

By: Representative Porter

To: County Affairs;
Corrections

HOUSE BILL NO. 846

1 AN ACT TO AMEND SECTION 19-25-73, MISSISSIPPI CODE OF 1972,
2 TO REMOVE THE AUTHORITY OF ANY COUNTY TO CHARGE ANY PUBLIC
3 POLITICAL SUBDIVISION FOR THE HOUSING, FEEDING AND CARE OF
4 PRE-TRIAL DETAINEES FROM SUCH POLITICAL SUBDIVISION; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 19-25-73, Mississippi Code of 1972, is
8 amended as follows:

9 19-25-73. (1) In respect to the feeding of prisoners by the
10 sheriff's office, the board of supervisors is authorized to choose
11 one (1) of the following methods:

12 (a) It shall only contract with a local caterer or
13 restaurant owner to bring in food for the prisoners, and the
14 contract shall be awarded after taking bids as provided by law for
15 other county contracts.

16 (b) The sheriff shall purchase, in the name of the
17 county, all necessary food and related supplies to be used for
18 feeding prisoners only in the county jail. All purchases of such
19 food and supplies shall be invoiced to the county and placed on



20 the claims docket of the board of supervisors for disposition in
21 the same manner as all other claims against the county. All wages
22 and other compensation for services rendered to the sheriff in
23 connection with the feeding of prisoners shall be submitted to and
24 approved by the board of supervisors as other wages or
25 compensation paid to employees of the sheriff. The total
26 expenditure for such purpose under this method shall not exceed
27 Fifteen Dollars (\$15.00) per day per prisoner, except as provided
28 in subsection (3) of this section. All payments and
29 reimbursements from any source for the keeping of prisoners shall
30 be received and paid into the general fund of the county.

31 (c) The board of supervisors may negotiate a contract
32 with the board of trustees of the local public community hospital
33 to bring in food for the prisoners.

34 (2) The board of supervisors may authorize the sheriff to
35 maintain a bank account entitled "jail food allowance account"
36 into which shall be deposited all receipts for feeding and keeping
37 prisoners in the county jail, including payments from the board of
38 supervisors at the rate not to exceed Fifteen Dollars (\$15.00) per
39 prisoner per day and all such receipts from municipalities, the
40 United States and any other jurisdictions required to pay the cost
41 of feeding or keeping prisoners contained in the jail. He shall
42 maintain a receipts journal and a disbursements journal, in a form
43 to be prescribed by the State Department of Audit, which will
44 provide the information necessary to determine the actual cost of



45 feeding the prisoners, which shall not exceed Fifteen Dollars
46 (\$15.00) per prisoner per day, except as provided in subsection
47 (3) of this section. All costs and expenses for such feeding
48 shall be paid from the jail food allowance account and supported
49 by properly itemized invoices. Any funds accumulating in the jail
50 food allowance account in excess of the monthly average
51 expenditures, plus ten percent (10%) for contingencies, shall be
52 paid into the county general fund at least once each calendar
53 quarter.

54 (3) * * * Nothing in this section shall be construed to
55 affect payments by the Department of Corrections set by state law
56 for the keeping in the county jail of persons committed, sentenced
57 or otherwise placed under the custody of the Department of
58 Corrections.

59 **SECTION 2.** This act shall take effect and be in force from
60 and after its passage.

