

By: Representative Horan

To: Corrections

HOUSE BILL NO. 1027

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO ALLOW  
 2 THE SALE OF HOBBYCRAFT ACTIVITIES TO THE PUBLIC, IF SUCH  
 3 ACTIVITIES ARE MADE BY INMATES; TO PROVIDE THAT PROFITS FROM SUCH  
 4 SALE SHALL BE DEPOSITED INTO THE INMATE WELFARE FUND; TO DEFINE  
 5 THE TERM "HOBBYCRAFT ACTIVITIES"; TO AMEND SECTION 47-5-158,  
 6 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND  
 7 FOR RELATED PURPOSES.

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

9 **SECTION 1.** The Department of Corrections is authorized to  
 10 allow the sale of hobbycraft activities to the public if such  
 11 hobbycraft activities are made by inmates. Profits from the sale  
 12 of hobbycraft activities shall be deposited into the Inmate  
 13 Welfare Fund as set out under Section 47-5-158.

14 As used in this section "hobby craft activities" include, but  
 15 are not limited to, the following that are made by inmates:

- 16 (a) Ceramics;
- 17 (b) Leatherwork;
- 18 (c) Models;
- 19 (d) Clay;
- 20 (e) Mosaics;



- 21 (f) Crochet;
- 22 (g) Knitting;
- 23 (h) Sculptures;
- 24 (i) Woodworking;
- 25 (j) Lapidary; and
- 26 (k) Other forms consistent with Department of
- 27 Corrections guidelines.

28 **SECTION 2.** Section 47-5-158, Mississippi Code of 1972, is  
29 amended as follows:

30 47-5-158. (1) The department is authorized to maintain a  
31 bank account which shall be designated as the Inmate Welfare Fund.  
32 All monies now held in a similar fund or in a bank account or  
33 accounts for the benefit and welfare of inmates shall be deposited  
34 into the Inmate Welfare Fund. This fund shall be used for the  
35 benefit and welfare of inmates in the custody of the department  
36 and shall be expended in accordance with any provisions or  
37 restrictions in the regulations promulgated under subsection (7)  
38 of this section.

39 (2) (a) There shall be deposited into the Inmate Welfare  
40 Fund interest previously earned on inmate deposits, all net  
41 profits from the operation of inmate canteens, performances of the  
42 Penitentiary band, and from the sale of hobbycraft activities, as  
43 defined under Section 1 of this act, that are made by inmates and  
44 are sold to the public, interest earned on the Inmate Welfare Fund  
45 and other revenues designated by the commissioner. All monies



46 shall be deposited into the Inmate Welfare Fund as provided in  
47 Section 7-9-21.

48 (b) Before the net profits are deposited into the fund  
49 from the sale of hobbycraft activities, pursuant to this  
50 subsection, all applicable state and local taxes shall be assessed  
51 as required by state law.

52 (3) All inmate telephone call commissions shall be paid to  
53 the department. Monies in the fund may be expended by the  
54 department, upon requisition by the commissioner or his designee,  
55 only for the purposes established in this subsection.

56 (a) Twenty-five percent (25%) of the inmate telephone  
57 call commissions shall be used to purchase and maintain  
58 telecommunication equipment to be used by the department.

59 (b) Until July 1, 2008, twenty-five percent (25%) of  
60 the inmate telephone call commissions shall be deposited into the  
61 Prison Agricultural Enterprise Fund. Beginning on July 1, 2008,  
62 thirty-five percent (35%) of the inmate telephone call commissions  
63 shall be deposited into the Prison Agricultural Enterprise Fund.  
64 The department may use these funds to supplement the Prison  
65 Agricultural Enterprise Fund created in Section 47-5-66.

66 (c) Forty percent (40%) of the inmate telephone call  
67 commissions shall be deposited into the Inmate Welfare Fund.

68 (4) The commissioner may invest in the manner authorized by  
69 law any money in the Inmate Welfare Fund that is not necessary for



70 immediate use, and the interest earned shall be deposited in the  
71 Inmate Welfare Fund.

72 (5) The Deputy Commissioner for Administration and Finance  
73 shall establish and implement internal accounting controls for the  
74 Inmate Welfare Fund that comply with generally accepted accounting  
75 principles and regulations of the Department of Finance and  
76 Administration. The Deputy Commissioner for Administration and  
77 Finance shall prepare and issue quarterly consolidated and  
78 individual facility financial statements to the prison auditor of  
79 the Joint Legislative Committee on Performance Evaluation and  
80 Expenditure Review. The deputy commissioner shall prepare an  
81 annual report which shall include a summary of expenditures from  
82 the fund by major categories and by individual facility. This  
83 annual report shall be sent to the prison auditor, the Legislative  
84 Budget Office, the Chairman of the Corrections Committee of the  
85 Senate, and the Chairman of the Corrections Committee of the House  
86 of Representatives.

87 (6) (a) A portion of the Inmate Welfare Fund shall be  
88 deposited in the Discharged Offenders Revolving Fund, as created  
89 under Section 47-5-155, in amounts necessary to provide a balance  
90 not to exceed One Hundred Thousand Dollars (\$100,000.00) in the  
91 Discharged Offenders Revolving Fund, and shall be used to  
92 supplement those amounts paid to discharged, paroled or pardoned  
93 offenders from the department. The superintendent of the Parchman  
94 facility shall establish equitable criteria for the making of



95 supplemental payments which shall not exceed Two Hundred Dollars  
96 (\$200.00) for any offender. The supplemental payments shall be  
97 subject to the approval of the commissioner. The State Treasurer  
98 shall not be required to replenish the Discharged Offenders  
99 Revolving Fund for the supplemental payments made to discharged,  
100 paroled or pardoned offenders.

101 (b) A portion of the Inmate Welfare Fund shall be  
102 deposited into the Inmate Incentive to Work Program Fund, as  
103 created under Section 47-5-371, in amounts necessary to provide a  
104 balance not to exceed One Million Dollars (\$1,000,000.00) in the  
105 fund. Such fund shall be utilized to pay inmates who are  
106 participants in the Inmate Incentive to Work Program as created  
107 under Section 47-5-371.

108 (7) (a) The Inmate Welfare Fund Committee is hereby created  
109 and shall be composed of nine (9) members: The Deputy  
110 Commissioner for Community Corrections, the Deputy Commissioner of  
111 Institutions, the Superintendent of the Parchman facility, the  
112 Superintendent of the Rankin County facility, the Superintendent  
113 of the Greene County facility, the State Treasurer, the State  
114 Auditor, and two (2) members to be appointed by the Commissioner  
115 of Corrections, one (1) of whom must have a relative incarcerated  
116 by the department at the time of appointment and shall be a  
117 representative of inmate families. The commissioner shall appoint  
118 the chairman of the committee. The committee shall administer and  
119 supervise the operations and expenditures from the Inmate Welfare



120 Fund and shall maintain an official minute book upon which shall  
121 be spread its authorization and approval for all such  
122 expenditures. The committee shall promulgate regulations  
123 governing the use and expenditures of the fund.

124 (b) Regulations adopted shall set out what types of  
125 items shall be allowable purchases, and in all cases, the minutes  
126 of the committee shall explain which regulation permits any  
127 purchase it approves. Additionally, regulations of the committee  
128 shall prescribe the number of members necessary to constitute a  
129 quorum, minimum attendance requirements for a member to retain a  
130 seat on the committee, and a mission statement for the committee.

131 (c) The committee shall conduct an annual needs  
132 assessment to determine what types of items should be purchased  
133 for the benefit of inmates. The needs assessments shall be  
134 conducted with the assistance of the department personnel, inmates  
135 and the families of inmates.

136 (d) The committee shall evaluate the proposals of  
137 interested third parties for the administration of inmate canteen  
138 services as provided in Section 47-5-109.1.

139 (e) The committee shall expend necessary funds to  
140 assist parole eligible inmates who have been diagnosed with a  
141 mental illness while housed within a state correctional facility  
142 so that such inmates may receive outpatient services and  
143 community-based services to treat the mental illness of such  
144 inmates.



145 (8) The Department of Audit shall conduct an annual  
146 comprehensive special audit of the committee's use of the Inmate  
147 Welfare Fund. The department shall incorporate in its special  
148 audit report any recommendations it has concerning the financial  
149 and management control practices of the committee. The department  
150 shall report its findings and recommendations to the Chairmen of  
151 the Senate and House Corrections Committees.

152 **SECTION 3.** This act shall take effect and be in force from  
153 and after July 1, 2024.

