

## Senate Amendments to House Bill No. 874

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE 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:

7           **SECTION 1.** Section 19-25-73, Mississippi Code of 1972, is  
8 amended as follows:

9           19-25-73. (1) In respect to the feeding of prisoners by the  
10 sheriff's office, the board of supervisors is authorized to choose  
11 one (1) of the following methods:

12           (a) It shall only contract with a local caterer or  
13 restaurant owner to bring in food for the prisoners, and the  
14 contract shall be awarded after taking bids as provided by law for  
15 other county contracts.

16           (b) The sheriff shall purchase, in the name of the  
17 county, all necessary food and related supplies to be used for  
18 feeding prisoners only in the county jail. All purchases of such  
19 food and supplies shall be invoiced to the county and placed on  
20 the claims docket of the board of supervisors for disposition in  
21 the same manner as all other claims against the county. All wages  
22 and other compensation for services rendered to the sheriff in  
23 connection with the feeding of prisoners shall be submitted to and

24 approved by the board of supervisors as other wages or  
25 compensation paid to employees of the sheriff. The total  
26 expenditure for such purpose under this method shall not  
27 exceed \* \* \* Fifteen Dollars (\$15.00) per day per prisoner, except  
28 as provided in subsection (3) of this section. All payments and  
29 reimbursements from any source for the keeping of prisoners shall  
30 be received and paid into the general fund of the county.

31 (c) The board of supervisors may negotiate a contract  
32 with the board of trustees of the local public community hospital  
33 to bring in food for the prisoners.

34 (2) The board of supervisors may authorize the sheriff to  
35 maintain a bank account entitled "jail food allowance account"  
36 into which shall be deposited all receipts for feeding and keeping  
37 prisoners in the county jail, including payments from the board of  
38 supervisors at the rate \* \* \* not to exceed Fifteen Dollars  
39 (\$15.00) per prisoner per day and all such receipts from  
40 municipalities, the United States and any other jurisdictions  
41 required to pay the cost of feeding or keeping prisoners contained  
42 in the jail. He shall maintain a receipts journal and a  
43 disbursements journal, in a form to be prescribed by the State  
44 Department of Audit, which will provide the information necessary  
45 to determine the actual cost of feeding the prisoners, which shall  
46 not exceed \* \* \* Fifteen Dollars (\$15.00) per prisoner per day,  
47 except as provided in subsection (3) of this section. All costs  
48 and expenses for such feeding shall be paid from the jail food  
49 allowance account and supported by properly itemized invoices.

50 Any funds accumulating in the jail food allowance account in  
51 excess of the monthly average expenditures, plus ten percent (10%)  
52 for contingencies, shall be paid into the county general fund at  
53 least once each calendar quarter.

54 (3) In the event that prisoners are housed in the county  
55 jail by any political subdivision of the state, the county may  
56 charge the political subdivision for housing, feeding and  
57 otherwise caring for such prisoners an amount not to exceed the  
58 payments provided under \* \* \* state law for the keeping in the  
59 county jail of persons committed, sentenced or otherwise placed  
60 under the custody of the Department of Corrections. Nothing in  
61 this section shall be construed to affect payments by the  
62 Department of Corrections set by \* \* \* state law for the keeping  
63 in the county jail of persons committed, sentenced or otherwise  
64 placed under the custody of the Department of Corrections.

65 **SECTION 2.** This act shall take effect and be in force from  
66 and after July 1, 2019.

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

1 AN ACT TO AMEND SECTION 19-25-73, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE FROM \$6.00 TO \$15.00 PER DAY PER PRISONER THAT COUNTY  
3 SHERIFFS MAY EXPEND UPON FEEDING PRISONERS HOUSED WITHIN COUNTY  
4 JAILS WHENEVER SUCH SHERIFFS PURCHASE FOOD, IN THE NAME OF THE  
5 COUNTY, FOR THE PRISONERS; AND FOR RELATED PURPOSES.

SS26\HB874A.J

Liz Welch  
Secretary of the Senate