

By: Senator(s) Barnett

To: Corrections

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2273

1 AN ACT TO CREATE A NEW SECTION WITHIN TITLE 47 OF CHAPTER 7,
2 MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN OFFENDER'S EMPLOYER TO
3 SUBMIT TIMESHEETS, PROOF OF EMPLOYMENT AND REQUIRED DRUG TESTS TO
4 THE PERSON WHO SUPERVISES AN OFFENDER'S PROBATION OR PAROLE IN
5 LIEU OF IN-PERSON OR ELECTRONIC MEETINGS; TO AUTHORIZE AN
6 OFFENDER'S EMPLOYER TO WITHHOLD STATUTORILY REQUIRED FEES FROM AN
7 OFFENDER'S PAYCHECK AND PAY THE DEPARTMENT OF CORRECTIONS
8 DIRECTLY; TO REQUIRE THE STATE PAROLE BOARD TO COORDINATE WITH THE
9 DEPARTMENT OF CORRECTIONS TO PROMULGATE RULES AND REGULATIONS TO
10 ADMINISTER THIS ACT; TO AMEND SECTION 47-7-36, MISSISSIPPI CODE OF
11 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO IMPLEMENT
12 CERTAIN RULES AND REGULATIONS REGARDING THE USE OF TECHNOLOGY
13 PORTALS BY THOSE WHO ARE ON PAROLE OR PROBATION AND PROBATION
14 OFFICERS WHO SUPERVISE THOSE WHO ARE ON PAROLE OR PROBATION; TO
15 CONFORM; TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO
16 EXTEND THE REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT
17 OF CORRECTIONS TO COLLECT MONTHLY FEES FROM OFFENDERS WHO ARE ON
18 PROBATION, PAROLE OR ANY OTHER FIELD SUPERVISION AND TO DEPOSIT
19 THOSE FEES INTO THE COMMUNITY SERVICE REVOLVING FUND; TO CONFORM;
20 AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** The following shall be codified as a new section
23 within Title 47 of Chapter 7, Mississippi Code of 1972:

24 47-7- . (1) Any employer of an offender may submit weekly
25 time cards, proof of employment and the results of any required
26 drug tests to the person who supervises an individual placed on



27 parole by the Parole Board or placed on probation by the court in
28 lieu of the meeting requirement described in Section 47-7-36.

29 (2) Any employer may withhold an amount from an offender's
30 paycheck sufficient to cover the fees described in Section 47-7-49
31 and pay the amount to the department monthly.

32 (3) This section shall not apply to offenders who are
33 self-employed.

34 (4) The board shall coordinate with the department to
35 promulgate rules and regulations to administer this act.

36 **SECTION 2.** Section 47-7-36, Mississippi Code of 1972, is
37 amended as follows:

38 47-7-36. (1) Any person who supervises an individual placed
39 on parole by the Parole Board or placed on probation by the court
40 shall set the times and locations for meetings that are required
41 for parole or probation at such times and locations that are
42 reasonably designed to accommodate the work schedule of an
43 individual on parole or probation who is employed by another
44 person or entity.

45 (2) To effectuate the provisions of this section, the parole
46 officer or probation officer may utilize technology portals such
47 as Skype, FaceTime or Google video chat, or any other technology
48 portal that allows communication between the individual on parole
49 or probation and the parole or probation officer, as applicable,
50 to occur simultaneously in real time by voice and video in lieu of
51 requiring a face-to-face in person meeting of such individual and



52 the parole or probation officer, as applicable. For individuals
53 who are self-employed, the provisions of this * * * subsection
54 shall only apply with the agreement of their supervising parole or
55 probation officer.

56 (3) The Department of Corrections shall promulgate rules and
57 regulations to implement the provisions of this section. The
58 rules and regulations promulgated by the department shall include,
59 but are not limited to, minimum standards and guidelines for the
60 authorized technology and how it may be used as well as standards
61 for determining the eligibility and suitability of an individual
62 on parole or probation to meet his or her reporting requirements
63 through the use of such technology. The eligibility and
64 suitability standards shall include consideration of the severity
65 of the individual's underlying criminal conviction and such
66 individual's criminal history, supervision level, and past
67 supervision history.

68 (4) This section shall not apply to offenders whose
69 employers comply with the requirements of Section 1(1) of this
70 act.

71 **SECTION 3.** Section 47-7-49, Mississippi Code of 1972, is
72 amended as follows:

73 47-7-49. (1) Any offender on probation, parole,
74 earned-release supervision, post-release supervision, earned
75 probation or any other offender under the field supervision of the
76 Community Services Division of the department shall pay to the



77 department the sum of Fifty-five Dollars (\$55.00) per month by
78 certified check or money order unless a hardship waiver is
79 granted. An offender shall make the initial payment within sixty
80 (60) days after being released from imprisonment unless a hardship
81 waiver is granted. A hardship waiver may be granted by the
82 sentencing court or the Department of Corrections. A hardship
83 waiver may not be granted for a period of time exceeding ninety
84 (90) days. The commissioner or his designee shall deposit Fifty
85 Dollars (\$50.00) of each payment received into a special fund in
86 the State Treasury, which is hereby created, to be known as the
87 Community Service Revolving Fund. Expenditures from this fund
88 shall be made for: (a) the establishment of restitution and
89 satellite centers; and (b) the establishment, administration and
90 operation of the department's Drug Identification Program and the
91 intensive and field supervision program. The Fifty Dollars
92 (\$50.00) may be used for salaries and to purchase equipment,
93 supplies and vehicles to be used by the Community Services
94 Division in the performance of its duties. Expenditures for the
95 purposes established in this section may be made from the fund
96 upon requisition by the commissioner, or his designee.

97 Of the remaining amount, Three Dollars (\$3.00) of each
98 payment shall be deposited into the Crime Victims' Compensation
99 Fund created in Section 99-41-29, and Two Dollars (\$2.00) shall be
100 deposited into the Training Revolving Fund created pursuant to
101 Section 47-7-51. When a person is convicted of a felony in this



102 state, in addition to any other sentence it may impose, the court
103 may, in its discretion, order the offender to pay a state
104 assessment not to exceed the greater of One Thousand Dollars
105 (\$1,000.00) or the maximum fine that may be imposed for the
106 offense, into the Crime Victims' Compensation Fund created
107 pursuant to Section 99-41-29.

108 Any federal funds made available to the department for
109 training or for training facilities, equipment or services shall
110 be deposited into the Correctional Training Revolving Fund created
111 in Section 47-7-51. The funds deposited in this account shall be
112 used to support an expansion of the department's training program
113 to include the renovation of facilities for training purposes,
114 purchase of equipment and contracting of training services with
115 community colleges in the state.

116 No offender shall be required to make this payment for a
117 period of time longer than ten (10) years.

118 (2) The offender may be imprisoned until the payments are
119 made if the offender is financially able to make the payments and
120 the court in the county where the offender resides so finds,
121 subject to the limitations hereinafter set out. The offender
122 shall not be imprisoned if the offender is financially unable to
123 make the payments and so states to the court in writing, under
124 oath, and the court so finds.



125 (3) An offender's responsibilities under this section may be
126 satisfied by an offender's employer under Section 1(2) of this
127 act.

128 (* * *4) This section shall stand repealed from and after
129 June 30, * * * 2026.

130 **SECTION 4.** This act shall take effect and be in force from
131 and after July 1, 2022.

