

By: Representative Kinkade

To: Corrections

HOUSE BILL NO. 60

1 AN ACT TO AMEND SECTION 47-5-173, MISSISSIPPI CODE OF 1972,  
 2 TO REMOVE THE REQUIREMENT THAT AN INMATE BE ACCOMPANIED BY A  
 3 CORRECTIONAL OFFICER OR A LAW ENFORCEMENT OFFICER WHEN HE OR SHE  
 4 IS GRANTED EMERGENCY LEAVE DUE TO SICKNESS OR DEATH IN THE  
 5 OFFENDER'S FAMILY; TO PROVIDE, IN ALL CASES WHERE AN OFFENDER IS  
 6 GRANTED LEAVE, THAT THE COMMISSIONER OR HIS DESIGNEES SHALL  
 7 DETERMINE WHEN A SECURITY ESCORT IS DEEMED NECESSARY; AND FOR  
 8 RELATED PURPOSES.

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

10 **SECTION 1.** Section 47-5-173, Mississippi Code of 1972, is  
 11 amended as follows:

12 47-5-173. The commissioner, or his designees, may grant  
 13 leave to an offender and may take into consideration sickness or  
 14 death in the offender's family or the seeking of employment by the  
 15 offender in connection with application for parole, for a period  
 16 of time not to exceed ten (10) days. At least fifteen (15) days  
 17 prior to the release of an offender on leave, the director of  
 18 records of the department shall give the written notice required  
 19 pursuant to Section 47-5-177. However, if an offender is granted  
 20 leave because of sickness or death in the offender's family,  
 21 written notice shall not be required \* \* \*. In all \* \* \* cases



22 the commissioner, or his designees, shall \* \* \* determine when a  
23 security escort by a correctional officer or law enforcement  
24 officer is \* \* \* deemed necessary. The commissioner, or his  
25 designees, in granting leave, shall take into consideration the  
26 conduct and work performance of the offender.

27 **SECTION 2.** This act shall take effect and be in force from  
28 and after July 1, 2018.

