

By: Representative Roberson

To: Corrections

HOUSE BILL NO. 683

1 AN ACT TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE DATE OF THE REPEALER ON THE STATE PAROLE BOARD; AND FOR
3 RELATED PURPOSES.

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

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

7 47-7-5. (1) The State Parole Board, created under former
8 Section 47-7-5, is hereby created, continued and reconstituted and
9 shall be composed of five (5) members. The Governor shall appoint
10 the members with the advice and consent of the Senate. All terms
11 shall be at the will and pleasure of the Governor. Any vacancy
12 shall be filled by the Governor, with the advice and consent of
13 the Senate. The Governor shall appoint a chairman of the board.

14 (2) Any person who is appointed to serve on the board shall
15 possess at least a bachelor's degree or a high school diploma and
16 four (4) years' work experience. Each member shall devote his
17 full time to the duties of his office and shall not engage in any
18 other business or profession or hold any other public office. A



19 member shall receive compensation or per diem in addition to his
20 or her salary. Each member shall keep such hours and workdays as
21 required of full-time state employees under Section 25-1-98.
22 Individuals shall be appointed to serve on the board without
23 reference to their political affiliations. Each board member,
24 including the chairman, may be reimbursed for actual and necessary
25 expenses as authorized by Section 25-3-41. Each member of the
26 board shall complete annual training developed based on guidance
27 from the National Institute of Corrections, the Association of
28 Paroling Authorities International, or the American Probation and
29 Parole Association. Each first-time appointee of the board shall,
30 within sixty (60) days of appointment, or as soon as practical,
31 complete training for first-time Parole Board members developed in
32 consideration of information from the National Institute of
33 Corrections, the Association of Paroling Authorities
34 International, or the American Probation and Parole Association.

35 (3) The board shall have exclusive responsibility for the
36 granting of parole as provided by Sections 47-7-3 and 47-7-17 and
37 shall have exclusive authority for revocation of the same. The
38 board shall have exclusive responsibility for investigating
39 clemency recommendations upon request of the Governor.

40 (4) The board, its members and staff, shall be immune from
41 civil liability for any official acts taken in good faith and in
42 exercise of the board's legitimate governmental authority.



43 (5) The budget of the board shall be funded through a
44 separate line item within the general appropriation bill for the
45 support and maintenance of the department. Employees of the
46 department which are employed by or assigned to the board shall
47 work under the guidance and supervision of the board. There shall
48 be an executive secretary to the board who shall be responsible
49 for all administrative and general accounting duties related to
50 the board. The executive secretary shall keep and preserve all
51 records and papers pertaining to the board.

52 (6) The board shall have no authority or responsibility for
53 supervision of offenders granted a release for any reason,
54 including, but not limited to, probation, parole or executive
55 clemency or other offenders requiring the same through interstate
56 compact agreements. The supervision shall be provided exclusively
57 by the staff of the Division of Community Corrections of the
58 department.

59 (7) (a) The Parole Board is authorized to select and place
60 offenders in an electronic monitoring program under the conditions
61 and criteria imposed by the Parole Board. The conditions,
62 restrictions and requirements of Section 47-7-17 and Sections
63 47-5-1001 through 47-5-1015 shall apply to the Parole Board and
64 any offender placed in an electronic monitoring program by the
65 Parole Board.

66 (b) Any offender placed in an electronic monitoring
67 program under this subsection shall pay the program fee provided



68 in Section 47-5-1013. The program fees shall be deposited in the
69 special fund created in Section 47-5-1007.

70 (c) The department shall have absolute immunity from
71 liability for any injury resulting from a determination by the
72 Parole Board that an offender be placed in an electronic
73 monitoring program.

74 (8) (a) The Parole Board shall maintain a central registry
75 of paroled inmates. The Parole Board shall place the following
76 information on the registry: name, address, photograph, crime for
77 which paroled, the date of the end of parole or flat-time date and
78 other information deemed necessary. The Parole Board shall
79 immediately remove information on a parolee at the end of his
80 parole or flat-time date.

81 (b) When a person is placed on parole, the Parole Board
82 shall inform the parolee of the duty to report to the parole
83 officer any change in address ten (10) days before changing
84 address.

85 (c) The Parole Board shall utilize an Internet website
86 or other electronic means to release or publish the information.

87 (d) Records maintained on the registry shall be open to
88 law enforcement agencies and the public and shall be available no
89 later than July 1, 2003.

90 (9) An affirmative vote of at least four (4) members of the
91 Parole Board shall be required to grant parole to an inmate
92 convicted of capital murder or a sex crime.



93 (10) This section shall stand repealed on July 1, * * *
94 2025.

95 **SECTION 2.** This act shall take effect and be in force from
96 and after July 1, 2022.

