

House Amendments to Senate Bill No. 2242

TO THE SECRETARY OF THE SENATE:

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

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

10 **SECTION 1.** Section 47-5-401, Mississippi Code of 1972, is
11 amended as follows:

12 47-5-401. (1) There is hereby authorized, in each county of
13 the state, a public service work program for state inmates in
14 custody of the county. Such a program may be established at the
15 option of the county in accordance with the provisions of Sections
16 47-5-401 through 47-5-421. The department shall also recommend
17 rules and regulations concerning the participation of state
18 inmates in the program.

19 (2) An inmate shall not be eligible to participate in a work
20 program established in accordance with the provisions of Sections
21 47-5-401 through 47-5-421 if he has been convicted of any crime of
22 violence, including, but not limited to, murder, aggravated
23 assault, rape, robbery or armed robbery.

24 (3) The inmates participating in the work program
25 established in accordance with the provisions of Sections 47-5-401
26 through 47-5-421 are restricted to the performance of public

service work for counties, municipalities, the state or nonprofit charitable organizations, as defined by Section 501(c)(3) of the Internal Revenue Code of 1986, except that the Department of Corrections must approve all requests by nonprofit charitable organizations to use offenders to perform any public service work. Upon request of the Board of Trustees of State Institutions of Higher Learning, or the board of trustees of a county school district, municipal school district or junior college district, the inmates may be permitted to perform work for such boards.

(4) (a) In addition to any programs established by authority of subsections (1) through (3) of this section, the Mississippi Department of Corrections shall establish an inmate work program under which eligible inmates shall perform services for the Mississippi Department of Transportation. The Mississippi Department of Corrections shall adopt rules necessary to implement the purposes of this act, including those necessary to define eligibility for participation in the program. Inmate compensation for the program shall be no less than the prevailing wage for the position and shall under no circumstances pay less than the federal minimum wage. Any offender who participates in the program established under the Mississippi Department of Corrections and the Mississippi Department of Transportation shall maintain an account through a local financial institution and shall provide a copy of a check stub to the commissioner or his designee.

52 (b) Any offender who is a work participant for the
53 program established under the Mississippi Department of
54 Corrections and the Mississippi Department of Transportation shall
55 be required to pay his or her wages for the following purposes:

56 (i) To pay support of dependents or to the
57 Mississippi Department of Human Services on behalf of dependents
58 as may be ordered by a judge of competent jurisdiction, as well as
59 court-ordered fees and costs included in a child support order.
60 The Mississippi Department of Human Services shall be authorized
61 to administratively modify the existing child support order
62 against the participant to account for the participant's income
63 under the program.

64 (ii) To pay twenty percent (20%) toward any
65 support of dependents or to the Mississippi Department of Human
66 Services on behalf of dependents as may be ordered by a judge of
67 competent jurisdiction as well as fines, restitution, or costs as
68 ordered by the court to include any fines and fees associated with
69 obtaining a valid driver's license upon release.

70 (iii) To save fifty percent (50%) of the
71 offender's wages in the account required under paragraph (b) of
72 this subsection. Monies under this subparagraph shall be made
73 available to the offender upon parole or release.

74 (iv) To pay up to twenty percent (20%) of the
75 offender's wages to the facility for administrative expenses to
76 include transportation costs.

77 (v) The offender shall have access to the
78 remaining ten percent (10%) of the monies in her account to
79 purchase incidental expenses.

80 (c) Any monies remaining under paragraph (b) of this
81 subsection after all mandatory deductions are paid, shall be
82 deposited in the inmate's account established under this
83 subsection. Any monies remaining under this subsection, upon the
84 release of the inmate, shall be released to the inmate upon her
85 release.

86 (d) The work program required under this section with
87 the Mississippi Department of Transportation shall be established
88 in each Mississippi Department of Transportation District. The
89 Mississippi Department of Corrections may work with MAGCOR in
90 implementing this program.

91 **SECTION 2.** Section 47-5-547, Mississippi Code of 1972, is
92 amended as follows:

93 47-5-547. (1) Except as otherwise specifically provided by
94 law, any training program or auxiliary program associated with any
95 existing prison industry shall be transferred to the corporation.
96 The corporation is empowered and authorized to establish in
97 participation with any community or junior college or state
98 institution of higher learning, any training or auxiliary program
99 for existing prison industries or for any industries which the
100 corporation might create. Such community or junior college or
101 state institution of higher learning shall provide assistance in
102 business planning, marketing and analysis of existing or projected

103 industries. These industrial services shall be contracted with
104 any appropriate community or junior college or state institution
105 of higher learning when these industries are developed at other
106 correction sites.

107 (2) The Mississippi Department of Corrections may assign the
108 management and oversight of the work release program established
109 by Section 1 of this act to the prison industries corporation
110 (MAGCOR) if it determines that this will be conducive to providing
111 effective job training for state inmates.

112 **SECTION 3.** This act shall take effect and be in force from
113 and after July 1, 2025, and shall stand repealed on June 30, 2025.

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

1 AN ACT TO AMEND SECTION 47-5-401, MISSISSIPPI CODE OF 1972,
2 TO ESTABLISH AN INMATE WORK PROGRAM WHERE STATE INMATES CAN WORK
3 FOR THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION; TO EMPOWER THE
4 MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH ELIGIBILITY
5 STANDARDS; TO REQUIRE WORK PARTICIPANTS TO UTILIZE THEIR WAGES FOR
6 CERTAIN PURPOSES; TO AMEND SECTION 47-5-547, MISSISSIPPI CODE OF
7 1972, TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO WORK WITH
8 MAGCOR IN IMPLEMENTING THIS PROGRAM; AND FOR RELATED PURPOSES.

HR31\SB2242A.J

Andrew Ketchings
Clerk of the House of Representatives