MISSISSIPPI LEGISLATURE
REGULAR SESSION 2022

By: Senator(s) Hopson, Polk, Wiggins, Hickman, Tate
To: Appropriations

SENATE BILL NO. 3013
(As Sent to Governor)


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

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2022, and ending June 30, 2023...........

$ 362,878,248.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..........................$ 28,751,205.00.
SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds.............................................$ 28,188,748.00
Special Funds.............................................. 8,093,889.00
Total.........................................................$ 36,282,637.00

AUTHORIZED HEADCOUNT:

Permanent: 188
Time-Limited: 8

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds.............................................$ 0.00
Special Funds.............................................. 2,415,027.00
Total.........................................................$ 2,415,027.00

AUTHORIZED HEADCOUNT:

Permanent: 8
Time-Limited: 0

PAROLE BOARD
Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds.............................. $ 770,161.00
Special Funds.............................. 0.00
Total...................................... $ 770,161.00

AUTHORIZED HEADCOUNT:

Permanant: 8
Time-Limited: 0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds.............................. $ 58,309,374.00
Special Funds.............................. 0.00
Total...................................... $ 58,309,374.00

AUTHORIZED HEADCOUNT:

Permanant: 0
Time-Limited: 0

MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds.............................. $ 78,288,021.00
Special Funds.............................. 375,447.00
Authorized Headcount:

Permanent: 1
Time-Limited: 2

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .......................................................... $ 43,850,472.00
Special Funds .............................................................. 0.00
Total ................................................................. $ 43,850,472.00

Authorized Headcount:

Permanent: 0
Time-Limited: 0

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .......................................................... $ 10,064,537.00
Special Funds .............................................................. 0.00
Total ................................................................. $ 10,064,537.00

Authorized Headcount:

Permanent: 0
Time-Limited: 0

COMMUNITY CORRECTIONS
Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

**FUNDING:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$28,210,513.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>$12,875,366.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$41,085,879.00</strong></td>
</tr>
</tbody>
</table>

**AUTHORIZED HEADCOUNT:**

- Permanent: 578
- Time-Limited: 83

**CENTRAL MISSISSIPPI CORRECTIONAL**

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

**FUNDING:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$32,139,354.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>$1,446,839.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33,586,193.00</strong></td>
</tr>
</tbody>
</table>

**AUTHORIZED HEADCOUNT:**

- Permanent: 635
- Time-Limited: 5

**PARCHMAN**

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

**FUNDING:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$34,963,207.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>$2,090,578.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$36,953,785.00</strong></td>
</tr>
</tbody>
</table>
Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

**FUNDING:**
- General Funds: $25,458,959.00
- Special Funds: $1,454,059.00
- Total: $26,913,018.00

**AUTHORIZED HEADCOUNT:**
- Permanent: 497
- Time-Limited: 4

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**SOUTH MISSISSIPPI CORRECTIONAL**

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**Marshall County Correctional**

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**Walnut Grove Correctional**
Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

**FUNDING:**

- General Funds: $11,205,496.00
- Special Funds: $0.00
- Total: $11,205,496.00

**AUTHORIZED HEADCOUNT:**

- Permanent: 170
- Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.
Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority
between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

<table>
<thead>
<tr>
<th>Performance Measures</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Administration</td>
<td></td>
</tr>
<tr>
<td>Support as a Percent of Total Budget</td>
<td>10.30</td>
</tr>
<tr>
<td>Number of State Prisoners per 100,000</td>
<td></td>
</tr>
<tr>
<td>Population (Includes Only Inmates</td>
<td>585</td>
</tr>
<tr>
<td>Sentenced to More Than a Year</td>
<td></td>
</tr>
<tr>
<td>Average Annual Incarceration Cost per Inmate</td>
<td>50.63</td>
</tr>
<tr>
<td>Percent of Offenders Returning to</td>
<td></td>
</tr>
<tr>
<td>Incarceration within 3 Years of Release</td>
<td>36.00</td>
</tr>
<tr>
<td>217</td>
<td>Farming Operations</td>
</tr>
<tr>
<td>219</td>
<td>Parole Board</td>
</tr>
<tr>
<td>221</td>
<td>Private Prisons</td>
</tr>
<tr>
<td>223</td>
<td>Number of VOC-ED Program Slots Available</td>
</tr>
<tr>
<td>224</td>
<td>Number of A&amp;D Program Slots Available</td>
</tr>
<tr>
<td>225</td>
<td>Medical Services</td>
</tr>
<tr>
<td>227</td>
<td>Regional Facilities</td>
</tr>
<tr>
<td>229</td>
<td>Number of VOC-ED Program Slots Available</td>
</tr>
<tr>
<td>230</td>
<td>Number of A&amp;D Program Slots Available</td>
</tr>
<tr>
<td>231</td>
<td>Probation/parole</td>
</tr>
<tr>
<td>233</td>
<td></td>
</tr>
<tr>
<td>235</td>
<td></td>
</tr>
<tr>
<td>236</td>
<td>Community Work Centers</td>
</tr>
<tr>
<td>238</td>
<td></td>
</tr>
<tr>
<td>240</td>
<td></td>
</tr>
<tr>
<td>241</td>
<td>Restitution Centers</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Recidivism Rate within 12 Months (%)</td>
<td></td>
</tr>
<tr>
<td>Recidivism Rate within 36 Months (%)</td>
<td></td>
</tr>
<tr>
<td>Local Confinement</td>
<td></td>
</tr>
<tr>
<td>Number of Inmates Housed in County Jails (Inmate Days)</td>
<td></td>
</tr>
<tr>
<td>Institutional Security</td>
<td></td>
</tr>
<tr>
<td>Number of Assaults on Inmates per 100 Inmates</td>
<td></td>
</tr>
<tr>
<td>Number of Assaults on Officers per 100 Officers</td>
<td></td>
</tr>
<tr>
<td>Youthful Offender School</td>
<td></td>
</tr>
<tr>
<td>Recidivism Rate within 12 Months of Release (%)</td>
<td></td>
</tr>
<tr>
<td>Recidivism Rate within 36 Months of Release (%)</td>
<td></td>
</tr>
<tr>
<td>Evidenced Based Intervention</td>
<td></td>
</tr>
<tr>
<td>Recidivism Rate for Inmates who Complete the ABE Program (%)</td>
<td></td>
</tr>
<tr>
<td>Recidivism Rate for Inmates who Complete a Vocational Program (%)</td>
<td></td>
</tr>
<tr>
<td>Recidivism Rate for Inmates who Complete the A&amp;D Program (%)</td>
<td></td>
</tr>
<tr>
<td>Percent of Offenders Possessing GED Certificate or High School Diploma at Time of Release</td>
<td></td>
</tr>
</tbody>
</table>
Percent of Offenders Obtaining
Marketable Job Skills During
Incarceration 6.48

A reporting of the degree to which the performance targets
set above have been or are being achieved shall be provided in the
agency's budget request submitted to the Joint Legislative Budget
Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated in Sections 1 and 2,
none shall be expended for personnel housing under the
jurisdiction of the Department of Corrections unless the
department shall collect a reasonable rent, after a finding of
fact as to what is a reasonable rent, and/or the cost of utilities
furnished to said housing. The Department of Corrections shall
not pay for the installation or monthly service of any telephone
installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of
the funds provided herein shall be used to pay certain utilities
for state-furnished housing for any employees. Such utilities
shall include electricity, natural gas, butane, propane and cable
services. Where actual cost cannot be determined, the agency
shall be required to provide meters to be in compliance with
legislative intent. Such state-furnished housing shall include
single-family and multifamily residences but shall not include any
dormitory residences. Allowances for such utilities shall be
prohibited.
SECTION 7. Of the funds appropriated in Sections 1 and 2, and authorized for expenditure in Section 3, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per
day, excluding prisoners with a physical disability or those incarcerated in maximum security.

**SECTION 10.** It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-one Dollars ($31.00) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972; however, in no event shall any regional facility's per diem rate exceed Thirty-one Dollars ($31.00) per inmate.

**SECTION 11.** The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic
medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund be placed in a treasury fund...
effective July 1, 2022. Of the amounts appropriated in Section 2, an amount not exceeding Six Million Dollars ($6,000,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars ($500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Incentive to Work Program Fund be placed in a treasury fund effective July 1, 2022. Of the amounts appropriated in Section 2, an amount not exceeding One Million Dollars ($1,000,000.00) shall be available for expenditure in the Inmate Incentive to Work Program Fund. The following funds shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program as created in House Bill 920, 2022 Regular Session.

SECTION 16. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.
SECTION 17. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 18. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901(3)(b), Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 19. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2023, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars ($20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where
the value of the property taken is Five Hundred Dollars ($500.00)
or more but is equal to or less than One Thousand Dollars ($1,000.00). A copy of the court abstract of record and the jail
docket shall be provided to show the total number of days an
individual was incarcerated in said jail facility. The
reimbursement shall be payable back to the municipality upon
receipt of required documentation and an invoice. Total
reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars ($125,000.00).

**SECTION 20.** Of the funds appropriated under the provisions
of Section 2, funds may be expended to defray the costs of
clothing for sworn nonuniform law enforcement officers in an
amount not to exceed One Thousand Dollars ($1,000.00) annually per
officer.

**SECTION 21.** Of the funds appropriated in Section 1, it is
the intention of the Legislature that Five Hundred Ten Thousand
Two Hundred Sixty-one Dollars ($510,261.00) shall be allocated to
Victim's Notification Programs supported by General Fund court
assessments.

**SECTION 22.** Of the funds appropriated under the provisions
of Section 2, One Million Five Hundred Thousand Dollars
($1,500,000.00), or so much thereof, shall be derived out of any
money in the State Treasury to the credit of the Capital Expense
Fund, as created in Section 27-103-303, Mississippi Code of 1972,
and allocated in a manner as determined by the State Treasurer.
These funds are provided to the Mississippi Department of Corrections for technology, equipment, and training in order to integrate, analyze, and visualize data ranging from law enforcement intelligence to administrative filings.

SECTION 23. With the funds appropriated herein, the Department of Corrections is authorized to make payment for expenses incurred during Fiscal Years 2018 through 2020 as follows:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sharkey Issaquena Hospital</td>
<td>2018</td>
<td>$3,700.22</td>
</tr>
<tr>
<td>Sharkey Issaquena Hospital</td>
<td>2019</td>
<td>$3,427.47</td>
</tr>
<tr>
<td>Sharkey Issaquena Hospital</td>
<td>2020</td>
<td>$11,909.16</td>
</tr>
</tbody>
</table>

SECTION 24. With the funds appropriated herein, the Department of Corrections is authorized to make payment for expenses incurred during Fiscal Years 2020 through 2021 for the payment of medical services to CoreCivic for an amount not to exceed Three Hundred Fifty Thousand Four Hundred Forty-one Dollars and Seventy-four Cents ($350,441.74) or an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate for these services.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal
Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

**SECTION 26.** This act shall take effect and be in force from and after July 1, 2022, except for Section 23 of this act which shall be enacted from and after its passage.