

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3011

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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..... | | <u>0.00</u> |
| 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..... | | <u>0.00</u> |
| 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..... | | <u>1,458,686.00</u> |
| 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..... | | <u>0.00</u> |
| 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:

| | FY2024 |
|--|---------------|
| <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 | |



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
362 47-5-158, 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 29, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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

