

By: Representative Shanks

To: Corrections

HOUSE BILL NO. 756

1 AN ACT TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972,
 2 TO EXTEND THE DATE OF THE REPEALER ON THE PRISON INDUSTRY
 3 ENHANCEMENT PROGRAM THROUGH WHICH CERTAIN OFFENDERS IN THE CUSTODY
 4 OF THE DEPARTMENT OF CORRECTIONS MAY BE EMPLOYED BY THE NONPROFIT
 5 CORPORATION FORMED UNDER THE MISSISSIPPI PRISON INDUSTRIES ACT;
 6 AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 47-5-1251, Mississippi Code of 1972, is
 9 amended as follows:

10 47-5-1251. (1) There is created the "Prison Industry
 11 Enhancement Program," through which the Department of Corrections
 12 may contract with the nonprofit corporation organized and formed
 13 under the "Mississippi Prison Industries Act of 1990" to employ
 14 offenders within the custody of the department or prison
 15 industries.

16 (2) Except as provided in Section 47-5-579, which is the
 17 provision authorizing a work initiative, the offenders must be
 18 under the supervision of the department at all times while
 19 working. The offenders shall be paid, by the entity or entities,
 20 wages at a rate which is not less than that paid for similar work



21 in the locality in which the work is performed. The wages may be
22 subject to deductions which shall not, in the aggregate, exceed
23 eighty percent (80%) of gross wages. The deductions shall be
24 limited to the following:

25 (a) To pay federal, state and local taxes;

26 (b) To pay reasonable charges for room and board as
27 determined by regulations issued by the Commissioner of
28 Corrections;

29 (c) To support the offender's family pursuant to state
30 statute, court order or agreement by the offender; and

31 (d) To pay contributions equaling not less than five
32 percent (5%) but not more than twenty percent (20%) of the
33 offender's gross wages into the Crime Victims' Compensation Fund
34 as created in Section 99-41-29.

35 (3) Notwithstanding any other provision of the law to the
36 contrary, the offenders shall not be qualified to receive any
37 payments for unemployment compensation while incarcerated.
38 However, the offenders shall not, solely by their status as
39 offenders, be deprived of the right to participate in benefits
40 made available by the federal or state government to other
41 individuals on the basis of their employment, such as workers'
42 compensation.

43 (4) Offenders who participate in the employment must do so
44 voluntarily and must agree in advance to the specific deductions
45 made from gross wages pursuant to this section and to all other



46 financial arrangements or benefits resulting from participation in
47 the employment.

48 (5) The Department of Corrections shall develop rules and
49 regulations to meet the criteria established by the Bureau of
50 Justice Assistance under the Prison Industry Enhancement
51 Certification Program.

52 (6) This section shall stand repealed on July 1, * * * 2027.

53 **SECTION 2.** This act shall take effect and be in force from
54 and after July 1, 2024.

