

By: Representative Currie

To: Corrections;
Appropriations A

HOUSE BILL NO. 1478

1 AN ACT TO ESTABLISH THE PRISON TO PAYCHECK ACT OF 2025; TO
2 AUTHORIZE THE SHERIFFS OF REGIONAL CORRECTIONAL FACILITIES TO
3 ESTABLISH A WORK RELEASE PROGRAM; TO PROVIDE THE ELIGIBILITY
4 CRITERIA FOR INMATES FOR SUCH PROGRAM AND TO REQUIRE PARTICIPATING
5 EMPLOYERS TO PAY NO LESS THAN THE PREVAILING WAGE; TO PROVIDE THAT
6 SUCH FACILITIES SHALL RECEIVE A CERTAIN DAILY PER DIEM UNDER
7 CERTAIN CIRCUMSTANCES; TO ESTABLISH A WORK PROGRAM AT THE DELTA
8 CORRECTIONAL FACILITY; TO PROVIDE THE ELIGIBILITY CRITERIA FOR
9 INMATES FOR SUCH PROGRAM; TO PROVIDE THAT ANY STATE INMATE WHO IS
10 HOUSED IN A COUNTY REGIONAL CORRECTIONAL FACILITY OR COUNTY JAIL
11 SHALL RECEIVE A CERTAIN DAILY PER DIEM; TO AMEND SECTIONS 47-5-901
12 AND 47-5-905, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE
13 PRECEDING SECTION; TO AUTHORIZE ANY SHERIFF OF A COUNTY
14 CORRECTIONAL FACILITY, WHERE STATE INMATES ARE HOUSED, AND THE
15 MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO ESTABLISH A WORK
16 PROGRAM THAT UTILIZES SUCH STATE INMATES; TO PROVIDE THAT THE
17 DEPARTMENT OF TRANSPORTATION SHALL PROVIDE TRANSPORTATION FOR THE
18 STATE INMATES TO THE WORK SITE AND THAT THE SHERIFF SHALL PROVIDE
19 SECURITY; TO PROVIDE THE ELIGIBILITY CRITERIA FOR THE INMATES FOR
20 SUCH PROGRAM; TO PROVIDE THAT THE CORRECTIONAL FACILITY SHALL
21 RECEIVE A CERTAIN DAILY PER DIEM FOR THE INMATES FROM THE
22 DEPARTMENT OF CORRECTIONS; TO AMEND SECTIONS 47-5-933 AND 65-1-8,
23 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS;
24 AND FOR RELATED PURPOSES.

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

26 **SECTION 1.** This act shall be known and may be cited as "The
27 Prison to Paycheck Act of 2025."

28 **SECTION 2.** (1) The sheriffs of all regional correctional
29 facilities, which are established pursuant to Section 47-5-931,



30 are authorized to establish a work release program. No person
31 sentenced for any sex crime or multiple violent felonies in the
32 past ten (10) years shall be eligible for participation in the
33 program established under this section. An inmate shall be
34 eligible for participation in the program beginning three (3)
35 years before his or her initial parole or earned time release
36 date.

37 (2) Admission to the program shall be in the discretion of
38 the sheriff. The sheriff may further authorize the offender to
39 participate in educational or other rehabilitative programs
40 designed to supplement his or her work release employment or to
41 prepare the person for successful reentry.

42 (3) The sheriff shall adopt and publish rules and
43 regulations prior to accepting inmates. These rules and
44 regulations shall at a minimum include all requirements for work
45 release programs established pursuant to Sections 47-5-451 through
46 47-5-471. Participating employers shall pay no less than the
47 prevailing wage for the position and shall under no circumstance
48 pay less than the federal minimum wage.

49 (4) The sheriff may participate with local economic
50 development authorities or other entities with experience in work
51 release administration to administer the program and to secure job
52 opportunities in the community. Priority shall be given to the
53 following:



54 (a) Counties and cities with job openings in
55 surrounding communities; and

56 (b) Industries that are essential to the community's
57 economic viability.

67 (6) (a) The offender shall maintain an account through a
68 local financial institution and shall provide a copy of a check
69 stub to the sheriff.

70 (b) The offender shall be required to pay his or her
71 wages earned as a participant under the programs for the following
72 purposes:

79 (ii) To pay up to twenty percent (20%) of the
80 offender's wages to the sheriff's department for administrative
81 expenses to include transportation costs.

82 (iii) To save forty percent (40%) of the
83 offender's wages in the account required under paragraph (a) of
84 this subsection. Monies under this subparagraph shall be made
85 available to the offender upon parole or release.

86 (iv) To pay ten percent (10%) of the offender's
87 wages to the county regional facilities to cover room and board.

88 (v) The offender shall have access to the
89 remaining ten percent (10%) of the monies in his or her account to
90 purchase incidental expenses.

91 (c) Any monies remaining under paragraph (a) of this
92 subsection after all mandatory deductions are paid, shall be
93 deposited in the inmate's account established under this
94 subsection. Any monies remaining under this subsection, upon the
95 release of the inmate, shall be released to the inmate upon his or
96 her release.

97 (7) This section shall stand repealed on July 1, 2029.

98 **SECTION 3.** (1) All regional correctional facilities and all
99 county jails that house state offenders shall receive a daily per
100 diem of Thirty-four Dollars (\$34.00) for each inmate in the
101 custody of such regional correctional facilities and county jails.

102 (2) This section shall stand repealed from and after July 1,
103 2029.



104 **SECTION 4.** Section 47-5-901, Mississippi Code of 1972, is
105 amended as follows:

106 47-5-901. (1) (a) Any person committed, sentenced or
107 otherwise placed under the custody of the Department of
108 Corrections, on order of the sentencing court and subject to the
109 other conditions of this subsection, may serve all or any part of
110 his sentence in the county jail of the county wherein such person
111 was convicted if the Commissioner of Corrections determines that
112 physical space is not available for confinement of such person in
113 the state correctional institutions. Such determination shall be
114 promptly made by the Department of Corrections upon receipt of
115 notice of the conviction of such person. The commissioner shall
116 certify in writing that space is not available to the sheriff or
117 other officer having custody of the person. Any person serving
118 his sentence in a county jail shall be classified in accordance
119 with Section 47-5-905.

120 (b) Any person committed, sentenced or otherwise placed
121 under the custody of the Department of Corrections, on order of
122 the sentencing court and subject to the other conditions of this
123 subsection, may serve all or any part of his or her sentence in
124 the county jail of the county wherein such person was convicted if
125 the sheriff or president of the board of supervisors, requests
126 such inmate or inmates. Upon such request, the department may
127 allow such inmate or inmates to serve all or any part of such
128 inmate's or inmates' sentence(s), as the case may be, in the



129 county of conviction of the inmate or inmates or the county of
130 request of a sheriff or board of supervisors outside the county of
131 conviction. Such determination shall be promptly made by the
132 Department of Corrections upon receipt of notice of the conviction
133 of such person. Whenever a request is denied for an inmate or
134 inmates, then the commissioner shall certify in writing to the
135 sentencing court, sheriff, or president of the board of
136 supervisors of a county, as the case may be, that such inmate or
137 inmates does not qualify to serve the sentence or sentences in the
138 county jail. Any person serving his sentence in a county jail
139 shall be classified in accordance with Section 47-5-905.

140 (2) If state prisoners are housed in county jails due to a
141 lack of capacity at state correctional institutions, the
142 Department of Corrections shall determine the cost for food and
143 medical attention for such prisoners. The cost of feeding and
144 housing offenders confined in such county jails shall be based on
145 actual costs or contract price per prisoner. In order to maximize
146 the potential use of county jail space, the Department of
147 Corrections is encouraged to negotiate a reasonable per day cost
148 per prisoner, which in no event may exceed * * * Thirty-four
149 (\$34.00) per day per offender, except as authorized in Section
150 47-5-909(2).

151 (3) (a) Upon vouchers submitted by the board of supervisors
152 of any county housing persons due to lack of space at state
153 institutions, the Department of Corrections shall pay to such



154 county, out of any available funds, the actual cost of food, or
155 contract price per prisoner, not to exceed * * * Thirty-four
156 Dollars (\$34.00) per day per offender, except as authorized in
157 Section 47-5-909(2), as determined under subsection (2) of this
158 section for each day an offender is so confined beginning the day
159 that the Department of Corrections receives a certified copy of
160 the sentencing order or five (5) days after the sentencing order
161 is sent, in writing, by such county to the department, whichever
162 is earlier, and will terminate on the date on which the offender
163 is released or otherwise removed from the custody of the county
164 jail. The department, or its contracted medical provider, will
165 pay to a provider of a medical service for any and all
166 incarcerated persons from a correctional or detention facility an
167 amount based upon negotiated fees as agreed to by the medical care
168 service providers and the department and/or its contracted medical
169 provider. In the absence of negotiated discounted fee schedule,
170 medical care service providers will be paid by the department, or
171 its contracted medical service provider, an amount no greater than
172 the reimbursement rate applicable based on the Mississippi
173 Medicaid reimbursement rate. The board of supervisors of any
174 county shall not be liable for any cost associated with medical
175 attention for prisoners who are pretrial detainees or for
176 prisoners who have been convicted that exceeds the Mississippi
177 Medicaid reimbursement rate or the reimbursement provided by the
178 Department of Corrections, whichever is greater. This limitation



179 applies to all medical care services, durable and nondurable
180 goods, prescription drugs and medications. Such payment shall be
181 placed in the county general fund and shall be expended only for
182 food and medical attention for such persons.

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

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

191 (4) A person, on order of the sentencing court, may serve
192 not more than twenty-four (24) months of his sentence in a county
193 jail if the person is classified in accordance with Section
194 47-5-905 and the county jail is an approved county jail for
195 housing state inmates under federal court order. The sheriff of
196 the county shall have the right to petition the Commissioner of
197 Corrections to remove the inmate from the county jail. The county
198 shall be reimbursed in accordance with subsection (2) of this
199 section.

200 (5) The Attorney General of the State of Mississippi shall
201 defend the employees of the Department of Corrections and
202 officials and employees of political subdivisions against any



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

205 (6) This section does not create in the Department of
206 Corrections, or its employees or agents, any new liability,
207 express or implied, nor shall it create in the Department of
208 Corrections any administrative authority or responsibility for the
209 construction, funding, administration or operation of county or
210 other local jails or other places of confinement which are not
211 staffed and operated on a full-time basis by the Department of
212 Corrections. The correctional system under the jurisdiction of
213 the Department of Corrections shall include only those facilities
214 fully staffed by the Department of Corrections and operated by it
215 on a full-time basis.

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

221 **SECTION 5.** Section 47-5-909, Mississippi Code of 1972, is
222 amended as follows:

223 47-5-909. (1) It is the policy of the Legislature that all
224 inmates be removed from county jails as early as practicable.
225 Sections 47-5-901 through 47-5-907 are temporary measures to help
226 alleviate the immediate operating capacity limitations at
227 correctional facilities and are not permanent measures to be



228 included in the long-term operating capacity of the correctional
229 system.

230 (2) Notwithstanding any other provision of law, to expedite
231 the removal of inmates from county jails as early as practicable,
232 absent a contract negotiated between the Department of Corrections
233 and the county jail, the Department of Corrections shall pay
234 county jails for housing state offenders out of any available
235 funds as follows:

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

238 (b) * * * Thirty-four Dollars (\$34.00) per day per
239 offender for days thirty-one (31) or greater when:

240 (i) An offender remains in the county jail after
241 the Department of Corrections receives a certified copy of the
242 sentencing order or five (5) days after the sentencing order is
243 sent, in writing, by such county to the Department of Corrections,
244 whichever is earlier; or

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

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

251 **SECTION 6.** (1) A work program is established at the Delta
252 Correctional Facility. The corporation, as defined under Section



253 47-5-539, shall serve as the program administrator and shall focus
254 on meaningful, skill-oriented, private-sector work opportunities
255 in the surrounding communities. There shall be a limit of one
256 hundred (100) people in the program at a time.

257 (2) No person sentenced for any sex crime or multiple
258 violent felonies in the past ten (10) years shall be eligible for
259 participation in the program established under this section. An
260 inmate shall be eligible for participation in the program
261 beginning three (3) years before her initial parole or earned time
262 release date. The Commissioner of the Department of Corrections
263 shall direct the facility's superintendent to identify eligible
264 participants within thirty (30) days of the effective date of this
265 act.

266 (3) The corporation shall collect and maintain data which
267 shall be shared annually with the Legislature in sortable
268 electronic format. The first report shall be made before January
269 15, 2026. The data shall include:

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

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

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



276 (d) Total number of participants who successfully
277 completed the program in each month by race, gender, and offenses
278 charged;

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

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

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

288 (h) Total number of participants who completed the
289 program and were convicted of a new crime within three (3) years
290 of completing the program;

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

293 (j) Results of any initial risk and needs assessments
294 conducted on each participant by race, gender, and offenses
295 charged: and

296 (k) Any other data or information as requested by the
297 task force

298 (4) Any person who has been sentenced to confinement in jail
299 or who has been sentenced for a felony conviction but is confined
300 in a jail may request assignment to the pilot program established



301 under this section. Admission to the program shall be in the
302 discretion of the superintendent of the facility. The
303 superintendent may further authorize the offender to participate
304 in educational or other rehabilitative programs designed to
305 supplement his work release employment or to prepare the person
306 for successful reentry. No offender shall be eligible for this
307 program if such offender has more than one (1) year remaining on
308 her sentence.

309 (5) The superintendent shall adopt and publish rules and
310 regulations prior to accepting inmates. These rules and
311 regulations shall at a minimum include all requirements for work
312 release programs established pursuant to Sections 47-5-451 through
313 47-5-471. Participating employers shall pay no less than the
314 prevailing wage for the position and shall under no circumstance
315 pay less than the federal minimum wage.

316 (6) Any offender assigned to such a program by the
317 superintendent who, without proper authority or just cause, leaves
318 the area to which she has been assigned to work or attend
319 educational or other rehabilitative programs, or leaves the
320 vehicle or route of travel involved in her going to or returning
321 from such place, will be guilty of escape as provided in Section
322 97-9-49. An offender who is found guilty under this section shall
323 be ineligible for further participation in a work release program
324 during her current term of confinement.



325 (7) (a) The offender shall maintain an account through a
326 local financial institution and shall provide a copy of a check
327 stub to the sheriff.

328 (b) The offender shall be required to pay his or her
329 wages earned as a participant under the programs for the following
330 purposes:

331 (i) To pay twenty percent (20%) toward any support
332 of dependents or to the Mississippi Department of Human Services
333 on behalf of dependents as may be ordered by a judge of competent
334 jurisdiction as well as fines, restitution, or costs as ordered by
335 the court to include any fines and fees associated with obtaining
336 a valid driver's license upon release.

337 (ii) To save fifty percent (50%) of the offender's
338 wages in the account required under paragraph (a) of this
339 subsection. Monies under this subparagraph shall be made
340 available to the offender upon parole or release.

341 (iii) To pay up to twenty percent (20%) of the
342 offender's wages to the facility for administrative expenses to
343 include transportation costs.

344 (iv) The offender shall have access to the
345 remaining ten percent (10%) of the monies in her account to
346 purchase incidental expenses.

347 (c) Any monies remaining under paragraph (a) of this
348 subsection after all mandatory deductions are paid, shall be
349 deposited in the inmate's account established under this



350 subsection. Any monies remaining under this subsection, upon the
351 release of the inmate, shall be released to the inmate upon her
352 release.

353 (8) This section shall stand repealed on July 1, 2029.

354 **SECTION 7.** (1) The sheriffs of all county regional
355 correctional facilities and county jails, where state inmates are
356 housed, and the Mississippi Department of Transportation are
357 authorized to establish a work program where up to two (2) state
358 inmates who are housed in such facilities and jails may be
359 assigned to work for the Department of Transportation. No person
360 sentenced for any sex crime or multiple violent felonies in the
361 past ten (10) years shall be eligible for participation in the
362 program established under this section. An inmate shall be
363 eligible for participation in the program beginning three (3)
364 years before his or her initial parole or earned time release
365 date. The Department of Transportation shall be responsible for
366 transporting inmates to the work site and the sheriff's department
367 shall be responsible for security and the safety of the inmates.

368 (2) Admission to the program shall be in the discretion of
369 the sheriff, and the sheriff shall adopt and publish rules and
370 regulations prior to accepting inmates. These rules and
371 regulations shall at a minimum include all requirements for work
372 release programs established pursuant to Sections 47-5-451 through
373 47-5-471.



374 (3) Any state offender assigned to such a program by the
375 sheriff who, without proper authority or just cause, leaves the
376 area to which he has been assigned to work or attend educational
377 or other rehabilitative programs, or leaves the vehicle or route
378 of travel involved in his or her going to or returning from such
379 place, will be guilty of escape as provided in Section 97-9-49.
380 An offender who is found guilty under this section shall be
381 ineligible for further participation in a work release program
382 during his or her current term of confinement.

383 (4) All correctional facilities and county jails described
384 under subsection (1) of this section that house state inmates who
385 participate in the work program established under this section
386 shall receive a daily per diem of Thirty-four Dollars (\$34.00)
387 from the Mississippi Department of Corrections.

388 (5) This section shall stand repealed on July 1, 2029.

389 **SECTION 8.** Section 47-5-933, Mississippi Code of 1972, is
390 amended as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of no more than * * * Thirty-four Dollars (\$34.00) per day for each offender that is housed in the facility.

396 * * * The state shall retain responsibility for medical care for
397 state offenders to the extent that is required by law; provided,
398 however, the department may reimburse each facility for contract



399 medical services as provided by law in an amount not to exceed Six
400 Dollars and Twenty-five Cents (\$6.25) per day per offender.

401 **SECTION 9.** Section 65-1-8, Mississippi Code of 1972, is
402 amended as follows:

403 65-1-8. (1) The Mississippi Transportation Commission shall
404 have the following general powers, duties and responsibilities:

405 (a) To coordinate and develop a comprehensive, balanced
406 transportation policy for the State of Mississippi;

407 (b) To promote the coordinated and efficient use of all
408 available and future modes of transportation;

409 (c) To make recommendations to the Legislature
410 regarding alterations or modifications in any existing
411 transportation policies;

412 (d) To study means of encouraging travel and
413 transportation of goods by the combination of motor vehicle and
414 other modes of transportation;

415 (e) To take such actions as are necessary and proper to
416 discharge its duties pursuant to the provisions of Chapter 496,
417 Laws of 1992, and any other provision of law;

418 (f) To receive and provide for the expenditure of any
419 funds made available to it by the Legislature, the federal
420 government or any other source.

421 (2) In addition to the general powers, duties and
422 responsibilities listed in subsection (1) of this section, the



423 Mississippi Transportation Commission shall have the following
424 specific powers:

425 (a) To make rules and regulations whereby the
426 Transportation Department shall change or relocate any and all
427 highways herein or hereafter fixed as constituting a part of the
428 state highway system, as may be deemed necessary or economical in
429 the construction or maintenance thereof; to acquire by gift,
430 purchase, condemnation or otherwise, land or other property
431 whatsoever that may be necessary for a state highway system as
432 herein provided, with full consideration to be given to the
433 stimulation of local public and private investment when acquiring
434 such property in the vicinity of Mississippi towns, cities and
435 population centers;

436 (b) To enforce by mandamus, or other proper legal
437 remedies, all legal rights or rights of action of the Mississippi
438 Transportation Commission with other public bodies, corporations
439 or persons;

440 (c) To make and publish rules, regulations and
441 ordinances for the control of and the policing of the traffic on
442 the state highways, and to prevent their abuse by any or all
443 persons, natural or artificial, by trucks, tractors, trailers or
444 any other heavy or destructive vehicles or machines, or by any
445 other means whatsoever, by establishing weights of loads or of
446 vehicles, types of tires, width of tire surfaces, length and width
447 of vehicles, with reasonable variations to meet approximate



448 weather conditions, and all other proper police and protective
449 regulations, and to provide ample means for the enforcement of
450 same. The violation of any of the rules, regulations or
451 ordinances so prescribed by the commission shall constitute a
452 misdemeanor. No rule, regulation or ordinance shall be made that
453 conflicts with any statute now in force or which may hereafter be
454 enacted, or with any ordinance of municipalities. A monthly
455 publication giving general information to the boards of
456 supervisors, employees and the public may be issued under such
457 rules and regulations as the commission may determine;

458 (d) To give suitable numbers to highways and to change
459 the number of any highway that shall become a part of the state
460 highway system. However, nothing herein shall authorize the
461 number of any highway to be changed so as to conflict with any
462 designation thereof as a U.S. numbered highway. Where, by a
463 specific act of the Legislature, the commission has been directed
464 to give a certain number to a highway, the commission shall not
465 have the authority to change such number;

466 (e) (i) To make proper and reasonable rules,
467 regulations, and ordinances for the placing, erection, removal or
468 relocation of telephone, telegraph or other poles, signboards,
469 fences, gas, water, sewerage, oil or other pipelines, and other
470 obstructions that may, in the opinion of the commission,
471 contribute to the hazards upon any of the state highways, or in
472 any way interfere with the ordinary travel upon such highways, or



473 the construction, reconstruction or maintenance thereof, and to
474 make reasonable rules and regulations for the proper control
475 thereof. Any violation of such rules or regulations or
476 noncompliance with such ordinances shall constitute a misdemeanor;

477 (ii) Except as otherwise provided for in this
478 paragraph, whenever the order of the commission shall require the
479 removal of, or other changes in the location of, telephone,
480 telegraph or other poles, signboards, gas, water, sewerage, oil or
481 other pipelines * * *, or other similar obstructions on the
482 right-of-way or such other places where removal is required by
483 law, the owners thereof shall at their own expense move or change
484 the same to conform to the order of the commission. Any violation
485 of such rules or regulations or noncompliance with such orders
486 shall constitute a misdemeanor;

487 (iii) Rural water districts, rural water systems,
488 nonprofit water associations and municipal public water systems in
489 municipalities with a population of ten thousand (10,000) or less,
490 according to the latest federal decennial census, shall not be
491 required to bear the cost and expense of removal and relocation of
492 water and sewer lines and facilities constructed or in place in
493 the rights-of-way of state highways. The cost and expense of such
494 removal and relocation, including any unpaid prior to July 1,
495 2002, shall be paid by the Department of Transportation;

496 (iv) Municipal public sewer systems and municipal
497 gas systems owned by municipalities with a population of ten



498 thousand (10,000) or less, according to the latest federal
499 decennial census, shall not be required to bear the cost and
500 expense of removal and relocation of lines and facilities
501 constructed or in place in the rights-of-way of state highways.
502 The cost and expense of such removal and relocation, including any
503 unpaid prior to July 1, 2003, shall be paid by the Department of
504 Transportation;

505 (f) To regulate and abandon grade crossings on any road
506 fixed as a part of the state highway system, and whenever the
507 commission, in order to avoid a grade crossing with the railroad,
508 locates or constructs said road on one side of the railroad, the
509 commission shall have the power to abandon and close such grade
510 crossing, and whenever an underpass or overhead bridge is
511 substituted for a grade crossing, the commission shall have power
512 to abandon such grade crossing and any other crossing adjacent
513 thereto. Included in the powers herein granted shall be the power
514 to require the railroad at grade crossings, where any road of the
515 state highway system crosses the same, to place signal posts with
516 lights or other warning devices at such crossings at the expense
517 of the railroad, and to regulate and abandon underpasses or
518 overhead bridges and, where abandoned because of the construction
519 of a new underpass or overhead bridge, to close such old underpass
520 or overhead bridge, or, in its discretion, to return the same to
521 the jurisdiction of the county board of supervisors;



522 (g) To make proper and reasonable rules and regulations
523 to control the cutting or opening of the road surfaces for
524 subsurface installations;

525 (h) To make proper and reasonable rules and regulations
526 for the removal from the public rights-of-way of any form of
527 obstruction, to cooperate in improving their appearance, and to
528 prescribe minimum clearance heights for seed conveyors, pipes,
529 passageways or other structure of private or other ownership above
530 the highways;

539 (k) To establish and have enforced set-back
540 regulations;

541 (1) To cooperate with proper state authorities in
542 producing limerock for highway purposes and to purchase same at
543 cost;

544 (m) To provide for the purchase of necessary equipment
545 and vehicles and to provide for the repair and housing of same, to
546 acquire by gift, purchase, condemnation or otherwise, land or



lands and buildings in fee simple, and to authorize the
Transportation Department to construct, lease or otherwise provide
necessary and proper permanent district offices for the
construction and maintenance divisions of the department, and for
the repair and housing of the equipment and vehicles of the
department; however, in each Supreme Court district only two (2)
permanent district offices shall be set up, but a permanent status
shall not be given to any such offices until so provided by act of
the Legislature and in the meantime, all shops of the department
shall be retained at their present location. As many local or
subdistrict offices, shops or barns may be provided as is
essential and proper to economical maintenance of the state
highway system;

566 (o) To cooperate, in its discretion, with the
567 Mississippi Department of Wildlife, Fisheries and Parks in
568 planning and constructing roadside parks upon the right-of-way of
569 state highways, whether constructed, under construction, or
570 planned; said parks to utilize where practical barrow pits used in
571 construction of state highways for use as fishing ponds. Said



572 parks shall be named for abundant flora and fauna existing in the
573 area or for the first flora or fauna found on the site;

574 (p) Unless otherwise prohibited by law, to make such
575 contracts and execute such instruments containing such reasonable
576 and necessary appropriate terms, provisions and conditions as in
577 its absolute discretion it may deem necessary, proper or
578 advisable, for the purpose of obtaining or securing financial
579 assistance, grants or loans from the United States of America or
580 any department or agency thereof, including contracts with several
581 counties of the state pertaining to the expenditure of such funds;

582 (q) To cooperate with the Federal Highway
583 Administration in the matter of location, construction and
584 maintenance of the Great River Road, to expend such funds paid to
585 the commission by the Federal Highway Administration or other
586 federal agency, and to authorize the Transportation Department to
587 erect suitable signs marking this highway, the cost of such signs
588 to be paid from state highway funds other than earmarked
589 construction funds;

590 (r) To cooperate, in its discretion, with the
591 Mississippi Forestry Commission and the School of Forestry,
592 Mississippi State University, in a forestry management program,
593 including planting, thinning, cutting and selling, upon the
594 right-of-way of any highway, constructed, acquired or maintained
595 by the Transportation Department, and to sell and dispose of any
596 and all growing timber standing, lying or being on any



597 right-of-way acquired by the commission for highway purposes in
598 the future; such sale or sales to be made in accordance with the
599 sale of personal property which has become unnecessary for public
600 use as provided for in Section 65-1-123, Mississippi Code of 1972;

608 (t) To provide for the placement, erection and
609 maintenance of motorist services business signs and supports
610 within state highway rights-of-way in accordance with current
611 state and federal laws and regulations governing the placement of
612 traffic control devices on state highways, and to establish and
613 collect reasonable fees from the businesses having information on
614 such signs;

615 (u) To request and to accept the use of persons
616 convicted of an offense, whether a felony or a misdemeanor, for
617 work on any road construction, repair or other project of the
618 Transportation Department. The commission is also authorized to
619 request and to accept the use of persons who have not been
620 convicted of an offense but who are required to fulfill certain
621 court-imposed conditions pursuant to Section 41-29-150(d)(1) or



622 99-15-26, Mississippi Code of 1972, or the Pretrial Intervention
623 Act, being Sections 99-15-101 through 99-15-127, Mississippi Code
624 of 1972. The commission is authorized to enter into any
625 agreements with the Department of Corrections, the State Parole
626 Board, any criminal court of this state, and any other proper
627 official regarding the working, guarding, safekeeping, clothing
628 and subsistence of such persons performing work for the
629 Transportation Department. Such persons shall not be deemed
630 agents, employees or involuntary servants of the Transportation
631 Department while performing such work or while going to and from
632 work or other specified areas;

633 (v) To provide for the administration of the railroad
634 revitalization program pursuant to Section 57-43-1 et seq.;

635 (w) The Mississippi Transportation Commission is
636 further authorized, in its discretion, to expend funds for the
637 purchase of service pins for employees of the Mississippi
638 Transportation Department;

639 (x) To cooperate with the State Tax Commission by
640 providing for weight enforcement field personnel to collect and
641 assess taxes, fees and penalties and to perform all duties as
642 required pursuant to Section 27-55-501 et seq., Sections 27-19-1
643 et seq., 27-55-1 et seq., 27-59-1 et seq. and 27-61-1 et seq.,
644 Mississippi Code of 1972, with regard to vehicles subject to the
645 jurisdiction of the Office of Weight Enforcement. All collections



646 and assessments shall be transferred daily to the State Tax
647 Commission;

648 (y) The Mississippi Transportation Commission may
649 delegate the authority to enter into a supplemental agreement to a
650 contract previously approved by the commission if the supplemental
651 agreement involves an additional expenditure not to exceed One
652 Hundred Thousand Dollars (\$100,000.00);

653 (z) (i) The Mississippi Transportation Commission, in
654 its discretion, may enter into agreements with any county,
655 municipality, county transportation commission, business,
656 corporation, partnership, association, individual or other legal
657 entity, for the purpose of accelerating the completion date of
658 scheduled highway construction projects.

659 (ii) Such an agreement may permit the cost of a
660 highway construction project to be advanced to the commission by a
661 county, municipality, county transportation commission, business,
662 corporation, partnership, association, individual or other legal
663 entity, and repaid to such entity by the commission when highway
664 construction funds become available; provided, however, that
665 repayment of funds advanced to the Mississippi Transportation
666 Commission shall be made no sooner than the commission's
667 identified projected revenue schedule for funding of that
668 particular construction project, and no other scheduled highway
669 construction project established by statute or by the commission
670 may be delayed by an advanced funding project authorized under



671 this paragraph (z). Repayments to a public or private entity that
672 advances funds to the Mississippi Transportation Commission under
673 this paragraph (z) may not include interest or other fees or
674 charges, and the total amount repaid shall not exceed the total
675 amount of funds advanced to the commission by the entity; however,
676 the inclusion of public entities in this provision does not
677 invalidate any existing agreements authorized under this paragraph
678 (z) before April 19, 2022. The commission shall retain the
679 ability to service, refinance or restructure any indebtedness
680 incurred through any such existing agreements.

681 (iii) In considering whether to enter into such an
682 agreement, the commission shall consider the availability of
683 financial resources, the effect of such agreement on other ongoing
684 highway construction, the urgency of the public's need for swift
685 completion of the project and any other relevant factors.

686 (iv) Such an agreement shall be executed only upon
687 a finding by the commission, spread upon its minutes, that the
688 acceleration of the scheduled project is both feasible and
689 beneficial. The commission shall also spread upon its minutes its
690 findings with regard to the factors required to be considered
691 pursuant to subparagraph (iii) of this paragraph (z);

692 (aa) The Mississippi Transportation Commission, in its
693 discretion, may purchase employment practices liability insurance,
694 and may purchase an excess policy to cover catastrophic losses
695 incurred under the commission's self-insured workers' compensation



696 program authorized under Section 71-3-5. Such policies shall be
697 written by the agent or agents of a company or companies
698 authorized to do business in the State of Mississippi. The
699 deductibles shall be in an amount deemed reasonable and prudent by
700 the commission, and the premiums thereon shall be paid from the
701 State Highway Fund. Purchase of insurance under this paragraph
702 shall not serve as an actual or implied waiver of sovereign
703 immunity or of any protection afforded the commission under the
704 Mississippi Tort Claims Act;

705 (bb) The Mississippi Transportation Commission is
706 further authorized, in its discretion, to expend funds for the
707 purchase of promotional materials for safety purposes, highway
708 beautification purposes and recruitment purposes;

709 (cc) To lease antenna space on communication towers
710 which it owns;

711 (dd) To receive funds from the Southeastern Association
712 of Transportation Officials and from other nonstate sources and
713 expend those funds for educational scholarships in transportation
714 related fields of study. The commission may adopt rules or
715 regulations as necessary for the implementation of the program. A
716 strict accounting shall be made of all funds deposited with the
717 commission and all funds dispersed;

718 (ee) To contract with any county, if the county chooses
719 to enter such contract, to perform any maintenance on the state

720 highways and interstate highways in that county and any
721 rights-of-way to such highways.

722 (ff) To cooperate with the sheriffs of any counties who
723 house state inmates to carry out the provisions of Section 7 of
724 this act.

725 **SECTION 10.** This act shall take effect and be in force from
726 and after its passage.

