

By: Senator(s) Simmons (13th), Barnett,
Jackson (32nd), Blackmon, Jackson (11th),
Chassaniol, Frazier, Thomas, Jordan,
Witherspoon, Simmons (12th), Hill

To: Corrections;
Appropriations

SENATE BILL NO. 2684
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 47-5-931 AND 47-5-933, MISSISSIPPI
2 CODE OF 1972, TO GRANT AUTHORITY TO THE GOVERNOR AND COMMISSIONER
3 OF CORRECTIONS TO INCREASE THE NUMBER OF OFFENDERS WHO CAN BE
4 PLACED IN REGIONAL CORRECTIONAL FACILITIES; TO AUTHORIZE TO
5 INCREASE THE REGIONAL PER DIEM; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 47-5-931, Mississippi Code of 1972, is
8 amended as follows:

9 47-5-931. (1) The Department of Corrections, in its
10 discretion, may contract with the board of supervisors of one or
11 more counties * * * or with a regional facility operated by one or
12 more counties, to provide for housing, care and control of
13 offenders who are in the custody of the State of Mississippi. Any
14 facility owned or leased by a county or counties for this purpose
15 shall be designed, constructed, operated and maintained in
16 accordance with American Correctional Association standards, and
17 shall comply with all constitutional standards of the United
18 States and the State of Mississippi, and with all court orders
19 that may now or hereinafter be applicable to the facility. If the



20 Department of Corrections contracts with more than one (1) county
21 to house state offenders in county correctional facilities,
22 excluding a regional facility, then the first of such facilities
23 shall be constructed in Sharkey County and the second of such
24 facilities shall be constructed in Jefferson County.

25 (2) The Department of Corrections shall contract with the
26 board of supervisors of the following counties to house state
27 inmates in regional facilities: (a) Marion and Walthall Counties;
28 (b) Carroll and Montgomery Counties; (c) Stone and Pearl River
29 Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba
30 Counties; (f) Alcorn County * * * and any contiguous county in
31 which there is located an unapproved jail; (* * *g) Yazoo
32 County * * * and any contiguous county in which there is located
33 an unapproved jail; (* * *h) Chickasaw County * * * and any
34 contiguous county in which there is located an unapproved jail;
35 (* * *i) George and Greene Counties * * * and any contiguous
36 county in which there is located an unapproved jail; (* * *j)
37 Washington County * * * and any contiguous county in which there
38 is located an unapproved jail; (* * *k) Hinds County * * * and
39 any contiguous county in which there is located an unapproved
40 jail; (l) Leake County and any contiguous county in which there is
41 located an unapproved jail; (m) Issaquena County and any
42 contiguous county in which there is located an unapproved jail;
43 (n) Jefferson County and any contiguous county in which there is
44 located an unapproved jail; (o) Franklin County and any contiguous



45 county in which there is located an unapproved jail; (* * *p)
46 Holmes County and any contiguous county in which there is located
47 an unapproved jail; and (* * *q) Bolivar County and any
48 contiguous county in which there is located an unapproved
49 jail. * * * The Department of Corrections shall decide the order
50 of priority of the counties listed in this subsection with which
51 it will contract for the housing of state inmates. For the
52 purposes of this subsection, the term "unapproved jail" means any
53 jail that the local grand jury determines should be condemned or
54 has found to be of substandard condition or in need of substantial
55 repair or reconstruction.

56 (3) In addition to the offenders authorized to be housed
57 under subsection (1) of this section, the Department of
58 Corrections may contract with * * * any regional facility to
59 provide for housing, care and control of not more than
60 seventy-five (75) additional offenders who are in the custody of
61 the State of Mississippi.

62 (4) The Governor and the Commissioner of Corrections are
63 authorized to increase administratively the number of offenders
64 who are in the custody of the State of Mississippi that can be
65 placed in regional correctional facilities.

66 **SECTION 2.** Section 47-5-933, Mississippi Code of 1972, is
67 amended as follows:

68 47-5-933. The Department of Corrections may contract for the
69 purposes set out in Section 47-5-931 for a period of not more than



70 twenty (20) years. The contract may provide that the Department
71 of Corrections pay a fee of * * * no more than Thirty-one Dollars
72 (\$31.00) per day for each offender that is housed in the facility.
73 The Department of Corrections may include in the contract, as an
74 inflation factor, a three percent (3%) annual increase in the
75 contract price. The state shall retain responsibility for medical
76 care for state offenders to the extent that is required by law;
77 provided, however, the department may reimburse each facility for
78 contract medical services as provided by law in an amount not to
79 exceed Six Dollars and Twenty-five Cents (\$6.25) per day per
80 offender.

81 **SECTION 3.** This act shall take effect and be in force from
82 and after July 1, 2020.

