

By: Representative Shanks

To: Judiciary B

HOUSE BILL NO. 763

1 AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE DATE OF THE REPEALER ON THE PILOT WORK RELEASE  
3 PROGRAM UNDER WHICH THE SHERIFF IN PARTICIPATING COUNTIES MAY  
4 AUTHORIZE CERTAIN OFFENDERS TO ENGAGE IN WORK, EDUCATIONAL AND  
5 REHABILITATIVE PROGRAMS WHILE CONFINED IN JAIL; AND FOR RELATED  
6 PURPOSES.

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

8 **SECTION 1.** Section 47-5-473, Mississippi Code of 1972, is  
9 amended as follows:

10 47-5-473. (1) The Sheriffs of Rankin County, Harrison  
11 County and Lee County are authorized to establish a Pilot Work  
12 Release Program. No person sentenced for a crime listed in  
13 Section 97-3-2 shall be eligible for participation in the program  
14 established under this section. During the pilot phase of the  
15 program, there shall be a limit of twenty-five (25) people in the  
16 program at a time.

17 (2) The sheriff shall collect and maintain data which shall  
18 be shared semiannually with the Joint Legislative Committee on  
19 Performance Evaluation and Expenditure Review (PEER) and the  
20 Corrections and Criminal Justice Oversight Task Force in sortable



21 electronic format. The first report shall be made before January  
22 15, 2022, and in six-month intervals thereafter. The data shall  
23 include:

24 (a) Total number of participants at the beginning of  
25 each month by race, gender, and offenses charged;

26 (b) Total number of participants at the end of each  
27 month by race, gender, and offenses charged;

28 (c) Total number of participants who began the program  
29 in each month by race, gender, and offenses charged;

30 (d) Total number of participants who successfully  
31 completed the program in each month by race, gender, and offenses  
32 charged;

33 (e) Total number of participants who left the program  
34 in each month and reason for leaving by race, gender, and offenses  
35 charged;

36 (f) Total number of participants who were arrested for  
37 a new criminal offense while in the program in each month by race,  
38 gender, and offenses charged;

39 (g) Total number of participants who were convicted of  
40 a new crime while in the program in each month by race, gender,  
41 and offenses charged;

42 (h) Total number of participants who completed the  
43 program and were convicted of a new crime within three (3) years  
44 of completing the program;



45 (i) Total amount earned by participants and how the  
46 earnings were distributed in each month;

47 (j) Results of any initial risk and needs assessments  
48 conducted on each participant by race, gender, and offenses  
49 charged; and

50 (k) Any other data or information as requested by the  
51 task force.

52 (3) Any person who has been sentenced to confinement in jail  
53 or who has been sentenced for a felony conviction but is confined  
54 in a jail may request assignment to the work release program  
55 established under this section. Admission to the program shall be  
56 in the discretion of the sheriff. The sheriff may further  
57 authorize the offender to participate in educational or other  
58 rehabilitative programs designed to supplement his work release  
59 employment or to prepare the person for successful reentry. No  
60 offender shall be eligible for this program if he or she has more  
61 than one (1) year remaining on his or her sentence.

62 (4) The sheriff shall adopt and publish rules and  
63 regulations prior to accepting inmates. These rules and  
64 regulations shall, at a minimum, include all requirements for work  
65 release programs established pursuant to Sections 47-5-451 through  
66 47-5-471. Participating employers shall pay no less than the  
67 prevailing wage for the position and shall under no circumstance  
68 pay less than the federal minimum wage.



69 (5) Any offender assigned to such a program by the sheriff  
70 who, without proper authority or just cause, leaves the area to  
71 which he has been assigned to work or attend educational or other  
72 rehabilitative programs, or leaves the vehicle or route of travel  
73 involved in his or her going to or returning from such place, will  
74 be guilty of escape as provided in Section 97-9-49. An offender  
75 who is found guilty under this section shall be ineligible for  
76 further participation in a work release program during his or her  
77 current term of confinement.

78 (6) The offender shall maintain an account through a local  
79 financial institution and shall provide a copy of a check stub to  
80 the sheriff. The offender may be required to pay up to  
81 twenty-five percent (25%) of his or her wages after mandatory  
82 deductions for the following purposes:

83 (a) To pay support of dependents or to the Mississippi  
84 Department of Human Services on behalf of dependents as may be  
85 ordered by a judge of competent jurisdiction; and

86 (b) To pay any fines, restitution, or costs, as ordered  
87 by the court, \* \* \* including any fines and fees associated with  
88 obtaining a valid driver's license upon release.

89 (7) The inmate shall have access to his or her account to  
90 purchase incidental expenses.

91 (8) The Joint Legislative Committee on Performance  
92 Evaluation and Expenditure Review (PEER) shall conduct a review of  
93 the work release program established under this section and



94 produce a report to the Legislature on \* \* \* its effectiveness by  
95 December 1, 2022. The PEER Committee shall seek the assistance of  
96 the Corrections and Criminal Justice Task Force and may seek  
97 assistance from any other criminal justice experts it deems  
98 necessary during its review.

99 (9) This section shall stand repealed on July 1, \* \* \* 2027.

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

