

**House Amendments to Senate Bill No. 3039**

**TO THE SECRETARY OF THE SENATE:**

**THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**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, 2024, and ending June 30, 2025.....  
10 .....\$    405,456,382.00.

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, 2024, and ending  
17 June 30, 2025.....\$    27,115,310.00.

18           **SECTION 3.** Of the funds appropriated under the provisions of  
19 Sections 1 and 2 of this act, not more than the amounts set forth  
20 below shall 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.....	\$	28,241,103.00
26	Special Funds.....		<u>5,630,767.00</u>
27	Total.....	\$	33,871,870.00

28 AUTHORIZED HEADCOUNT:

29	Permanent:	184
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>2,581,638.00</u>
37	Total.....	\$	2,581,638.00

38 AUTHORIZED HEADCOUNT:

39	Permanent:	4
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.....	\$	772,905.00
46	Special Funds.....		<u>0.00</u>
47	Total.....	\$	772,905.00

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.....	\$	67,382,634.00
56	Special Funds.....		<u>0.00</u>
57	Total.....	\$	67,382,634.00

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.....	\$	97,510,519.00
66	Special Funds.....		<u>375,447.00</u>
67	Total.....	\$	97,885,966.00

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.....\$ 48,234,109.00

76 Special Funds.....0.00

77 Total.....\$ 48,234,109.00

78 AUTHORIZED HEADCOUNT:

79 Permanent: 0

80 Time-Limited: 0

81 **COMMUNITY CORRECTIONS**

82 Of the funds appropriated under the provisions of this act,

83 the following funding and positions are authorized:

84 FUNDING:

85 General Funds.....\$ 25,350,993.00

86 Special Funds.....12,974,773.00

87 Total.....\$ 38,325,766.00

88 AUTHORIZED HEADCOUNT:

89 Permanent: 513

90 Time-Limited: 83

91 **LOCAL CONFINEMENT**

92 Of the funds appropriated under the provisions of this act,

93 the following funding and positions are authorized:

94 FUNDING:

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

96 Special Funds.....0.00

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

98 AUTHORIZED HEADCOUNT:

99 Permanent: 0

100 Time-Limited: 0

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.....	\$	34,473,223.00
106	Special Funds.....		<u>1,577,890.00</u>
107	Total.....	\$	36,051,113.00

108 AUTHORIZED HEADCOUNT:

109 Permanent: 622  
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.....	\$	38,531,759.00
116	Special Funds.....		<u>2,477,526.00</u>
117	Total.....	\$	41,009,285.00

118 AUTHORIZED HEADCOUNT:

119 Permanent: 628  
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.....	\$	26,164,722.00
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126 Special Funds..... 1,497,269.00  
 127 Total.....\$ 27,661,991.00

128 AUTHORIZED HEADCOUNT:

129 Permanent: 495  
 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.....\$ 11,563,145.00  
 136 Special Funds..... 0.00  
 137 Total.....\$ 11,563,145.00

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.....\$ 11,324,396.00  
 146 Special Funds..... 0.00  
 147 Total.....\$ 11,324,396.00

148 AUTHORIZED HEADCOUNT:

149 Permanent: 170  
 150 Time-Limited: 0

151 **Delta Correctional**

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

154 FUNDING:

155	General Funds.....	\$	5,842,337.00
156	Special Funds.....		<u>0.00</u>
157	Total.....	\$	5,842,337.00

158 AUTHORIZED HEADCOUNT:

159 Permanent: 122  
160 Time-Limited: 0

161 With the funds herein appropriated, it shall be the agency's  
162 responsibility to make certain that funds required for Personal  
163 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds  
164 appropriated for that purpose unless programs or positions are  
165 added to the agency's Fiscal Year 2025 budget by the Mississippi  
166 Legislature. The Legislature shall determine the agency's personal  
167 services appropriation, which the State Personnel Board shall  
168 publish. In accordance with applicable laws, if an agency  
169 determines that its personal services amount is insufficient, the  
170 agency must contact the State Personnel Board. Any adjustment to  
171 the personal services amount must be approved by the State  
172 Personnel Director and the State Fiscal Officer after consultation  
173 with the Legislative Budget Office. Any adjustment shall be  
174 reported to the Legislative Budget Office and the House and Senate  
175 Appropriations Chairmen. The agency's personal services  
176 appropriation may consist of restricted funds for approved  
177 vacancies for Fiscal Year 2025 that may not be utilized for active

178 Fiscal Year 2024 headcount. It shall be the agency's  
179 responsibility to ensure that the funds provided for vacancies are  
180 used to increase headcount and not for promotions, title changes,  
181 in-range salary adjustments, or any other mechanism for increasing  
182 salaries for current employees. If the State Personnel Board  
183 determines that an agency has used provided vacancy funds for any  
184 of the mechanisms previously listed, the State Personnel Board  
185 shall not process any additional salary actions for the agency in  
186 the current fiscal year, except for new hires determined by the  
187 State Personnel Board to be essential for the agency. It is the  
188 Legislature's intention that no employee salary falls below the  
189 minimum salary established by the Mississippi State Personnel  
190 Board.

191         Additionally, the State Personnel Board shall determine and  
192 publish the projected annualized payroll costs based on current  
193 employees. It shall be the responsibility of the agency head to  
194 ensure that actual personnel expenditures for Fiscal Year 2025 do  
195 not exceed the data provided by the Legislative Budget Office. If  
196 the agency's projected cost for Fiscal Year 2025 exceeds the  
197 annualized costs, no salary actions shall be processed by the  
198 State Personnel Board except for new hires determined to be  
199 essential for the agency.

200         Any transfers or escalations shall be made in accordance with  
201 the terms, conditions, and procedures established by law or  
202 allowable under the terms set forth within this act. The State  
203 Personnel Board shall not escalate positions without written



204 approval from the Department of Finance and Administration. The  
205 Department of Finance and Administration shall not provide written  
206 approval to escalate any funds for salaries and/or positions  
207 without proof of availability of new or additional funds above the  
208 appropriated level.

209 No general funds authorized to be expended herein shall be  
210 used to replace federal funds and/or other special funds used for  
211 salaries authorized under the provisions of this act and which are  
212 withdrawn and no longer available.

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

217 **SECTION 4.** The Commissioner of the Mississippi Department of  
218 Corrections is hereby authorized to transfer spending authority  
219 between and within budgets, both positions and funds, in an amount  
220 not to exceed twenty-five percent (25%) of the authorized budgets  
221 in the aggregate. It is further the intention of the Legislature  
222 that the Department of Corrections shall submit written  
223 justification for the transfer to the Legislative Budget Office  
224 and the Department of Finance and Administration on or before the  
225 fifteenth of the month prior to the effective date of the  
226 transfer. The department shall provide a report of all transfers  
227 made under this section to the Chairmen of Senate and House  
228 Appropriations and Corrections Committees and the Legislative  
229 Budget Office by December 15 of each fiscal year which shall

230 contain the required information from the previous and current  
231 fiscal years.

232 **SECTION 5.** In compliance with the "Mississippi Performance  
233 Budget and Strategic Planning Act of 1994," it is the intent of  
234 the Legislature that the funds provided herein shall be utilized  
235 in the most efficient and effective manner possible to achieve the  
236 intended mission of this agency. Based on the funding authorized,  
237 this agency shall make every effort to attain the targeted  
238 performance measures provided below:

239		FY2025
240	<u>Performance Measures</u>	<u>Target</u>
241	General Administration	
242	Support as a Percent of Total Budget	10.00
243	Number of state prisoners per 100,000	
244	population (includes only inmates	
245	sentenced to more than a year)	656
246	Average annual incarceration cost per inmate	53.26
247	Percentage of offenders returning to	
248	incarceration with 3 years of release	34.60
249	Farming Operations	
250	Annual Income from Farm Sales	1,354,805.00
251	Parole Board	
252	Number of inmates paroled	4,000
253	Private Prisons	
254	Number of ABE program slots available	397
255	Number of VOC-ED program slots available	147

256	Number of A&D program slots available	148
257	Medical Services	
258	Number of total inmate days in a hospital	5,247
259	Regional Facilities	
260	Number of ABE program slots available	495
261	Number of VOC-ED program slots available	700
262	Number of A&D program slots available	445
263	Probation/parole	
264	Recidivism rate within 12 months of	
265	release to field supervision	10.50
266	Recidivism rate within 36 months of	
267	release to field supervision	17.00
268	Community Work Centers	
269	Recidivism rate within 12 months of release	10.30
270	Recidivism rate within 36 months of release	20.00
271	Restitution Centers	
272	Recidivism rate within 12 months	10.30
273	Recidivism rate within 36 months	17.00
274	Local Confinement	
275	Number of days offenders held in county	
276	jails	381,425
277	Institutional Security	
278	Number of assaults on inmates per 100	
279	inmates	3.60
280	Number of assaults on officers per 100	
281	officers	3.80

282	Youthful Offender School	
283	Recidivism rate within 12 months of release	21.00
284	Recidivism rate within 36 months of release	45.00
285	Evidenced Based Intervention	
286	Recidivism rate for inmates who complete	
287	the ABE program	29.70
288	Recidivism rate for inmates who complete	
289	a vocational program	12.60
290	Recidivism rate for inmates who complete	
291	the A&D program	31.30
292	Percent of offenders possessing GED	
293	certificate or high school diploma at	
294	time of release	59.60
295	Percent of offenders obtaining	
296	marketable job skills during	
297	incarceration	5.80

298       A reporting of the degree to which the performance targets  
299 set above have been or are being achieved shall be provided in the  
300 agency's budget request submitted to the Joint Legislative Budget  
301 Committee for Fiscal Year 2026.

302       **SECTION 6.** Of the funds appropriated in Sections 1 and 2 of  
303 this act, none shall be expended for personnel housing under the  
304 jurisdiction of the Department of Corrections unless the  
305 department shall collect a reasonable rent, after a finding of  
306 fact as to what is a reasonable rent, and/or the cost of utilities  
307 furnished to said housing. The Department of Corrections shall

308 not pay for the installation or monthly service of any telephone  
309 installed in a staff residence under its jurisdiction.

310 It is further the intention of the Legislature that none of  
311 the funds provided herein shall be used to pay certain utilities  
312 for state-furnished housing for any employees. Such utilities  
313 shall include electricity, natural gas, butane, propane and cable  
314 services. Where actual cost cannot be determined, the agency  
315 shall be required to provide meters to be in compliance with  
316 legislative intent. Such state-furnished housing shall include  
317 single-family and multifamily residences but shall not include any  
318 dormitory residences. Allowances for such utilities shall be  
319 prohibited.

320 **SECTION 7.** Of the funds appropriated in Sections 1 and 2 of  
321 this act, and authorized for expenditure in Section 3 of this act,  
322 payment may be authorized for court-ordered attorney fees and any  
323 accrued interest subject to the approval of the Office of the  
324 Attorney General.

325 **SECTION 8.** None of the money herein appropriated shall be  
326 paid to any person who by the provision of Section 47-5-47,  
327 Mississippi Code of 1972, as amended, is prohibited from being an  
328 employee of the Mississippi Department of Corrections. The State  
329 Department of Finance and Administration shall at least annually  
330 make a report to the Joint Legislative Committee on Performance  
331 Evaluation and Expenditure Review and to the Attorney General  
332 stating the name of any person prohibited under the provisions of  
333 Section 47-5-47, Mississippi Code of 1972, as amended, from being

334 an employee of the Mississippi Department of Corrections who has  
335 during the preceding year received any money herein appropriated.  
336 In the event that any such person prohibited as hereinabove  
337 provided from receiving funds herein appropriated should receive  
338 any of said funds, the Attorney General shall immediately commence  
339 action to recover the monies so paid to said person and to enjoin  
340 the further employment of said person at the Mississippi  
341 Department of Corrections.

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

346         **SECTION 10.** It is the intention of the Legislature that the  
347 per diem rates paid to regional facilities shall not exceed  
348 Thirty-two Dollars and Seventy-one Cents (\$32.71) per inmate. All  
349 regional facilities shall continue to receive the annual three  
350 percent (3%) increase in the per diem rate as authorized in  
351 Section 47-5-933, Mississippi Code of 1972; however, in no event  
352 shall any regional facility's per diem rate exceed Thirty-two  
353 Dollars and Seventy-one Cents (\$32.71) per inmate.

354         **SECTION 11.** The department or its contracted medical  
355 provider will pay to a provider of a medical service for any and  
356 all incarcerated persons from a correctional or detention facility  
357 an amount based upon negotiated fees as agreed to by the medical  
358 care service providers and the department and/or its contracted  
359 medical provider. In the absence of a negotiated discounted fee

360 schedule, medical care service providers will be paid by the  
361 department or its contracted medical service provider an amount no  
362 greater than the reimbursement rate applicable based on the  
363 Mississippi Medicaid reimbursement rate. This limitation applies  
364 to all medical care services, durable and nondurable goods,  
365 prescription drugs and medications provided to any and all  
366 incarcerated persons outside of the correctional or detention  
367 facility. None of the monies appropriated herein may be used to  
368 pay for cosmetic medical procedures for any prisoner. Cosmetic  
369 medical procedure means any medical procedure performed in order  
370 to change an individual's appearance without significantly serving  
371 to prevent or treat illness or disease or to promote proper  
372 functioning of the body.

373       **SECTION 12.** It is the intention of the Legislature that the  
374 Mississippi Department of Corrections shall provide a report on  
375 all funds clawed back due to a company or individual not meeting  
376 the contractual obligations to the department. This report shall  
377 contain the name of the entity, the reason why the funds were  
378 clawed back, the amount of funds clawed back, and how the  
379 department utilized the funds received. As used in this section,  
380 the term funds clawed back shall include direct receipt of funds  
381 from an entity not meeting their contractual obligation and the  
382 reduction of funds owed by the department to an entity due to the  
383 entity not meeting their contractual obligation. The report shall  
384 be provided to the Chairmen of Senate and House Appropriations and  
385 Corrections Committees and the Legislative Budget Office by

386 December 15 of each fiscal year and shall contain the required  
387 information from the previous and current fiscal years.

388         **SECTION 13.** It is the intention of the Legislature that the  
389 Commissioner of the Mississippi Department of Corrections shall  
390 have the authority to transfer cash from one special fund treasury  
391 fund to another special fund treasury fund under the control of  
392 the Department of Corrections. The purpose of this authority is  
393 to more efficiently use available cash reserves. It is further  
394 the intention of the Legislature that the Department of  
395 Corrections shall submit written justification for the transfer to  
396 the Legislative Budget Office and the Department of Finance and  
397 Administration on or before the fifteenth of the month prior to  
398 the effective date of the transfer. The department shall provide  
399 a report of all transfers made under this section to the Chairmen  
400 of Senate and House Appropriations and Corrections Committees and  
401 the Legislative Budget Office by December 15 of each fiscal year  
402 which shall contain the required information from the previous and  
403 current fiscal years.

404         **SECTION 14.** It is the intention of the Legislature that  
405 whenever two (2) or more bids are received by this agency for the  
406 purchase of commodities or equipment, and whenever all things  
407 stated in such received bids are equal with respect to price,  
408 quality and service, the Mississippi Industries for the Blind  
409 shall be given preference. A similar preference shall be given to  
410 the Mississippi Industries for the Blind whenever purchases are  
411 made without competitive bids.



412           **SECTION 15.** It is the intention of the Legislature that all  
413 funds held by the Inmate Welfare Fund, as created in Section  
414 47-5-158, Mississippi Code of 1972, be placed in a treasury fund.  
415 Of the amounts appropriated in Section 2, an amount not exceeding  
416 Seven Million Dollars (\$7,000,000.00) shall be available for  
417 expenditure in the Inmate Welfare Fund. Of these funds, Five  
418 Hundred Thousand Dollars (\$500,000.00) shall be used to provide  
419 for transitional housing and post release reentry programs.

420           **SECTION 16.** It is the intention of the Legislature that all  
421 funds held by the Inmate Incentive to Work Program Fund, as  
422 created in Section 47-5-371, Mississippi Code of 1972, be placed  
423 in a treasury fund. Of the amounts appropriated in Section 2, an  
424 amount not exceeding One Million Dollars (\$1,000,000.00) shall be  
425 available for expenditure in the Inmate Incentive to Work Program  
426 Fund. The following funds shall be utilized to pay inmates who  
427 are participants in the Inmate Incentive to Work Program.

428           **SECTION 17.** It is the intention of the Legislature that the  
429 Mississippi Department of Corrections shall maintain complete  
430 accounting and personnel records related to the expenditure of all  
431 funds appropriated under this act and that such records shall be  
432 in the same format and level of detail as maintained for Fiscal  
433 Year 2024. It is further the intention of the Legislature that  
434 the agency's budget request for Fiscal Year 2026 shall be  
435 submitted to the Joint Legislative Budget Committee in a format  
436 and level of detail comparable to the format and level of detail  
437 provided during the Fiscal Year 2025 budget request process.

438           **SECTION 18.** It is the intention of the Legislature for the  
439 Mississippi Department of Corrections to manage funds budgeted and  
440 allocated. In so doing, the commissioner of the department shall  
441 have the authority to amend, extend and/or renew the term of any  
442 lease agreement or any inmate housing agreement in connection with  
443 a correctional facility. Notwithstanding any statutory limits to  
444 the contrary, such amendment, extension and/or renewal may be for  
445 a length of time up to and including ten (10) years as is  
446 necessary for the continued operations of such facilities and  
447 implementation of the department's duties and responsibilities in  
448 accordance with Title 47 of the Mississippi Code of 1972, as  
449 amended.

450           **SECTION 19.** With the funds herein appropriated, it is the  
451 intent of the Legislature that upon vouchers submitted by the  
452 board of supervisors of any county housing offenders in county  
453 jails pending a probation or parole revocation hearing, the  
454 department shall pay the reimbursement costs as provided for in  
455 Section 47-5-901, Mississippi Code of 1972, as amended by House  
456 Bill No. 585, 2014 Regular Session.

457           **SECTION 20.** With the funds herein appropriated, it is the  
458 intent of the Legislature, that for Fiscal Year 2025, the  
459 Department of Corrections shall reimburse municipalities, up to  
460 Twenty Dollars (\$20.00) a day, for the cost incurred of housing  
461 inmates in any jail facility based on time served for the  
462 conviction of larceny, shoplifting, or related convictions where  
463 the value of the property taken is Five Hundred Dollars (\$500.00)

464 or more but is equal to or less than One Thousand Dollars  
465 (\$1,000.00). A copy of the court abstract of record and the jail  
466 docket shall be provided to show the total number of days an  
467 individual was incarcerated in said jail facility. The  
468 reimbursement shall be payable back to the municipality upon  
469 receipt of required documentation and an invoice. Total  
470 reimbursements resulting from this section shall not exceed One  
471 Hundred Twenty-five Thousand Dollars (\$125,000.00).

472       **SECTION 21.** Of the funds appropriated under the provisions  
473 of Section 2, funds may be expended to defray the costs of  
474 clothing for sworn nonuniform law enforcement officers in an  
475 amount not to exceed One Thousand Dollars (\$1,000.00) annually per  
476 officer.

477       **SECTION 22.** Of the funds appropriated in Section 1, it is  
478 the intention of the Legislature that Five Hundred Ten Thousand  
479 Two Hundred Sixty-one Dollars (\$510,261.00) shall be allocated to  
480 Victim's Notification Programs supported by General Fund court  
481 assessments.

482       **SECTION 23.** With the funds appropriated herein, the  
483 Department of Corrections is authorized to make payments for  
484 expenses incurred during prior fiscal years for an amount not to  
485 exceed One Million Two Hundred Sixty-seven Thousand Four Dollars  
486 and Twenty-three Cents (\$1,267,004.23). For any medical expenses  
487 authorized to be paid within this section, the amount paid shall  
488 not be greater than the reimbursement rate applicable based on the  
489 Mississippi Medicaid reimbursement rate for these services.

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

496           **SECTION 25.** This act shall take effect and be in force from  
497 and after July 1, 2024, and shall stand repealed from and after  
498 June 29, 2024.

HR13\SB3039A.J

Andrew Ketchings  
Clerk of the House of Representatives