

Senate Amendments to House Bill No. 763

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE 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:

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

31 47-5-473. (1) The Sheriffs of Rankin County, Harrison
32 County and Lee County are authorized to establish a Pilot Work
33 Release Program. No person sentenced for a crime listed in
34 Section 97-3-2 shall be eligible for participation in the program
35 established under this section. During the pilot phase of the
36 program, there shall be a limit of twenty-five (25) people in the
37 program at a time.

38 (2) The sheriff shall collect and maintain data which shall
39 be shared semiannually with the Joint Legislative Committee on
40 Performance Evaluation and Expenditure Review (PEER) and the
41 Corrections and Criminal Justice Oversight Task Force in sortable
42 electronic format. The first report shall be made * * * on
43 January 15, * * * 2025, and in six-month intervals thereafter,
44 unless PEER establishes a different schedule. The data shall
45 include:

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

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

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

52 (d) Total number of participants who successfully
53 completed the program in each month by race, gender, and offenses
54 charged;

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

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

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

64 (h) Total number of participants who completed the
65 program and were convicted of a new crime within three (3) years
66 of completing the program;

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

69 (j) Results of any initial risk and needs assessments
70 conducted on each participant by race, gender, and offenses
71 charged; and

72 (k) Any other data or information as requested by the
73 task force.

74 (3) Any person who has been sentenced to confinement in jail
75 or who has been sentenced for a felony conviction but is confined
76 in a jail may request assignment to the work release program
77 established under this section. Admission to the program shall be
78 in the discretion of the sheriff. The sheriff may further
79 authorize the offender to participate in educational or other
80 rehabilitative programs designed to supplement his work release
81 employment or to prepare the person for successful reentry. No
82 offender shall be eligible for this program if he or she has more
83 than one (1) year remaining on his or her sentence.

84 (4) The sheriff shall adopt and publish rules and
85 regulations prior to accepting inmates. These rules and
86 regulations shall at a minimum include all requirements for work
87 release programs established pursuant to Sections 47-5-451 through
88 47-5-471. Participating employers shall pay no less than the
89 prevailing wage for the position and shall under no circumstance
90 pay less than the federal minimum wage.

91 (5) Any offender assigned to such a program by the sheriff
92 who, without proper authority or just cause, leaves the area to
93 which he has been assigned to work or attend educational or other
94 rehabilitative programs, or leaves the vehicle or route of travel
95 involved in his or her going to or returning from such place, will
96 be guilty of escape as provided in Section 97-9-49. An offender
97 who is found guilty under this section shall be ineligible for

98 further participation in a work release program during his or her
99 current term of confinement.

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

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

108 (b) To pay any fines, restitution, or costs as ordered
109 by the court to include any fines and fees associated with
110 obtaining a valid driver's license upon release.

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

113 (8) The Joint Legislative Committee on Performance
114 Evaluation and Expenditure Review (PEER) shall conduct a review of
115 the work release program established under this section and
116 produce a report to the Legislature on * * * its
117 effectiveness * * * on January 15, 2025, and in six-month
118 intervals thereafter, unless PEER establishes a different
119 schedule. The PEER Committee shall seek the assistance of the
120 Corrections and Criminal Justice Task Force and may seek
121 assistance from any other criminal justice experts it deems
122 necessary during its review.

123 (9) This section shall stand repealed on July 1, * * * 2026.

124 **SECTION 2.** Section 47-5-577, Mississippi Code of 1972, is
125 amended as follows:

126 47-5-577. Sections 47-5-531 through * * * 47-5-579, which
127 create the Mississippi Prison Industries Act of 1990, shall stand
128 repealed from and after July 1, * * * 2028.

129 **SECTION 3.** Section 47-5-579, Mississippi Code of 1972, is
130 amended as follows:

131 47-5-579. (1) (a) The corporation is authorized to create
132 a Pilot Work Initiative at the Central Mississippi Correctional
133 Facility. The initiative shall be limited to no more than
134 twenty-five (25) inmates in the program at any given time.

135 (b) The department shall:

136 (i) Have the ultimate authority for oversight of
137 the administration of the initiative;

138 (ii) Delegate the administration of the initiative
139 to the corporation; and

140 (iii) Oversee the selection of inmates for
141 admission to the initiative.

142 (2) (a) An inmate is eligible for participation in the
143 initiative if the inmate has:

144 (i) No more than two (2) years remaining on the
145 inmate's sentence;

146 (ii) Not been convicted under Section 97-9-49
147 within the last five (5) years; and

148 (iii) Not been sentenced for a sex offense as
149 defined in Section 45-33-23(h).

150 (b) Any inmate that meets the eligibility requirements
151 of paragraph (a) may request assignment to the work initiative
152 established under this section.

153 (3) (a) The commissioner shall select inmates for admission
154 to the program.

155 (b) An inmate currently participating in vocational
156 training or a soft skills training program with the department
157 shall have priority in admission to the program.

158 (4) (a) The chief executive officer may authorize the
159 inmate to participate in educational or other rehabilitative
160 programs designed to supplement his work initiative employment or
161 to prepare the person for successful reentry.

162 (b) Before accepting any participants to the program,
163 the corporation, in consultation with the department, shall adopt
164 and publish rules and regulations to effectuate this section no
165 later than six (6) months after the effective date of this
166 section. These rules and regulations shall include all protection
167 requirements for work release programs established pursuant to
168 Sections 47-5-451 through 47-5-471. Participating employers shall
169 pay no less than the prevailing wage for the position and shall
170 under no circumstance pay less than the federal minimum wage.

171 (5) Any inmate assigned to the initiative who, without
172 proper authority or just cause, leaves the area to which he has
173 been assigned to work or attend educational or other
174 rehabilitative programs, or leaves the vehicle or route of travel
175 involved in his or her going to or returning from such place, will

176 be guilty of escape as provided in Section 97-9-49. An offender
177 who is convicted under Section 97-9-49 shall be ineligible for
178 further participation in the work initiative during his or her
179 current term of confinement.

180 (6) (a) The inmate shall maintain an account through a
181 local financial institution and shall provide a copy of a check
182 stub to the chief executive officer.

183 (b) The inmate shall be required:

184 (i) To pay twenty-five percent (25%) of the
185 inmate's wages after mandatory deductions for the following
186 purposes:

187 1. To pay support of dependents or to the
188 Mississippi Department of Human Services on behalf of dependents
189 as may be ordered by a judge of competent jurisdiction; and

190 2. To pay any fines, restitution, or costs as
191 ordered by the court to include any fines and fees associated with
192 obtaining a valid driver's license upon release.

193 (ii) To pay * * * fifteen percent (15%) of the
194 inmate's wages to the corporation for administrative expenses to
195 include transportation costs to be remitted to the state, regional
196 or private facility where the inmate provided the work.

197 (iii) To save fifty percent (50%) of the inmate's
198 wages in the account required under paragraph (a) of this
199 subsection. Monies under this sub-item shall be made available to
200 the inmate upon parole or release.

201 (c) The inmate shall have access to the remaining * * *
202 ten percent (10%) of the monies in the inmate's account to
203 purchase incidental expenses.

204 (7) The chief executive officer of the corporation shall
205 collect and maintain data which shall be shared semiannually with
206 the Joint Legislative Committee on Performance Evaluation and
207 Expenditure Review (PEER) and the Corrections and Criminal Justice
208 Oversight Task Force in sortable electronic format. The first
209 report shall be made on January 15, * * * 2025, and in six-month
210 intervals thereafter unless PEER establishes a different schedule.
211 The data shall include:

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

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

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

218 (d) Total number of participants who successfully
219 completed the program in each month by race, gender, and offenses
220 charged;

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

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

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

230 (h) Total number of participants who completed the
231 program and were convicted of a new crime within three (3) years
232 of completing the program;

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

235 (j) Results of any initial risk and needs assessments
236 conducted on each participant by race, gender, and offenses
237 charged;

238 (k) Total list of participating employers;

239 (l) Total list of jobs acquired by participants;

240 (m) Total list the hourly wage paid to each
241 participant;

242 (n) Total accounting of the manner and use of the ten
243 percent (10%) of the wages paid to the corporation by the inmate
244 for administrative expenses;

245 (o) Total costs associated with program operations;

246 (p) Total list of participating financial institutions;

247 (q) The number of accounts opened by participants at
248 financial institutions;

249 (r) The average hourly wage earned in the program; and

250 (s) Any other data or information as requested by the
251 task force.

252 (8) The Joint Legislative Committee on Performance
253 Evaluation and Expenditure Review (PEER) shall conduct a review of
254 the expanded initiative established under this section and produce
255 a report to the Legislature on * * * its effectiveness by January
256 1, * * * 2026. The PEER Committee shall seek the assistance of
257 the Corrections and Criminal Justice Task Force and may seek
258 assistance from any other criminal justice experts it deems
259 necessary during its review.

260 * * *

261 **SECTION 4.** Section 47-5-531, Mississippi Code of 1972, is
262 brought forward as follows:

263 47-5-531. Sections 47-5-531 through 47-5-575 shall be known
264 as the "Mississippi Prison Industries Act of 1990."

265 **SECTION 5.** Section 47-5-533, Mississippi Code of 1972, is
266 brought forward as follows:

267 47-5-533. (1) It is the finding of the Legislature that
268 prison industry programs of the State Department of Corrections
269 are uniquely different from other programs operated or conducted
270 by other departments in that it is essential to the state that the
271 prison industry programs provide inmates with useful activities
272 that can lead to meaningful employment after release in order to
273 assist in reducing the return of inmates to the system.

274 (2) It is further the finding of the Legislature that the
275 mission of a prison industry program is:

276 (a) To reduce the cost of state government by operating
277 prison industries primarily with inmate labor, which industries do
278 not seek to unreasonably compete with private enterprise;

279 (b) To serve the rehabilitative goals of the state by
280 duplicating as nearly as possible, the operating activities of a
281 free-enterprise type of profit-making enterprise; and

282 (c) To serve the security goals of the state by
283 reducing the idleness of inmates and by providing an incentive for
284 good behavior while in prison.

285 **SECTION 6.** Section 47-5-535, Mississippi Code of 1972, is
286 brought forward as follows:

287 47-5-535. (1) Except as otherwise specifically provided by
288 law, it is the intent of the Legislature that a nonprofit
289 corporation be organized and formed, within sixty (60) days from
290 April 4, 1990, to lease and manage the prison industry programs of
291 the Mississippi Correctional Industries. The corporation created
292 and established shall be a body politic and corporate, may acquire
293 and hold real and personal property, may receive, hold and
294 dispense monies appropriated to it by the Legislature of the State
295 of Mississippi received from the federal government, received from
296 the sale of products, goods, and services which it produces, and
297 received from any other sources whatsoever.

298 (2) Except as otherwise specifically provided by law, it is
299 the further intent of the Legislature that the nonprofit
300 corporation shall create any additional prison industry program as

301 it deems fit, and any such program shall be created in compliance
302 with the provisions of Sections 47-5-531 through 47-5-575.

303 (3) Except as otherwise specifically provided by law, it is
304 the further intent of the Legislature that such nonprofit
305 corporation shall have exclusive rights to operate any prison
306 industry program and when such corporation is lawfully formed, no
307 other public or private entity shall be allowed to carry out the
308 provisions of Sections 47-5-531 through 47-5-575.

309 (4) It is the further intent of the Legislature, that the
310 nonprofit corporation which is required to be organized and formed
311 under Sections 47-5-531 through 47-5-575 shall locate and operate
312 prison industries at any state correctional facility with the
313 approval of the Commissioner of Corrections. It is the intent of
314 the Legislature that the nonprofit corporation locate and operate
315 such industries in an orderly and expeditious manner. Such
316 corporation may locate and operate prison industries at other
317 prison satellites, at community work centers in the state, at any
318 private correctional facility which houses state inmates and at
319 any regional correctional facility as authorized under Section
320 47-5-931. No industrial prison program shall be located at a site
321 other than state prison facilities approved by the commissioner.

322 **SECTION 7.** Section 47-5-537, Mississippi Code of 1972, is
323 brought forward as follows:

324 47-5-537. The Secretary of State, or his designee, shall
325 assist the Department of Corrections and the Department of Finance
326 and Administration in the formation of the nonprofit corporation,

327 and within sixty (60) days after the formation of the corporation,
328 the corporation shall apply for exemption from federal tax under
329 the provisions of Section 501(c)(3) of the Internal Revenue Code
330 of 1986, as amended. Any program of the Division of Vocational
331 Rehabilitation of the * * * Mississippi Department of Human
332 Services shall not be classified as prison industries under the
333 provisions Sections 47-5-531 through 47-5-575.

334 **SECTION 8.** Section 47-5-539, Mississippi Code of 1972, is
335 brought forward as follows:

336 47-5-539. For the purposes of Sections 47-5-531 through
337 47-5-575, the following terms shall have the following meaning
338 unless the context shall provide otherwise:

339 (a) "Chief executive officer" means the chief executive
340 officer of the corporation established under this chapter.

341 (b) "Corporation" means the private nonprofit
342 corporation which is required to be organized and formed to carry
343 out the provisions of Sections 47-5-531 through 47-5-575 regarding
344 prison industries.

345 (c) "Department" means the State Department of
346 Corrections.

347 (d) "Inmate" means any person incarcerated within any
348 state correctional facility.

349 (e) "Prison industry program" means any program which
350 is considered to be a part of any prison industry in this state.

351 (f) "Prison agricultural enterprises" means all
352 agricultural endeavors as defined in Section 47-5-353.

353 (g) "Work initiative" or "initiative" means the program
354 authorized in Section 47-5-579.

355 **SECTION 9.** Section 47-5-541, Mississippi Code of 1972, is
356 brought forward as follows:

357 47-5-541. (1) The corporation shall be governed by a board
358 of directors. The terms of the board of directors in place before
359 July 1, 2022, shall expire June 30, 2022. From and after July 1,
360 2022, the board of directors of the nonprofit corporation shall be
361 composed of the following five (5) members:

362 (a) The Commissioner of the Department of Corrections
363 or his or her designee;

364 (b) One (1) representative of the faith-based
365 community, appointed by the Commissioner of the Department of
366 Corrections with the advice and consent of the Senate;

367 (c) One (1) representative of the business community,
368 appointed by the Commissioner of the Department of Corrections
369 with the advice and consent of the Senate;

370 (d) The Executive Director of AccelerateMS or his or
371 her designee; and

372 (e) The Executive Director of the Mississippi Community
373 College Board or his or her designee.

374 For the initial appointments, the representative of the
375 faith-based community shall serve for a term of one (1) year; the
376 representative of the business community shall serve for a term of
377 two (2) years; the Executive Director of the AccelerateMS or his
378 or her designee shall serve for a term of three (3) years and the

379 Executive Director of the Mississippi Community College Board
380 shall serve for a term of four (4) years. All succeeding terms
381 shall be for four (4) years from the expiration date of the
382 previous term. The term of the Commissioner of Corrections shall
383 run concurrent with his or her term or terms as commissioner.
384 Initial appointments shall be made within thirty (30) days after
385 July 1, 2022. Any vacancy on the board prior to the expiration of
386 a term for any reason, including resignation, removal,
387 disqualification, death or disability shall be filled in the
388 manner prescribed in paragraphs (a) through (e) of this subsection
389 for the balance of the unexpired term. The officers of the
390 corporation shall consist of a chairman, vice chairman and a
391 secretary-treasurer. The officers shall be selected by the
392 members of the board. However, the Commissioner of Corrections
393 shall not be eligible to serve as an officer of the corporation.

394 (2) The board of directors shall select and employ a chief
395 executive officer of the corporation who shall serve at the
396 pleasure of the board. The board shall set the compensation of
397 the chief executive officer. The chief executive officer shall be
398 responsible for the general business and entire operations of the
399 corporation, and shall be responsible for operating the
400 corporation in compliance with the bylaws of the corporation and
401 in compliance with any provision of law. The board shall be
402 authorized and empowered to do only those acts provided by law and
403 by the bylaws of the corporation. Except as otherwise
404 specifically provided by law, such board shall have the authority

405 to establish prison industries, to cease the operation of any
406 industry which it deems unsuitable or unprofitable, to enter into
407 any lease or contract for the corporation and it shall have the
408 full authority to establish prices for any industry good.

409 (3) No member of the board of directors shall vote on any
410 matter that comes before the board that could result in pecuniary
411 benefit for himself or for any entity in which such member has an
412 interest.

413 (4) In addition to the board of directors, an advisory board
414 may be set up for the benefit of each industry which is
415 established pursuant to the provisions of Sections 47-5-531
416 through 47-5-575. Such boards shall be advisory only, and may be
417 set up in the discretion of the board of directors of the
418 corporation.

419 (5) Each member of the board of directors of the corporation
420 shall receive per diem as provided in Section 25-3-69 for each day
421 or fraction thereof spent in actual discharge of his official
422 duties and shall be reimbursed for mileage and actual expenses
423 incurred in the performance of his official duties in accordance
424 with the requirements of Section 25-3-41, Mississippi Code of
425 1972.

426 (6) The board of directors shall make and publish policies,
427 rules and regulations governing all business functions, including
428 but not limited to accounting, marketing, purchasing and
429 personnel, not inconsistent with the terms of Sections 47-5-531

430 through 47-5-575, as may be necessary for the efficient
431 administration and operation of the corporation.

432 (7) The chief executive officer of the corporation shall:

433 (a) Employ all necessary employees of the corporation
434 and dismiss them as is necessary;

435 (b) Administer the daily operations of the corporation,
436 including establishing education, training and workforce
437 development programs in collaboration with the Office of Workforce
438 Development and other relevant state and federal agencies;

439 (c) Upon approval of the board of directors, execute
440 any contracts on behalf of the corporation; and

441 (d) Take any further actions which are necessary and
442 proper toward the achievement of the corporation purposes.

443 (8) A member of the board of directors of the corporation
444 shall not be liable for any civil damages for any personal injury
445 or property damage caused to a person as a result of any acts or
446 omissions committed in good faith in the exercise of their duties
447 as members of the board of directors of the corporation, except
448 where a member of the board engages in acts or omissions which are
449 intentional, willful, wanton, reckless or grossly negligent.

450 **SECTION 10.** Section 47-5-543, Mississippi Code of 1972, is
451 brought forward as follows:

452 47-5-543. (1) Within sixty (60) days after the formation of
453 the corporation pursuant to the provisions of Section 47-5-535,
454 the State Department of Corrections shall lease to the corporation
455 all existing prison industries including the buildings, land,

456 furnishings, equipment and other chattel used in the operation of
457 such industries. Such lease shall be agreed upon by the State
458 Department of Corrections, State Department of Finance and
459 Administration and the corporation. The initial term of such
460 lease shall not exceed six (6) years, provided that such lease may
461 be renewed for additional successive terms of years not to exceed
462 six (6) years in any one (1) renewal. No sublease to the
463 corporation shall be in excess of that amount for which the
464 department is obligated to pay under any lease agreement with any
465 other state agency. Any receivable and remaining funds shall be
466 transferred to the corporation after the payment of any existing
467 liabilities. No operating loss of any type shall be transferred
468 to the corporation. The State Department of Corrections shall
469 continue to manage and operate the prison industries until such
470 industries are leased to the corporation. When leasing any prison
471 industry program to the corporation, the corporation shall
472 exercise a reasonable effort to employ any personnel of the State
473 Department of Corrections who are currently involved in any prison
474 industry program being leased to the corporation. Before the
475 leasing of the prison industries, buildings, lands and other items
476 mentioned herein to the corporation, the State Auditor of Public
477 Accounts shall perform a comprehensive audit of all the items and
478 things mentioned herein which are to be leased by the department
479 to the corporation. The corporation may expand, eliminate,
480 suspend or alter any of its industries as it sees fit.

481 (2) Any lands, buildings, equipment, furnishings, livestock,
482 supplies and vehicles used in the department's farming operations
483 which were leased or transferred to the nonprofit corporation
484 under subsection (1) shall be transferred to the department. Any
485 personnel in the department's farming operations employed by the
486 nonprofit corporation who desire to be reassigned to the
487 department and who are under state service may be reassigned to
488 the department.

489 (3) The department is not required to lease land, buildings,
490 equipment, furnishings or other chattel used in its prison
491 agricultural enterprises.

492 **SECTION 11.** Section 47-5-545, Mississippi Code of 1972, is
493 brought forward as follows:

494 47-5-545. Except as otherwise specifically provided by law,
495 after the commissioning and implementation of a marketing
496 feasibility study for any proposed new prison industry, the
497 corporation may establish such prison industry. Before any new
498 industry is established, the corporation shall hold a hearing to
499 determine the impact such industry may have on the private sector
500 market. The corporation shall provide adequate and advance notice
501 regarding the nature, time, date and place of such hearing. After
502 the hearing which is required under this section, the corporation
503 may commence negotiations with the State Department of
504 Corrections, with the Secretary of State, or his designee, serving
505 as a mediator, regarding the leasing of land and other chattels
506 for the purpose of establishing any new industry.

507 **SECTION 12.** Section 47-5-547, Mississippi Code of 1972, is
508 brought forward as follows:

509 47-5-547. Except as otherwise specifically provided by law,
510 any training program or auxiliary program associated with any
511 existing prison industry shall be transferred to the corporation.
512 The corporation is empowered and authorized to establish in
513 participation with any community or junior college or state
514 institution of higher learning, any training or auxiliary program
515 for existing prison industries or for any industries which the
516 corporation might create. Such community or junior college or
517 state institution of higher learning shall provide assistance in
518 business planning, marketing and analysis of existing or projected
519 industries. These industrial services shall be contracted with
520 any appropriate community or junior college or state institution
521 of higher learning when these industries are developed at other
522 correction sites.

523 **SECTION 13.** Section 47-5-549, Mississippi Code of 1972, is
524 brought forward as follows:

525 47-5-549. Any service or item manufactured, processed, grown
526 or produced by the corporation from its prison industries may be
527 furnished or sold to any legislative, executive or judicial branch
528 of the state, any political subdivision or any governing authority
529 of the state, any other state, any school, college or university
530 of the state, any foreign government, any agency of the federal
531 government or to any private entity. The corporation shall make
532 reasonable efforts to purchase raw materials from in-state

533 vendors. The prices for industry-made products shall be
534 established by the board of directors of the corporation or its
535 designee.

536 **SECTION 14.** Section 47-5-551, Mississippi Code of 1972, is
537 brought forward as follows:

538 47-5-551. In the event the corporation is dissolved or its
539 lease of any prison industry program expires or is otherwise
540 terminated, all property relating to such prison industry program
541 which ceases to function because of such termination or
542 dissolution, including all funds, buildings, land, furnishings,
543 equipment and other chattels subsequently purchased or otherwise
544 acquired by the corporation in connection with its continued
545 operation of that program, automatically reverts to full ownership
546 by the department.

547 **SECTION 15.** Section 47-5-553, Mississippi Code of 1972, is
548 brought forward as follows:

549 47-5-553. Before any prison industry may commence
550 operations, the chief executive officer of the corporation must
551 communicate with the Commissioner of Corrections regarding the
552 proper security for the facility. If at anytime the Commissioner
553 of Corrections recognizes a need for improvement in the security
554 at any facility, then he or she shall communicate to the
555 corporation regarding what improvements are needed for the
556 facility to be properly secured. The corporation shall furnish
557 its own security within the parameters of any prison industry work
558 area.

559 **SECTION 16.** Section 47-5-555, Mississippi Code of 1972, is
560 brought forward as follows:

561 47-5-555. The department shall, subject to the necessary
562 security requirements and the needs of the corporation, provide to
563 the corporation sufficient inmate labor for the various prison
564 industry programs. The department may adopt rules and regulations
565 as may be necessary to govern the use of inmates by the
566 corporation. The corporation shall establish policies and
567 procedures, subject to the approval of the department, relating to
568 the use of inmates in the prison industry programs.

569 **SECTION 17.** Section 47-5-557, Mississippi Code of 1972, is
570 brought forward as follows:

571 47-5-557. Any inmate who performs work for the corporation,
572 except those inmates employed by the corporation in the Prison
573 Industry Enhancement Program under Section 47-5-1251, shall not be
574 deemed an agent, employee or involuntary servant of the
575 corporation while performing such work or while going to and from
576 work or other specified areas.

577 **SECTION 18.** Section 47-5-559, Mississippi Code of 1972, is
578 brought forward as follows:

579 47-5-559. The corporation shall submit to the Governor and
580 the Legislature, on or before January 1 of each year, a report on
581 the status of the correctional work programs, including, but not
582 limited to, the programs and funds which have been transferred to
583 the corporation, the programs and funds to be taken over within
584 the next year and the proposed use of the profits from such

585 programs, a breakdown of the amount of noninmate labor used, work
586 subcontracted to other vendors, use of consultants, finished goods
587 purchased for resale, and the number of inmates working in the
588 correctional work programs at the time of the report. In
589 addition, the corporation shall submit to the department, the
590 Governor and the Legislature an annual independently audited
591 financial statement and such other information as may be requested
592 by the Legislature together with recommendations from the
593 corporation relating to provisions for reasonable tax incentives
594 to private enterprises that employ inmates, parolees or former
595 inmates who have participated in correctional work programs. The
596 department shall include, as a portion of its annual report, a
597 report on post-release job placement and the rate of subsequent
598 contact with the correctional system for those inmates who have
599 participated in the correctional work programs operated by the
600 corporation and by the department. Beginning January 1, 1991, the
601 State Auditor shall conduct an annual financial audit of the
602 corporation in conjunction with an independent audit conducted by
603 the corporation's auditors. The State Auditor and the legislative
604 PEER committee shall also conduct a biennial performance audit of
605 the corporation for the period beginning January 1, 1991, through
606 January 1, 1993, and thereafter upon the joint request of the
607 Senate Corrections Committee, House * * * Corrections Committee,
608 Senate Finance Committee, and House Ways and Means Committee.

609 **SECTION 19.** Section 47-5-561, Mississippi Code of 1972, is
610 brought forward as follows:

611 47-5-561. (1) In addition to its other powers, the
612 corporation shall have the power to request, through the
613 department, an appropriation of general revenue funds for the
614 purposes of operation of, addition to or renovation of facilities
615 or correctional work programs at the various correctional
616 institutions; however, upon receipt of such appropriation, the
617 rental paid by the corporation for the operation of or such new
618 remodeled or renovated facilities or the operation of a
619 correctional work program shall be sufficient to amortize its cost
620 over a period of five (5) years.

621 (2) The corporation shall maintain those prison industries
622 funds in excess of that amount necessary for sustaining quarterly
623 or monthly operations of the corporation in an interest-bearing
624 account best serving the proper management of corporation funds
625 and earning the maximum amount of interest allowed by law. The
626 corporation shall cause monies from the interest-bearing account
627 to be deposited quarterly or monthly into the corporation's
628 checking account in order to pay the legal debts of the
629 corporation, approved for payment by the corporation.

630 **SECTION 20.** Section 47-5-563, Mississippi Code of 1972, is
631 brought forward as follows:

632 47-5-563. (1) The department may adopt such rules as may be
633 necessary to govern the use of inmates by the corporation;
634 however, such rules shall be related only to the need for
635 security, inmate projections, and efficient operation of each
636 institution.

637 (2) The corporation, with the input of the department, shall
638 establish policies and procedures subject to the approval of the
639 department's legal counsel relating to the use of inmates in the
640 correctional work programs.

641 (3) All such policies and procedures adopted by the
642 department and the corporation shall be placed on file in the
643 Office of the Secretary of State.

644 **SECTION 21.** Section 47-5-565, Mississippi Code of 1972, is
645 brought forward as follows:

646 47-5-565. To carry out the provisions of Sections 47-5-531
647 through 47-5-575, the provisions of Sections 47-5-301 et seq., and
648 47-5-501 et seq., Mississippi Code of 1972, the corporation shall
649 authorize the transfer and expending of monies from the Prison
650 Industries Fund.

651 **SECTION 22.** Section 47-5-567, Mississippi Code of 1972, is
652 brought forward as follows:

653 47-5-567. Except as otherwise specifically provided by law,
654 no inmate shall be eligible for unemployment compensation or
655 workmen's compensation whether employed by the corporation or by
656 any other private enterprise operating on the grounds of a
657 correctional institution or elsewhere where such employment shall
658 be a part of a correctional work program or work release program
659 of either the corporation or the department.

660 **SECTION 23.** Section 47-5-569, Mississippi Code of 1972, is
661 brought forward as follows:

662 47-5-569. (1) Except as otherwise specifically provided by
663 law, if the department leases a single correctional work program
664 at any correctional institution to the corporation, the
665 corporation shall lease all such correctional work programs at
666 that institution. Any rent paid by the corporation to the
667 department shall be deposited in a correctional programs trust
668 fund for enhancement of education and training, post-release job
669 placement, and other correctional purposes related to the purposes
670 of Sections 47-5-531 through 47-5-575.

671 (2) All leases of department-owned land for the funding or
672 operations of the corporation shall be subject to the approval of
673 the corporation, the Mississippi Department of Corrections and the
674 Public Procurement Review Board.

675 (3) This section shall not apply to any program within the
676 prison agricultural enterprises operated by the department.

677 **SECTION 24.** Section 47-5-571, Mississippi Code of 1972, is
678 brought forward as follows:

679 47-5-571. Except as otherwise specifically provided by law,
680 no goods, wares, services or merchandise manufactured, mined or
681 offered in whole or in part by prisoners shall be sold or offered
682 by any person or other authority except by the corporation, as
683 authorized by Sections 47-5-531 through 47-5-575.

684 **SECTION 25.** Section 47-5-573, Mississippi Code of 1972, is
685 brought forward as follows:

686 47-5-573. (1) In adopting or modifying master plans for
687 correctional work programs, and in the administration of the

688 Department of Corrections, it shall be the objective of the
689 department to develop a logical sequence of vocational training,
690 employment by correctional work programs, and post-release job
691 placement for inmates participating in correctional work programs.

692 (2) The Department of Corrections shall establish guidelines
693 for the development of correctional work programs.

694 (3) The needs of the corporation shall be considered by the
695 department when assigning and transferring prisoners to
696 correctional institutions. The following criteria shall be used
697 when assigning and transferring inmates:

698 (a) Skills of the inmate relevant to the corporation's
699 industries;

700 (b) Security classification of the inmate relevant to
701 the type of corporation's industry;

702 (c) Duration of availability of the inmate for
703 employment by the corporation;

704 (d) Establishment of a concept of potentially
705 rehabilitative inmate.

706 **SECTION 26.** Section 47-5-575, Mississippi Code of 1972, is
707 brought forward as follows:

708 47-5-575. Any records or reports which relate to the
709 financial aspect or operations of the corporation, with the
710 exception of any trade secrets, shall be considered as public
711 records and shall be subject to the provisions of the Mississippi
712 Public Records Act of 1983.

713 **SECTION 27.** Section 47-5-911, Mississippi Code of 1972, is
714 amended as follows:

715 47-5-911. Sections 47-5-901 through 47-5-911 shall stand
716 repealed on July 1, * * * 2028.

717 **SECTION 28.** Section 47-5-901, Mississippi Code of 1972, is
718 brought forward as follows:

719 47-5-901. (1) (a) Any person committed, sentenced or
720 otherwise placed under the custody of the Department of
721 Corrections, on order of the sentencing court and subject to the
722 other conditions of this subsection, may serve all or any part of
723 his sentence in the county jail of the county wherein such person
724 was convicted if the Commissioner of Corrections determines that
725 physical space is not available for confinement of such person in
726 the state correctional institutions. Such determination shall be
727 promptly made by the Department of Corrections upon receipt of
728 notice of the conviction of such person. The commissioner shall
729 certify in writing that space is not available to the sheriff or
730 other officer having custody of the person. Any person serving
731 his sentence in a county jail shall be classified in accordance
732 with Section 47-5-905.

733 (b) Any person committed, sentenced or otherwise placed
734 under the custody of the Department of Corrections, on order of
735 the sentencing court and subject to the other conditions of this
736 subsection, may serve all or any part of his or her sentence in
737 the county jail of the county wherein such person was convicted if
738 the sheriff or president of the board of supervisors, requests

739 such inmate or inmates. Upon such request, the department may
740 allow such inmate or inmates to serve all or any part of such
741 inmate's or inmates' sentence(s), as the case may be, in the
742 county of conviction of the inmate or inmates or the county of
743 request of a sheriff or board of supervisors outside the county of
744 conviction. Such determination shall be promptly made by the
745 Department of Corrections upon receipt of notice of the conviction
746 of such person. Whenever a request is denied for an inmate or
747 inmates, then the commissioner shall certify in writing to the
748 sentencing court, sheriff, or president of the board of
749 supervisors of a county, as the case may be, that such inmate or
750 inmates does not qualify to serve the sentence or sentences in the
751 county jail. Any person serving his sentence in a county jail
752 shall be classified in accordance with Section 47-5-905.

753 (2) If state prisoners are housed in county jails due to a
754 lack of capacity at state correctional institutions, the
755 Department of Corrections shall determine the cost for food and
756 medical attention for such prisoners. The cost of feeding and
757 housing offenders confined in such county jails shall be based on
758 actual costs or contract price per prisoner. In order to maximize
759 the potential use of county jail space, the Department of
760 Corrections is encouraged to negotiate a reasonable per day cost
761 per prisoner, which in no event may exceed Twenty-five Dollars
762 (\$25.00) per day per offender, except as authorized in Section
763 47-5-909(2).

764 (3) (a) Upon vouchers submitted by the board of supervisors
765 of any county housing persons due to lack of space at state
766 institutions, the Department of Corrections shall pay to such
767 county, out of any available funds, the actual cost of food, or
768 contract price per prisoner, not to exceed Twenty-five Dollars
769 (\$25.00) per day per offender, except as authorized in Section
770 47-5-909(2), as determined under subsection (2) of this section
771 for each day an offender is so confined beginning the day that the
772 Department of Corrections receives a certified copy of the
773 sentencing order or five (5) days after the sentencing order is
774 sent, in writing, by such county to the department, whichever is
775 earlier, and will terminate on the date on which the offender is
776 released or otherwise removed from the custody of the county jail.
777 The department, or its contracted medical provider, will pay to a
778 provider of a medical service for any and all incarcerated persons
779 from a correctional or detention facility an amount based upon
780 negotiated fees as agreed to by the medical care service providers
781 and the department and/or its contracted medical provider. In the
782 absence of negotiated discounted fee schedule, medical care
783 service providers will be paid by the department, or its
784 contracted medical service provider, an amount no greater than the
785 reimbursement rate applicable based on the Mississippi Medicaid
786 reimbursement rate. The board of supervisors of any county shall
787 not be liable for any cost associated with medical attention for
788 prisoners who are pretrial detainees or for prisoners who have
789 been convicted that exceeds the Mississippi Medicaid reimbursement

790 rate or the reimbursement provided by the Department of
791 Corrections, whichever is greater. This limitation applies to all
792 medical care services, durable and nondurable goods, prescription
793 drugs and medications. Such payment shall be placed in the county
794 general fund and shall be expended only for food and medical
795 attention for such persons.

796 (b) Upon vouchers submitted by the board of supervisors
797 of any county housing offenders in county jails pending a
798 probation or parole revocation hearing, the department shall pay
799 the reimbursement costs provided in paragraph (a).

800 (c) If the probation or parole of an offender is
801 revoked, the additional cost of housing the offender pending the
802 revocation hearing shall be assessed as part of the offender's
803 court cost and shall be remitted to the department.

804 (4) A person, on order of the sentencing court, may serve
805 not more than twenty-four (24) months of his sentence in a county
806 jail if the person is classified in accordance with Section
807 47-5-905 and the county jail is an approved county jail for
808 housing state inmates under federal court order. The sheriff of
809 the county shall have the right to petition the Commissioner of
810 Corrections to remove the inmate from the county jail. The county
811 shall be reimbursed in accordance with subsection (2) of this
812 section.

813 (5) The Attorney General of the State of Mississippi shall
814 defend the employees of the Department of Corrections and
815 officials and employees of political subdivisions against any

816 action brought by any person who was committed to a county jail
817 under the provisions of this section.

818 (6) This section does not create in the Department of
819 Corrections, or its employees or agents, any new liability,
820 express or implied, nor shall it create in the Department of
821 Corrections any administrative authority or responsibility for the
822 construction, funding, administration or operation of county or
823 other local jails or other places of confinement which are not
824 staffed and operated on a full-time basis by the Department of
825 Corrections. The correctional system under the jurisdiction of
826 the Department of Corrections shall include only those facilities
827 fully staffed by the Department of Corrections and operated by it
828 on a full-time basis.

829 (7) An offender returned to a county for post-conviction
830 proceedings shall be subject to the provisions of Section 99-19-42
831 and the county shall not receive the per-day allotment for such
832 offender after the time prescribed for returning the offender to
833 the Department of Corrections as provided in Section 99-19-42.

834 **SECTION 29.** Section 47-5-903, Mississippi Code of 1972, is
835 brought forward as follows:

836 47-5-903. (1) A person committed, sentenced or otherwise
837 placed under the custody of the Department of Corrections, on
838 order of the sentencing court, may serve his or her sentence in
839 any county jail if all of the following conditions are complied
840 with:

841 (a) The person must be classified in accordance with
842 Section 47-5-905;

843 (b) The person must not be classified as in need of
844 close supervision;

845 (c) The sheriff of the county where the person will
846 serve his or her sentence must request in writing that the person
847 be allowed to serve his or her sentence in that county jail;

848 (d) After the person is classified and returned to the
849 county, the county shall assume the full and complete
850 responsibility for the care and expenses of housing such person;
851 and

852 (e) The county jail must be an approved county jail for
853 housing state inmates under federal court order.

854 (2) This section does not apply to inmates housed in county
855 jails due to lack of space at state correctional facilities. The
856 department may reimburse the county for the expense of housing an
857 inmate under this section.

858 (3) The Attorney General of the State of Mississippi shall
859 defend the employees of the Department of Corrections and
860 officials and employees of political subdivisions against any
861 action brought by any person who was committed to a county jail
862 under the provisions of this section.

863 (4) The state, the Department of Corrections, and its
864 employees or agents, shall not be liable to any person or entity
865 for an inmate held in a county jail under this section.

866 **SECTION 30.** Section 47-5-905, Mississippi Code of 1972, is
867 brought forward as follows:

868 47-5-905. (1) All persons placed under the custody of the
869 Department of Corrections shall be processed at a reception and
870 diagnostic center of the Department of Corrections and then be
871 assigned to an appropriate correctional facility for a complete
872 and thorough classification, not to exceed ninety (90) days,
873 unless the department determines that a person can be properly
874 processed and classified at the county jail in accordance with the
875 department's classification plan.

876 (2) The Department of Corrections shall develop a plan for
877 the processing and classification of inmates in county jails and
878 shall implement the plan by January 1, 1993.

879 **SECTION 31.** Section 47-5-907, Mississippi Code of 1972, is
880 brought forward as follows:

881 47-5-907. The sheriff of any county in this state shall have
882 the right to petition the Commissioner of the Department of
883 Corrections to remove a state inmate from the county jail in such
884 county to the State Penitentiary. The commissioner shall remove
885 such inmate from such county jail if the sheriff of such county
886 sets forth just cause in his petition indicating why an inmate
887 should be removed from such county jail to the State Penitentiary.

888 Just cause is established if such sheriff can sufficiently
889 prove that such inmate has a dangerous behavior or sufficiently
890 prove that there is no available or suitable medical facility
891 where such inmate can be provided suitable medical services. The

892 commissioner shall respond in writing to the petition no later
893 than thirty (30) days after the receipt of such petition. If the
894 petition to remove such inmate is denied by the commissioner, such
895 sheriff and his agents shall have from the date of denial absolute
896 immunity from liability for any injury resulting from subsequent
897 behavior or from medical consequences regarding such inmate,
898 provided that such injury resulted from conditions which were set
899 forth in such petition.

900 **SECTION 32.** Section 47-5-909, Mississippi Code of 1972, is
901 brought forward as follows:

902 47-5-909. (1) It is the policy of the Legislature that all
903 inmates be removed from county jails as early as practicable.
904 Sections 47-5-901 through 47-5-907 are temporary measures to help
905 alleviate the immediate operating capacity limitations at
906 correctional facilities and are not permanent measures to be
907 included in the long-term operating capacity of the correctional
908 system.

909 (2) Notwithstanding any other provision of law, to expedite
910 the removal of inmates from county jails as early as practicable,
911 absent a contract negotiated between the Department of Corrections
912 and the county jail, the Department of Corrections shall pay
913 county jails for housing state offenders out of any available
914 funds as follows:

915 (a) Twenty-five Dollars (\$25.00) per day per offender
916 for days one (1) through thirty (30);

917 (b) Thirty-two Dollars and Seventy-one Cents (\$32.71)
918 per day per offender for days thirty-one (31) or greater when:

919 (i) An offender remains in the county jail after
920 the Department of Corrections receives a certified copy of the
921 sentencing order or five (5) days after the sentencing order is
922 sent, in writing, by such county to the Department of Corrections,
923 whichever is earlier; or

924 (ii) An offender remains in the county jail after
925 being revoked from parole or probation or is sentenced to a
926 technical violation center.

927 (3) The Department of Corrections is additionally
928 responsible for all medical costs related to offenders housed at
929 county jails under subsection (2) of this section.

930 **SECTION 33.** Section 47-5-1251, Mississippi Code of 1972, is
931 amended as follows:

932 47-5-1251. (1) There is created the "Prison Industry
933 Enhancement Program," through which the Department of Corrections
934 may contract with the nonprofit corporation organized and formed
935 under the "Mississippi Prison Industries Act of 1990" to employ
936 offenders within the custody of the department or prison
937 industries.

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

943 in the locality in which the work is performed. The wages may be
944 subject to deductions which shall not, in the aggregate, exceed
945 eighty percent (80%) of gross wages. The deductions shall be
946 limited to the following:

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

948 (b) To pay reasonable charges for room and board as
949 determined by regulations issued by the Commissioner of
950 Corrections;

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

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

957 (3) Notwithstanding any other provision of the law to the
958 contrary, the offenders shall not be qualified to receive any
959 payments for unemployment compensation while incarcerated.

960 However, the offenders shall not solely by their status as
961 offenders be deprived of the right to participate in benefits made
962 available by the federal or state government to other individuals
963 on the basis of their employment, such as workers' compensation.

964 (4) Offenders who participate in the employment must do so
965 voluntarily and must agree in advance to the specific deductions
966 made from gross wages pursuant to this section and to all other
967 financial arrangements or benefits resulting from participation in
968 the employment.

969 (5) The Department of Corrections shall develop rules and
970 regulations to meet the criteria established by the Bureau of
971 Justice Assistance under the Prison Industry Enhancement
972 Certification Program.

973 (6) This section shall stand repealed on July 1, * * * 2028.

974 **SECTION 34.** Section 1 of Chapter 479, Laws of 2021, is
975 brought forward as follows:

976 Section 1. This act shall be known and may be cited as the
977 "Mississippi Earned Parole Eligibility Act."

978 **SECTION 35.** Section 47-7-3, Mississippi Code of 1972, is
979 amended as follows:

980 47-7-3. (1) Every prisoner who has been convicted of any
981 offense against the State of Mississippi, and is confined in the
982 execution of a judgment of such conviction in the Mississippi
983 Department of Corrections for a definite term or terms of one (1)
984 year or over, or for the term of his or her natural life, whose
985 record of conduct shows that such prisoner has observed the rules
986 of the department, and who has served the minimum required time
987 for parole eligibility, may be released on parole as set forth
988 herein:

989 (a) **Habitual offenders.** Except as provided by Sections
990 99-19-81 through 99-19-87, no person sentenced as a confirmed and
991 habitual criminal shall be eligible for parole;

992 (b) **Sex offenders.** Any person who has been sentenced
993 for a sex offense as defined in Section 45-33-23(h) shall not be

994 released on parole except for a person under the age of nineteen
995 (19) who has been convicted under Section 97-3-67;

996 (c) **Capital offenders.** No person sentenced for the
997 following offenses shall be eligible for parole:

998 (i) Capital murder committed on or after July 1,
999 1994, as defined in Section 97-3-19(2);

1000 (ii) Any offense to which an offender is sentenced
1001 to life imprisonment under the provisions of Section 99-19-101; or

1002 (iii) Any offense to which an offender is
1003 sentenced to life imprisonment without eligibility for parole
1004 under the provisions of Section 99-19-101, whose crime was
1005 committed on or after July 1, 1994;

1006 (d) **Murder.** No person sentenced for murder in the
1007 first degree, whose crime was committed on or after June 30, 1995,
1008 or murder in the second degree, as defined in Section 97-3-19,
1009 shall be eligible for parole;

1010 (e) **Human trafficking.** No person sentenced for human
1011 trafficking, as defined in Section 97-3-54.1, whose crime was
1012 committed on or after July 1, 2014, shall be eligible for parole;

1013 (f) **Drug trafficking.** No person sentenced for
1014 trafficking and aggravated trafficking, as defined in Section
1015 41-29-139(f) through (g), shall be eligible for parole;

1016 (g) **Offenses specifically prohibiting parole release.**
1017 No person shall be eligible for parole who is convicted of any
1018 offense that specifically prohibits parole release;

1019 (h) (i) **Offenders eligible for parole consideration**
1020 **for offenses committed after June 30, 1995.** Except as provided in
1021 paragraphs (a) through (g) of this subsection, offenders may be
1022 considered eligible for parole release as follows:

1023 1. **Nonviolent crimes.** All persons sentenced
1024 for a nonviolent offense shall be eligible for parole only after
1025 they have served twenty-five percent (25%) or ten (10) years,
1026 whichever is less, of the sentence or sentences imposed by the
1027 trial court. For purposes of this paragraph, "nonviolent crime"
1028 means a felony not designated as a crime of violence in Section
1029 97-3-2.

1030 2. **Violent crimes.** A person who is sentenced
1031 for a violent offense as defined in Section 97-3-2, except robbery
1032 with a deadly weapon as defined in Section 97-3-79, drive-by
1033 shooting as defined in Section 97-3-109, and carjacking as defined
1034 in Section 97-3-117, shall be eligible for parole only after
1035 having served fifty percent (50%) or twenty (20) years, whichever
1036 is less, of the sentence or sentences imposed by the trial court.
1037 Those persons sentenced for robbery with a deadly weapon as
1038 defined in Section 97-3-79, drive-by shooting as defined in
1039 Section 97-3-109, and carjacking as defined in Section 97-3-117,
1040 shall be eligible for parole only after having served sixty
1041 percent (60%) or twenty-five (25) years, whichever is less, of the
1042 sentence or sentences imposed by the trial court.

1043 3. **Nonviolent and nonhabitual drug offenses.**
1044 A person who has been sentenced to a drug offense pursuant to

1045 Section 41-29-139(a) through (d), whose crime was committed after
1046 June 30, 1995, shall be eligible for parole only after he has
1047 served twenty-five percent (25%) or ten (10) years, whichever is
1048 less, of the sentence or sentences imposed.

1049 (ii) **Parole hearing required.** All persons
1050 eligible for parole under subparagraph (i) of this paragraph (h)
1051 who are serving a sentence or sentences for a crime of violence,
1052 as defined in Section 97-3-2, shall be required to have a parole
1053 hearing before the Parole Board pursuant to Section 47-7-17, prior
1054 to parole release.

1055 (iii) **Geriatric parole.** Notwithstanding the
1056 provisions in subparagraph (i) of this paragraph (h), a person
1057 serving a sentence who has reached the age of sixty (60) or older
1058 and who has served no less than ten (10) years of the sentence or
1059 sentences imposed by the trial court shall be eligible for parole.
1060 Any person eligible for parole under this subparagraph (iii) shall
1061 be required to have a parole hearing before the board prior to
1062 parole release. No inmate shall be eligible for parole under this
1063 subparagraph (iii) of this paragraph (h) if:

1064 1. The inmate is sentenced as a habitual
1065 offender under Sections 99-19-81 through 99-19-87;

1066 2. The inmate is sentenced for a crime of
1067 violence under Section 97-3-2;

1068 3. The inmate is sentenced for an offense
1069 that specifically prohibits parole release;

1070 4. The inmate is sentenced for trafficking in
1071 controlled substances under Section 41-29-139(f);

1072 5. The inmate is sentenced for a sex crime;
1073 or

1074 6. The inmate has not served one-fourth (1/4)
1075 of the sentence imposed by the court.

1076 (iv) **Parole consideration as authorized by the**
1077 **trial court.** Notwithstanding the provisions of paragraph (a) of
1078 this subsection, any offender who has not committed a crime of
1079 violence under Section 97-3-2 and has served twenty-five percent
1080 (25%) or more of his sentence may be paroled by the State Parole
1081 Board if, after the sentencing judge or if the sentencing judge is
1082 retired, disabled or incapacitated, the senior circuit judge
1083 authorizes the offender to be eligible for parole consideration;
1084 or if the senior circuit judge must be recused, another circuit
1085 judge of the same district or a senior status judge may hear and
1086 decide the matter. A petition for parole eligibility
1087 consideration pursuant to this subparagraph (iv) shall be filed in
1088 the original criminal cause or causes, and the offender shall
1089 serve an executed copy of the petition on the District Attorney.
1090 The court may, in its discretion, require the District Attorney to
1091 respond to the petition.

1092 (2) The State Parole Board shall, by rules and regulations,
1093 establish a method of determining a tentative parole hearing date
1094 for each eligible offender taken into the custody of the
1095 Department of Corrections. The tentative parole hearing date

1096 shall be determined within ninety (90) days after the department
1097 has assumed custody of the offender. Except as provided in
1098 Section 47-7-18, the parole hearing date shall occur when the
1099 offender is within thirty (30) days of the month of his parole
1100 eligibility date. Any parole eligibility date shall not be
1101 earlier than as required in this section.

1102 (3) Notwithstanding any other provision of law, an inmate
1103 shall not be eligible to receive earned time, good time or any
1104 other administrative reduction of time which shall reduce the time
1105 necessary to be served for parole eligibility as provided in
1106 subsection (1) of this section.

1107 (4) Any inmate within forty-eight (48) months of his parole
1108 eligibility date and who meets the criteria established by the
1109 classification board shall receive priority for placement in any
1110 educational development and job-training programs that are part of
1111 his or her parole case plan. Any inmate refusing to participate
1112 in an educational development or job-training program, including,
1113 but not limited to, programs required as part of the case plan,
1114 shall be in jeopardy of noncompliance with the case plan and may
1115 be denied parole.

1116 (5) In addition to other requirements, if an offender is
1117 convicted of a drug or driving under the influence felony, the
1118 offender must complete a drug and alcohol rehabilitation program
1119 prior to parole, or the offender shall be required to complete a
1120 postrelease drug and alcohol program as a condition of parole.

1121 (6) Except as provided in subsection (1)(a) through (h) of
1122 this section, all other persons shall be eligible for parole after
1123 serving twenty-five percent (25%) of the sentence or sentences
1124 imposed by the trial court, or, if sentenced to thirty (30) years
1125 or more, after serving ten (10) years of the sentence or sentences
1126 imposed by the trial court.

1127 (7) The Corrections and Criminal Justice Oversight Task
1128 Force established in Section 47-5-6 shall develop and submit
1129 recommendations to the Governor and to the Legislature annually on
1130 or before December 1st concerning issues relating to juvenile and
1131 habitual offender parole reform and to review and monitor the
1132 implementation of Chapter 479, Laws of 2021.

1133 (8) The amendments contained in Chapter 479, Laws of 2021,
1134 shall apply retroactively from and after July 1, 1995.

1135 (9) Notwithstanding provisions to the contrary in this
1136 section, a person who was sentenced before July 1, 2021, may be
1137 considered for parole if the person's sentence would have been
1138 parole eligible before July 1, 2021.

1139 (10) This section shall stand repealed on July 1, * * *
1140 2028.

1141 **SECTION 36.** Section 47-7-5, Mississippi Code of 1972, is
1142 amended as follows:

1143 47-7-5. (1) The State Parole Board, created under former
1144 Section 47-7-5, is hereby created, continued and reconstituted and
1145 shall be composed of five (5) members. The Governor shall appoint
1146 the members with the advice and consent of the Senate. All terms

1147 shall be at the will and pleasure of the Governor. Any vacancy
1148 shall be filled by the Governor, with the advice and consent of
1149 the Senate. The Governor shall appoint a chairman of the board.

1150 (2) Any person who is appointed to serve on the board shall
1151 possess at least a bachelor's degree or a high school diploma and
1152 four (4) years' work experience. Each member shall devote his
1153 full time to the duties of his office and shall not engage in any
1154 other business or profession or hold any other public office. A
1155 member shall receive compensation or per diem in addition to his
1156 or her salary. Each member shall keep such hours and workdays as
1157 required of full-time state employees under Section 25-1-98.

1158 Individuals shall be appointed to serve on the board without
1159 reference to their political affiliations. Each board member,
1160 including the chairman, may be reimbursed for actual and necessary
1161 expenses as authorized by Section 25-3-41. Each member of the
1162 board shall complete annual training developed based on guidance
1163 from the National Institute of Corrections, the Association of
1164 Paroling Authorities International, or the American Probation and
1165 Parole Association. Each first-time appointee of the board shall,
1166 within sixty (60) days of appointment, or as soon as practical,
1167 complete training for first-time Parole Board members developed in
1168 consideration of information from the National Institute of
1169 Corrections, the Association of Paroling Authorities
1170 International, or the American Probation and Parole Association.

1171 (3) The board shall have exclusive responsibility for the
1172 granting of parole as provided by Sections 47-7-3 and 47-7-17 and

1173 shall have exclusive authority for revocation of the same. The
1174 board shall have exclusive responsibility for investigating
1175 clemency recommendations upon request of the Governor.

1176 (4) The board, its members and staff, shall be immune from
1177 civil liability for any official acts taken in good faith and in
1178 exercise of the board's legitimate governmental authority.

1179 (5) The budget of the board shall be funded through a
1180 separate line item within the general appropriation bill for the
1181 support and maintenance of the department. Employees of the
1182 department which are employed by or assigned to the board shall
1183 work under the guidance and supervision of the board. There shall
1184 be an executive secretary to the board who shall be responsible
1185 for all administrative and general accounting duties related to
1186 the board. The executive secretary shall keep and preserve all
1187 records and papers pertaining to the board.

1188 (6) The board shall have no authority or responsibility for
1189 supervision of offenders granted a release for any reason,
1190 including, but not limited to, probation, parole or executive
1191 clemency or other offenders requiring the same through interstate
1192 compact agreements. The supervision shall be provided exclusively
1193 by the staff of the Division of Community Corrections of the
1194 department.

1195 (7) (a) The Parole Board is authorized to select and place
1196 offenders in an electronic monitoring program under the conditions
1197 and criteria imposed by the Parole Board. The conditions,
1198 restrictions and requirements of Section 47-7-17 and Sections

1199 47-5-1001 through 47-5-1015 shall apply to the Parole Board and
1200 any offender placed in an electronic monitoring program by the
1201 Parole Board.

1202 (b) Any offender placed in an electronic monitoring
1203 program under this subsection shall pay the program fee provided
1204 in Section 47-5-1013. The program fees shall be deposited in the
1205 special fund created in Section 47-5-1007.

1206 (c) The department shall have absolute immunity from
1207 liability for any injury resulting from a determination by the
1208 Parole Board that an offender be placed in an electronic
1209 monitoring program.

1210 (8) (a) The Parole Board shall maintain a central registry
1211 of paroled inmates. The Parole Board shall place the following
1212 information on the registry: name, address, photograph, crime for
1213 which paroled, the date of the end of parole or flat-time date and
1214 other information deemed necessary. The Parole Board shall
1215 immediately remove information on a parolee at the end of his
1216 parole or flat-time date.

1217 (b) When a person is placed on parole, the Parole Board
1218 shall inform the parolee of the duty to report to the parole
1219 officer any change in address ten (10) days before changing
1220 address.

1221 (c) The Parole Board shall utilize an internet website
1222 or other electronic means to release or publish the information.

1223 (d) Records maintained on the registry shall be open to
1224 law enforcement agencies and the public and shall be available no
1225 later than July 1, 2003.

1226 (9) An affirmative vote of at least four (4) members of the
1227 Parole Board shall be required to grant parole to an inmate
1228 convicted of capital murder or a sex crime.

1229 (10) This section shall stand repealed on July 1, * * *
1230 2028.

1231 **SECTION 37.** Section 47-7-3.1, Mississippi Code of 1972, is
1232 brought forward as follows:

1233 47-7-3.1. (1) In consultation with the Parole Board, the
1234 department shall develop a case plan for all parole-eligible
1235 inmates to guide an inmate's rehabilitation while in the
1236 department's custody and to reduce the likelihood of recidivism
1237 after release.

1238 (2) The case plan shall include, but not be limited to:

1239 (a) Programming and treatment requirements based on the
1240 results of a risk and needs assessment;

1241 (b) Any programming or treatment requirements contained
1242 in the sentencing order; and

1243 (c) General behavior requirements in accordance with
1244 the rules and policies of the department.

1245 (3) With respect to parole-eligible inmates admitted to the
1246 department's custody on or after July 1, 2021, the department
1247 shall complete the case plan within ninety (90) days of admission.
1248 With respect to parole-eligible inmates admitted to the

1249 department's custody before July 1, 2021, the department shall
1250 complete the case plan by January 1, 2022.

1251 (4) The department shall provide the inmate with a written
1252 copy of the case plan and the inmate's caseworker shall explain
1253 the conditions set forth in the case plan.

1254 (a) Within ninety (90) days of admission, the
1255 caseworker shall notify the inmate of their parole eligibility
1256 date as calculated in accordance with Section 47-7-3(3);

1257 (b) At the time a parole-eligible inmate receives the
1258 case plan, the department shall send the case plan to the Parole
1259 Board for approval.

1260 (5) With respect to parole-eligible inmates admitted to the
1261 department's custody after July 1, 2021, the department shall
1262 ensure that the case plan is achievable prior to the inmate's
1263 parole eligibility date. With respect to parole-eligible inmates
1264 admitted to the department's custody before July 1, 2021, the
1265 department shall, to the extent possible, ensure that the case
1266 plan is achievable prior to the inmate's parole eligibility date
1267 or next parole hearing date, or date of release, whichever is
1268 sooner.

1269 (6) The caseworker shall meet with the inmate every eight
1270 (8) weeks from the date the offender received the case plan to
1271 review the inmate's case plan progress.

1272 (7) Every four (4) months the department shall
1273 electronically submit a progress report on each parole-eligible
1274 inmate's case plan to the Parole Board. The board may meet to

1275 review an inmate's case plan and may provide written input to the
1276 caseworker on the inmate's progress toward completion of the case
1277 plan.

1278 (8) The Parole Board shall provide semiannually to the
1279 Oversight Task Force the number of parole hearings held, the
1280 number of prisoners released to parole without a hearing and the
1281 number of parolees released after a hearing.

1282 (9) If the Department of Corrections fails to adequately
1283 provide opportunity and access for the completion of such case
1284 plans, the Department of Corrections shall, to the extent
1285 possible, contract with regional jail facilities that offer
1286 educational development and job-training programs to facilitate
1287 the fulfillment of the case plans of parole-eligible inmates.

1288 **SECTION 38.** Section 47-7-3.2, Mississippi Code of 1972, is
1289 brought forward as follows:

1290 47-7-3.2. (1) Notwithstanding Section 47-5-138, 47-5-139,
1291 47-5-138.1 or 47-5-142, no person convicted of a criminal offense
1292 on or after July 1, 2014, shall be released by the department
1293 until he or she has served no less than the percentage of the
1294 sentence or sentences imposed by the court as set forth below:

1295 (a) Twenty-five percent (25%) or ten (10) years,
1296 whichever is less, for a nonviolent crime;

1297 (b) Fifty percent (50%) or twenty (20) years, whichever
1298 is less, for a crime of violence pursuant to Section 97-3-2,
1299 except for robbery with a deadly weapon as defined in Section

1300 97-3-79, drive-by shooting as defined in Section 97-3-109, or
1301 carjacking as defined in Section 97-3-117;

1302 (c) Sixty percent (60%) or twenty-five (25) years,
1303 whichever is less, for robbery with a deadly weapon as defined in
1304 Section 97-3-79, drive-by shooting as defined in Section 97-3-109,
1305 or carjacking as defined in Section 97-3-117.

1306 (2) This section shall not apply to:

1307 (a) Offenders sentenced to life imprisonment;

1308 (b) Offenders convicted as habitual offenders pursuant
1309 to Sections 99-19-81 through 99-19-87;

1310 (c) Offenders serving a sentence for a sex offense; or

1311 (d) Offenders serving a sentence for trafficking
1312 pursuant to Section 41-29-139(f).

1313 **SECTION 39.** Section 47-7-15, Mississippi Code of 1972, is
1314 brought forward as follows:

1315 47-7-15. The board shall adopt an official seal of which the
1316 courts shall take judicial notice. Decisions of the board shall
1317 be made by majority vote, except as provided in Section 47-7-5(9).

1318 The board shall keep a record of its acts and shall notify
1319 each institution of its decisions relating to the persons who are
1320 or have been confined therein. At the close of each fiscal year
1321 the board shall submit to the Governor and to the Legislature a
1322 report with statistical and other data of its work.

1323 **SECTION 40.** Section 47-7-17, Mississippi Code of 1972, is
1324 brought forward as follows:

1325 47-7-17. (1) Within one (1) year after his admission and at
1326 such intervals thereafter as it may determine, the board shall
1327 secure and consider all pertinent information regarding each
1328 offender, except any under sentence of death or otherwise
1329 ineligible for parole, including the circumstances of his offense,
1330 his previous social history, his previous criminal record,
1331 including any records of law enforcement agencies or of a youth
1332 court regarding that offender's juvenile criminal history, his
1333 conduct, employment and attitude while in the custody of the
1334 department, the case plan created to prepare the offender for
1335 parole, and the reports of such physical and mental examinations
1336 as have been made. The board shall furnish at least three (3)
1337 months' written notice to each such offender of the date on which
1338 he is eligible for parole.

1339 (2) Except as provided in Section 47-7-18, the board shall
1340 require a parole-eligible offender to have a hearing as required
1341 in this chapter before the board and to be interviewed. The
1342 hearing shall be held no later than thirty (30) days prior to the
1343 month of eligibility. No application for parole of a person
1344 convicted of a capital offense shall be considered by the board
1345 unless and until notice of the filing of such application shall
1346 have been published at least once a week for two (2) weeks in a
1347 newspaper published in or having general circulation in the county
1348 in which the crime was committed. The board shall, within thirty
1349 (30) days prior to the scheduled hearing, also give notice of the
1350 filing of the application for parole to the victim of the offense

1351 for which the prisoner is incarcerated and being considered for
1352 parole or, in case the offense be homicide, a designee of the
1353 immediate family of the victim, provided the victim or designated
1354 family member has furnished in writing a current address to the
1355 board for such purpose. The victim or designated family member
1356 shall be provided an opportunity to be heard by the board before
1357 the board makes a decision regarding release on parole. The board
1358 shall consider whether any restitution ordered has been paid in
1359 full. Parole release shall, at the hearing, be ordered only for
1360 the best interest of society, not as an award of clemency; it
1361 shall not be considered to be a reduction of sentence or pardon.
1362 An offender shall be placed on parole only when arrangements have
1363 been made for his proper employment or for his maintenance and
1364 care, and when the board believes that he is able and willing to
1365 fulfill the obligations of a law-abiding citizen. When the board
1366 determines that the offender will need transitional housing upon
1367 release in order to improve the likelihood of the offender
1368 becoming a law-abiding citizen, the board may parole the offender
1369 with the condition that the inmate spends no more than six (6)
1370 months in a transitional reentry center. At least fifteen (15)
1371 days prior to the release of an offender on parole, the director
1372 of records of the department shall give the written notice which
1373 is required pursuant to Section 47-5-177. Every offender while on
1374 parole shall remain in the legal custody of the department from
1375 which he was released and shall be amenable to the orders of the
1376 board. Upon determination by the board that an offender is

1377 eligible for release by parole, notice shall also be given within
1378 at least fifteen (15) days before release, by the board to the
1379 victim of the offense or the victim's family member, as indicated
1380 above, regarding the date when the offender's release shall occur,
1381 provided a current address of the victim or the victim's family
1382 member has been furnished in writing to the board for such
1383 purpose.

1384 (3) Failure to provide notice to the victim or the victim's
1385 family member of the filing of the application for parole or of
1386 any decision made by the board regarding parole shall not
1387 constitute grounds for vacating an otherwise lawful parole
1388 determination nor shall it create any right or liability, civilly
1389 or criminally, against the board or any member thereof.

1390 (4) A letter of protest against granting an offender parole
1391 shall not be treated as the conclusive and only reason for not
1392 granting parole.

1393 (5) The board may adopt such other rules not inconsistent
1394 with law as it may deem proper or necessary with respect to the
1395 eligibility of offenders for parole, the conduct of parole
1396 hearings, or conditions to be imposed upon parolees, including a
1397 condition that the parolee submit, as provided in Section 47-5-601
1398 to any type of breath, saliva or urine chemical analysis test, the
1399 purpose of which is to detect the possible presence of alcohol or
1400 a substance prohibited or controlled by any law of the State of
1401 Mississippi or the United States. The board shall have the
1402 authority to adopt rules related to the placement of certain

1403 offenders on unsupervised parole and for the operation of
1404 transitional reentry centers. However, in no case shall an
1405 offender be placed on unsupervised parole before he has served a
1406 minimum of fifty percent (50%) of the period of supervised parole.

1407 **SECTION 41.** Section 47-7-18, Mississippi Code of 1972, is
1408 brought forward as follows:

1409 47-7-18 (1) No inmate convicted of a sex offense as defined
1410 by Section 45-33-23(h), a crime of violence as defined by Section
1411 97-3-2, or both, nor an inmate who is eligible for geriatric
1412 parole shall be released on parole without a hearing before the
1413 Parole Board as required by Section 47-7-17. All other inmates
1414 eligible for parole pursuant to Section 47-7-3 shall be released
1415 from incarceration to parole supervision on the inmate's parole
1416 eligibility date, without a hearing before the board, if:

1417 (a) The inmate has met the requirements of the parole
1418 case plan established pursuant to Section 47-7-3.1;

1419 (b) A victim of the offense has not requested the board
1420 conduct a hearing;

1421 (c) The inmate has not received a serious or major
1422 violation report within the past six (6) months;

1423 (d) The inmate has agreed to the conditions of
1424 supervision; and

1425 (e) The inmate has a discharge plan approved by the
1426 board.

1427 (2) At least thirty (30) days prior to an inmate's parole
1428 eligibility date, the department shall notify the board in writing

1429 of the inmate's compliance or noncompliance with the case plan.
1430 If an inmate fails to meet a requirement of the case plan, prior
1431 to the parole eligibility date, he or she shall have a hearing
1432 before the board to determine if completion of the case plan can
1433 occur while in the community.

1434 (3) Any inmate for whom there is insufficient information
1435 for the department to determine compliance with the case plan
1436 shall have a hearing with the board.

1437 (4) A hearing shall be held with the board if requested by
1438 the victim following notification of the inmate's parole release
1439 date pursuant to Section 47-7-17.

1440 (5) A hearing shall be held by the board if a law
1441 enforcement official from the community to which the inmate will
1442 return contacts the board or the department and requests a hearing
1443 to consider information relevant to public safety risks posed by
1444 the inmate if paroled at the initial parole eligibility date. The
1445 law enforcement official shall submit an explanation documenting
1446 these concerns for the board to consider.

1447 (6) If a parole hearing is held, the board may determine the
1448 inmate has sufficiently complied with the case plan or that the
1449 incomplete case plan is not the fault of the inmate and that
1450 granting parole is not incompatible with public safety, the board
1451 may then parole the inmate with appropriate conditions. If the
1452 board determines that the inmate has sufficiently complied with
1453 the case plan but the discharge plan indicates that the inmate
1454 does not have appropriate housing immediately upon release, the

1455 board may parole the inmate to a transitional reentry center with
1456 the condition that the inmate spends no more than six (6) months
1457 in the center. If the board determines that the inmate has not
1458 substantively complied with the requirement(s) of the case plan it
1459 may deny parole. If the board denies parole, the board may
1460 schedule a subsequent parole hearing and, if a new date is
1461 scheduled, the board shall identify the corrective action the
1462 inmate will need to take in order to be granted parole. Any
1463 inmate not released at the time of the inmate's initial parole
1464 date shall have a parole hearing at least every year.

1465 **SECTION 42.** (1) There is created a Correctional Facility
1466 Study Committee for the purpose of studying the following issues
1467 and making a report to the Legislature:

1468 (a) The highest and best use and the efficiency of the
1469 State Penitentiary at Parchman in Sunflower and Quitman Counties
1470 and whether it would be in the best interest of the State of
1471 Mississippi to transfer its inmates, employees and programs to
1472 other state and regional facilities of the Mississippi Department
1473 of Corrections;

1474 (b) Whether it would be in the best interest of the
1475 State of Mississippi to authorize the Mississippi Department of
1476 Corrections to hold the land at Parchman in trust and to lease the
1477 grounds and buildings for agricultural, industrial, commercial,
1478 residential recreational or other uses for a ground rental under
1479 certain conditions;

1480 (c) Whether it would be in the best interest of the
1481 State of Mississippi to authorize the Mississippi Department of
1482 Corrections to designate an existing building at Parchman for the
1483 delivery of mental health services to inmates with mental illness
1484 incarcerated in any state or regional correctional facility to be
1485 known as the "Northwest Mississippi Facility for the Treatment and
1486 Care of Inmates With Mental Illness," and to prescribe standards
1487 for the operation of said mental health treatment facility; and

1488 (d) Whether the buildings or other facilities at
1489 Parchman shall be renamed "Northwest Mississippi Correctional
1490 Facility."

1491 (2) The committee shall be comprised of the following eight
1492 (8) members:

1493 (a) The Chair of the House Corrections Committee;

1494 (b) The chair of the Senate Corrections Committee;

1495 (c) One (1) member of the Mississippi Senate, to be
1496 appointed by the Lieutenant Governor;

1497 (d) One (1) member of the Mississippi House, to be
1498 appointed by the Speaker of the House of Representatives;

1499 (e) One (1) member to be appointed by the Governor;

1500 (f) The Commissioner of the Mississippi Department of
1501 Corrections, or a designee, as an ex officio nonvoting member;

1502 (g) The Chairman of the Mississippi Parole Board, or a
1503 designee, as an ex officio nonvoting member; and

1504 (h) The Commissioner of the Mississippi Department of
1505 Public Safety, or a designee, as an ex officio nonvoting member.

1506 (3) Appointments to the study committee shall be made within
1507 thirty (30) days of the effective date of this act. At the first
1508 meeting, the committee shall elect from among its members a
1509 chairman, a vice chairman and any other officers determined to be
1510 necessary, and shall adopt rules for transacting business and
1511 keeping records. The study committee shall develop and report its
1512 findings to the Legislature on or before December 1, 2024.

1513 (4) A majority of the members of the study committee shall
1514 constitute a quorum. In the adoption of rules, resolutions and
1515 reports, and in the election of a chairman, vice chairman and any
1516 other officers determined to be necessary, an affirmative vote of
1517 a majority of the members present shall be required.

1518 (5) The study committee may request the Joint Legislative
1519 Committee on Performance Evaluation and Expenditure Review (PEER)
1520 to provide the staff and other support necessary for the study
1521 committee to perform its duties.

1522 (6) To effectuate the purposes of this act, any department,
1523 division, board, bureau, committee, institution or agency of the
1524 state, or any political subdivision thereof, including criminal
1525 justice experts, shall, at the request of the chairman of the
1526 study committee, provide the facilities, assistance, information
1527 and data needed to enable the study committee to carry out its
1528 duties.

1529 (7) The study committee shall be dissolved on or before
1530 January 1, 2025.

1531 **SECTION 43.** This act shall take effect and be in force from
1532 and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

1 AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972,
2 TO EXTEND THE DATE OF REPEAL ON THE PILOT WORK RELEASE PROGRAM FOR
3 THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY; TO AMEND SECTIONS
4 47-5-577 AND 47-5-579, MISSISSIPPI CODE OF 1972, TO EXTEND THE
5 DATE OF REPEAL ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990
6 FROM JULY 1, 2024, TO JULY 1, 2028, AND TO TRANSFER THE REPEALER
7 IN SECTION 47-5-579 TO SECTION 47-5-577; TO BRING FORWARD SECTIONS
8 47-5-531, 47-5-533, 47-5-535, 47-5-537, 47-5-539, 47-5-541,
9 47-5-543, 47-5-545, 47-5-547, 47-5-549, 47-5-551, 47-5-553,
10 47-5-555, 47-5-557, 47-5-559, 47-5-561, 47-5-563, 47-5-565,
11 47-5-567, 47-5-569, 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI
12 CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND
13 SECTION 47-5-911, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF
14 REPEAL ON THE PROVISIONS OF LAW AUTHORIZING CERTAIN STATE
15 OFFENDERS TO SERVE ALL OR PART OF THEIR SENTENCE IN CERTAIN COUNTY
16 JAILS; TO BRING FORWARD SECTIONS 47-5-901, 47-5-903, 47-5-905,
17 47-5-907 AND 47-5-909, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE
18 OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-1251, MISSISSIPPI
19 CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PRISON INDUSTRY
20 ENHANCEMENT PROGRAM FROM JULY 1, 2024, TO JULY 1, 2028; TO EXTEND
21 THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE
22 ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER
23 479, LAWS OF 2021, TO AMEND SECTIONS 47-7-3 AND 47-7-5 AND BRING
24 FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18,
25 MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO CREATE A STUDY
26 COMMITTEE TO STUDY THE HIGHEST AND BEST USE OF THE STATE
27 PENITENTIARY AT PARCHMAN; AND FOR RELATED PURPOSES.

SS26\HB763PS.J

Amanda White
Secretary of the Senate