary to provide a balance not to  
74 exceed One Hundred Thousand Dollars (\$100,000.00) in the

75 Discharged Offenders Revolving Fund, and shall be used to  
76 supplement those amounts paid to discharged, paroled or pardoned  
77 offenders from the department. The superintendent of the Parchman  
78 facility shall establish equitable criteria for the making of  
79 supplemental payments which shall not exceed Two Hundred Dollars  
80 (\$200.00) for any offender. The supplemental payments shall be  
81 subject to the approval of the commissioner. The State Treasurer  
82 shall not be required to replenish the Discharged Offenders  
83 Revolving Fund for the supplemental payments made to discharged,  
84 paroled or pardoned offenders.

85 (7) The Inmate Welfare Fund Committee is hereby created and  
86 shall be composed of seven (7) members: The Deputy Commissioner  
87 for Community Corrections, the Deputy Commissioner of  
88 Institutions, the Superintendent of the Parchman facility, the  
89 Superintendent of the Rankin County facility, the Superintendent  
90 of the Greene County facility, and two (2) members to be appointed  
91 by the Commissioner of Corrections. The commissioner shall  
92 appoint the chairman of the committee. The committee shall  
93 administer and supervise the operations and expenditures from the  
94 Inmate Welfare Fund and shall maintain an official minute book  
95 upon which shall be spread its authorization and approval for all  
96 such expenditures. The committee may promulgate regulations  
97 governing the use and expenditures of the fund.

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

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE TIME PERIOD UNTIL JULY 1, 2008, WHEREBY THE  
3 DEPARTMENT OF CORRECTIONS IS REQUIRED TO DEPOSIT 25% OF THE INMATE  
4 TELEPHONE CALL COMMISSIONS INTO THE PRISON AGRICULTURAL ENTERPRISE  
5 FUND; TO EXTEND THE TIME PERIOD TO JULY 1, 2008, WHEREBY THE  
6 DEPARTMENT IS AUTHORIZED TO BEGIN DEPOSITING 50% OF THE INMATE  
7 TELEPHONE CALL COMMISSIONS INTO THE FUND; TO EXTEND THE TIME  
8 PERIOD FROM JULY 1, 2007, TO JULY 1, 2008, WHEREBY THE DEPARTMENT  
9 IS REQUIRED TO DEPOSIT 25% OF SUCH COMMISSIONS INTO THE INMATE  
10 TECHNOLOGY FUND AND TO EXTEND THE DATE OF REPEAL ON THE PROVISION

11 OF LAW THAT ALLOWS SUCH DEPOSITS TO THE INMATE TECHNOLOGY FUND;  
12 AND FOR RELATED PURPOSES.

HR03\SB2623A.J

Don Richardson  
Clerk of the House of Representatives