

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

To: Appropriations

SENATE BILL NO. 3011

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR
3 FISCAL YEAR 2024.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the support and
8 maintenance of the Mississippi Department of Corrections for the
9 fiscal year beginning July 1, 2023, and ending June 30, 2024.....
10\$ 363,390,013.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the Mississippi
14 Department of Corrections which is collected by or otherwise
15 becomes available for the purpose of defraying the expenses of the
16 department, for the fiscal year beginning July 1, 2023, and ending
17 June 30, 2024.....\$ 27,336,449.00.



18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Sections 1 and 2, not more than the amounts set forth below shall
20 be expended:

21 **CENTRAL OFFICE**

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

24 FUNDING:

25 General Funds.....\$	28,245,850.00
26 Special Funds.....	<u>6,596,511.00</u>
27 Total.....\$	34,842,361.00

28 AUTHORIZED HEADCOUNT:

29 Permanent:	188
30 Time-Limited:	8

31 **FARMING OPERATIONS**

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

34 FUNDING:

35 General Funds.....\$	0.00
36 Special Funds.....	<u>2,416,917.00</u>
37 Total.....\$	2,416,917.00

38 AUTHORIZED HEADCOUNT:

39 Permanent:	8
40 Time-Limited:	0

41 **PAROLE BOARD**



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

44 FUNDING:

45	General Funds.....	\$	758,402.00
46	Special Funds.....		<u>0.00</u>
47	Total.....	\$	758,402.00

48 AUTHORIZED HEADCOUNT:

49	Permanent:	8
50	Time-Limited:	0

51 **PRIVATE PRISONS**

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

54 FUNDING:

55	General Funds.....	\$	58,309,374.00
56	Special Funds.....		<u>0.00</u>
57	Total.....	\$	58,309,374.00

58 AUTHORIZED HEADCOUNT:

59	Permanent:	0
60	Time-Limited:	0

61 **MEDICAL SERVICES**

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

64 FUNDING:

65	General Funds.....	\$	78,231,888.00
66	Special Funds.....		<u>375,447.00</u>



67 Total.....\$ 78,607,335.00

68 AUTHORIZED HEADCOUNT:

69 Permanent: 1

70 Time-Limited: 2

71 REGIONAL FACILITIES

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

74 FUNDING:

75 General Funds.....\$ 43,850,472.00

76 Special Funds..... 0.00

77 Total.....\$ 43,850,472.00

78 AUTHORIZED HEADCOUNT:

79 Permanent: 0

80 Time-Limited: 0

81 LOCAL CONFINEMENT

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

84 FUNDING:

85 General Funds.....\$ 10,064,537.00

86 Special Funds..... 0.00

87 Total.....\$ 10,064,537.00

88 AUTHORIZED HEADCOUNT:

89 Permanent: 0

90 Time-Limited: 0

91 COMMUNITY CORRECTIONS



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

94 FUNDING:

95	General Funds.....	\$	28,318,194.00
96	Special Funds.....		<u>12,931,359.00</u>
97	Total.....	\$	41,249,553.00

98 AUTHORIZED HEADCOUNT:

99	Permanent:	578
100	Time-Limited:	83

101 **CENTRAL MISSISSIPPI CORRECTIONAL**

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

104 FUNDING:

105	General Funds.....	\$	32,270,231.00
106	Special Funds.....		<u>1,454,309.00</u>
107	Total.....	\$	33,724,540.00

108 AUTHORIZED HEADCOUNT:

109	Permanent:	635
110	Time-Limited:	5

111 **PARCHMAN**

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

114 FUNDING:

115	General Funds.....	\$	35,097,229.00
116	Special Funds.....		<u>2,103,220.00</u>



117 Total.....\$ 37,200,449.00

118 AUTHORIZED HEADCOUNT:

119 Permanent: 701

120 Time-Limited: 9

121 **SOUTH MISSISSIPPI CORRECTIONAL**

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

124 FUNDING:

125 General Funds.....\$ 25,556,014.00

126 Special Funds..... 1,458,686.00

127 Total.....\$ 27,014,700.00

128 AUTHORIZED HEADCOUNT:

129 Permanent: 497

130 Time-Limited: 4

131 **Marshall County Correctional**

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

134 FUNDING:

135 General Funds.....\$ 11,453,976.00

136 Special Funds..... 0.00

137 Total.....\$ 11,453,976.00

138 AUTHORIZED HEADCOUNT:

139 Permanent: 153

140 Time-Limited: 0

141 **Walnut Grove Correctional**



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

144 FUNDING:

145	General Funds.....	\$	11,233,846.00
146	Special Funds.....		<u>0.00</u>
147	Total.....	\$	11,233,846.00

148 AUTHORIZED HEADCOUNT:

149 Permanent: 170
150 Time-Limited: 0

151 With the funds herein appropriated, it shall be the agency's
152 responsibility to make certain that funds required for Personal
153 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
154 appropriated for that purpose unless programs or positions are
155 added to the agency's Fiscal Year 2024 budget by the Mississippi
156 Legislature. The Legislature shall determine the agency's
157 personal services appropriation, which shall be published by the
158 State Personnel Board. Additionally, the State Personnel Board
159 shall determine and publish the projected annualized payroll costs
160 based on current employees. It shall be the responsibility of the
161 agency head to ensure that actual personnel expenditures for
162 Fiscal Year 2024 do not exceed the data provided by the
163 Legislative Budget Office. If the agency's Fiscal Year 2024
164 projected cost exceeds the annualized costs, no salary actions
165 shall be processed by the State Personnel Board with the exception
166 of new hires that are determined to be essential for the agency.



167 Any transfers or escalations shall be made in accordance with
168 the terms, conditions and procedures established by law or
169 allowable under the terms set forth within this act. The State
170 Personnel Board shall not escalate positions without written
171 approval from the Department of Finance and Administration. The
172 Department of Finance and Administration shall not provide written
173 approval to escalate any funds for salaries and/or positions
174 without proof of availability of new or additional funds above the
175 appropriated level.

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

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

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

190 **SECTION 4.** The Commissioner of the Mississippi Department of
191 Corrections is hereby authorized to transfer spending authority



192 between and within budgets, both positions and funds, in an amount
 193 not to exceed twenty-five percent (25%) of the authorized budgets
 194 in the aggregate. It is further the intention of the Legislature
 195 that the Department of Corrections shall submit written
 196 justification for the transfer to the Legislative Budget Office
 197 and the Department of Finance and Administration on or before the
 198 fifteenth of the month prior to the effective date of the
 199 transfer.

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

207		FY2024
208	<u>Performance Measures</u>	<u>Target</u>
209	General Administration	
210	Support as a Percent of Total Budget	10.00
211	Number of State Prisoners per 100,000	
212	Population (Includes Only Inmates	
213	Sentenced to More Than a Year)	594
214	Average Annual Incarceration Cost per Inmate	49.00
215	Percent of Offenders Returning to	
216	Incarceration with 3 Years of Release	34.20



217	Farming Operations	
218	Annual Income from Farm Sales	1,679,875.25
219	Parole Board	
220	Number of Inmates Paroled	4,500
221	Private Prisons	
222	Number of ABE Program Slots Available	385
223	Number of VOC-ED Program Slots Available	260
224	Number of A&D Program Slots Available	330
225	Medical Services	
226	Number of Inmate Days in a Hospital	6,572
227	Regional Facilities	
228	Number of ABE Program Slots Available	585
229	Number of VOC-ED Program Slots Available	700
230	Number of A&D Program Slots Available	445
231	Probation/parole	
232	Recidivism Rate within 12 Months of	
233	Release to Field Supervision	7.50
234	Recidivism Rate within 36 Months of	
235	Release to Field Supervision	19.10
236	Community Work Centers	
237	Recidivism Rate within 12 Months of Release	6.80
238	Recidivism Rate within 36 Months of Release	19.90
239	Restitution Centers	
240	Recidivism Rate within 12 Months	20.60
241	Recidivism Rate within 36 Months	28.60



242	Local Confinement	
243	Number of Inmates Housed in County Jails	
244	(Inmate Days)	511,000
245	Institutional Security	
246	Number of Assaults on Inmates per 100	
247	Inmates	1.60
248	Number of Assaults on Officers per 100	
249	Officers	1.00
250	Youthful Offender School	
251	Recidivism Rate within 12 Months of Release	20.90
252	Recidivism Rate within 36 Months of Release	45.60
253	Evidenced Based Intervention	
254	Recidivism Rate for Inmates who Complete	
255	the ABE Program	20.00
256	Recidivism Rate for Inmates who Complete	
257	a Vocational Program	16.00
258	Recidivism Rate for Inmates who Complete	
259	the A&D Program	33.90
260	Percent of Offenders Possessing GED	
261	Certificate or High School Diploma at	
262	Time of Release	34.60
263	Percent of Offenders Obtaining	
264	Marketable Job Skills During	
265	Incarceration	4.20



266 A reporting of the degree to which the performance targets
267 set above have been or are being achieved shall be provided in the
268 agency's budget request submitted to the Joint Legislative Budget
269 Committee for Fiscal Year 2025.

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

278 It is further the intention of the Legislature that none of
279 the funds provided herein shall be used to pay certain utilities
280 for state-furnished housing for any employees. Such utilities
281 shall include electricity, natural gas, butane, propane and cable
282 services. Where actual cost cannot be determined, the agency
283 shall be required to provide meters to be in compliance with
284 legislative intent. Such state-furnished housing shall include
285 single-family and multifamily residences but shall not include any
286 dormitory residences. Allowances for such utilities shall be
287 prohibited.

288 **SECTION 7.** Of the funds appropriated in Sections 1 and 2,
289 and authorized for expenditure in Section 3, payment may be
290 authorized for court-ordered attorney fees and any accrued



291 interest subject to the approval of the Office of the Attorney
292 General.

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

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

314 **SECTION 10.** It is the intention of the Legislature that the
315 per diem rates paid to regional facilities shall not exceed



316 Thirty-one Dollars (\$31.00) per inmate. All regional facilities
317 shall continue to receive the annual three percent (3%) increase
318 in the per diem rate as authorized in Section 47-5-933,
319 Mississippi Code of 1972; however, in no event shall any regional
320 facility's per diem rate exceed Thirty-one Dollars (\$31.00) per
321 inmate.

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



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

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

360 **SECTION 14.** It is the intention of the Legislature that all
361 funds held by the Inmate Welfare Fund, as created in Section 47-5-
362 158, Mississippi Code of 1972, be placed in a treasury fund
363 effective July 1, 2023. Of the amounts appropriated in Section 2,
364 an amount not exceeding Six Million Dollars (\$6,000,000.00) shall
365 be available for expenditure in the Inmate Welfare Fund. Of these



366 funds, Five Hundred Thousand Dollars (\$500,000.00) shall be used
367 to provide for transitional housing and post release reentry
368 programs.

369 **SECTION 15.** It is the intention of the Legislature that all
370 funds held by the Inmate Incentive to Work Program Fund, as
371 created in Section 47-5-371, Mississippi Code of 1972, be placed
372 in a treasury fund effective July 1, 2023. Of the amounts
373 appropriated in Section 2, an amount not exceeding One Million
374 Dollars (\$1,000,000.00) shall be available for expenditure in the
375 Inmate Incentive to Work Program Fund. The following funds shall
376 be utilized to pay inmates who are participants in the Inmate
377 Incentive to Work Program.

378 **SECTION 16.** It is the intention of the Legislature that the
379 Mississippi Department of Corrections shall maintain complete
380 accounting and personnel records related to the expenditure of all
381 funds appropriated under this act and that such records shall be
382 in the same format and level of detail as maintained for Fiscal
383 Year 2023. It is further the intention of the Legislature that
384 the agency's budget request for Fiscal Year 2025 shall be
385 submitted to the Joint Legislative Budget Committee in a format
386 and level of detail comparable to the format and level of detail
387 provided during the Fiscal Year 2024 budget request process.

388 **SECTION 17.** It is the intention of the Legislature for the
389 Mississippi Department of Corrections to manage funds budgeted and
390 allocated. In so doing, the commissioner of the department shall



391 have the authority to amend, extend and/or renew the term of any
392 lease agreement or any inmate housing agreement in connection with
393 a correctional facility. Notwithstanding any statutory limits to
394 the contrary, such amendment, extension and/or renewal may be for
395 a length of time up to and including ten (10) years as is
396 necessary for the continued operations of such facilities and
397 implementation of the department's duties and responsibilities in
398 accordance with Title 47 of the Mississippi Code of 1972, as
399 amended.

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

407 **SECTION 19.** With the funds herein appropriated, it is the
408 intent of the Legislature, that for Fiscal Year 2024, the
409 Department of Corrections shall reimburse municipalities, up to
410 Twenty Dollars (\$20.00) a day, for the cost incurred of housing
411 inmates in any jail facility based on time served for the
412 conviction of larceny, shoplifting, or related convictions where
413 the value of the property taken is Five Hundred Dollars (\$500.00)
414 or more but is equal to or less than One Thousand Dollars
415 (\$1,000.00). A copy of the court abstract of record and the jail



416 docket shall be provided to show the total number of days an
417 individual was incarcerated in said jail facility. The
418 reimbursement shall be payable back to the municipality upon
419 receipt of required documentation and an invoice. Total
420 reimbursements resulting from this section shall not exceed One
421 Hundred Twenty-five Thousand Dollars (\$125,000.00).

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

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

432 **SECTION 22.** The following sum, or so much thereof as may be
433 necessary, is reappropriated out of any money in the Capital
434 Expense Fund not otherwise appropriated to the Department of
435 Corrections for the purpose of reauthorizing the expenditure of
436 Capital Expense Funds, as authorized in SB 3013, 2022 Regular
437 Session to provide to the Mississippi Department of Corrections
438 for technology, equipment, and training in order to integrate,
439 analyze, and visualize data ranging from law enforcement



440 intelligence to administrative filings for the fiscal year
441 beginning July 1, 2023, and ending June 30, 2024.....
442\$ 1,468,042.00.

443 Notwithstanding the amount reappropriated under this section,
444 the amount that may be expended under the authority of this
445 section shall not exceed the unexpended balance of the funds
446 remaining as of June 30, 2023, from the amount authorized for the
447 previous fiscal year. In addition, this reappropriation shall not
448 change the purpose for which the funds were originally authorized.

449 **SECTION 23.** With the funds appropriated herein, the
450 Department of Corrections is authorized to make payments for
451 medical expenses incurred during Fiscal Year 2021 for an amount
452 not to exceed Seven Hundred Fifty-five Thousand One Hundred
453 Seventy-two Dollars and Ninety-one Cents (\$755,172.91) or an
454 amount no greater than the reimbursement rate applicable based on
455 the Mississippi Medicaid reimbursement rate for these services

456 **SECTION 24.** The money herein appropriated shall be paid by
457 the State Treasurer out of any money in the State Treasury to the
458 credit of the proper fund or funds as set forth in this act, upon
459 warrants issued by the State Fiscal Officer; and the State Fiscal
460 Officer shall issue his warrants upon requisitions signed by the
461 proper person, officer or officers, in the manner provided by law.

462 **SECTION 25.** This act shall take effect and be in force from
463 and after July 1, 2023, and shall stand repealed from and after
464 June 30, 2023.

