

House Amendments to Senate Bill No. 3031

TO THE SECRETARY OF THE SENATE:

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

AMENDMENT NO. 1

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the support and
8 maintenance of the Mississippi Department of Corrections for the
9 fiscal year beginning July 1, 2025, and ending June 30, 2026.....
10\$ 437,629,529.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the Mississippi
14 Department of Corrections which is collected by or otherwise
15 becomes available for the purpose of defraying the expenses of the
16 department, for the fiscal year beginning July 1, 2025, and ending
17 June 30, 2026.....\$ 30,739,901.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Sections 1 and 2 of this act, not more than the amounts set forth
20 below shall be expended:

21 **CENTRAL OFFICE**

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

FUNDING:

General Funds.....	\$	28,065,545.00
Special Funds.....		<u>5,565,573.00</u>
Total.....	\$	33,631,118.00

AUTHORIZED HEADCOUNT:

Permanent:	174
Time-Limited:	8

FARMING OPERATIONS

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

FUNDING:

General Funds.....	\$	0.00
Special Funds.....		<u>4,010,229.00</u>
Total.....	\$	4,010,229.00

AUTHORIZED HEADCOUNT:

Permanent:	4
Time-Limited:	0

PAROLE BOARD

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

FUNDING:

General Funds.....	\$	758,934.00
Special Funds.....		<u>0.00</u>
Total.....	\$	758,934.00

48 AUTHORIZED HEADCOUNT:

49 Permanent: 8

50 Time-Limited: 0

51 **PRIVATE PRISONS**

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

54 FUNDING:

55 General Funds.....\$ 69,464,004.00

56 Special Funds.....0.00

57 Total.....\$ 69,464,004.00

58 AUTHORIZED HEADCOUNT:

59 Permanent: 0

60 Time-Limited: 0

61 **MEDICAL SERVICES**

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

64 FUNDING:

65 General Funds.....\$ 121,647,088.00

66 Special Funds.....375,447.00

67 Total.....\$ 122,022,535.00

68 AUTHORIZED HEADCOUNT:

69 Permanent: 1

70 Time-Limited: 2

71 **REGIONAL FACILITIES**

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

74 FUNDING:

75 General Funds.....\$ 54,806,825.00

76 Special Funds.....0.00

77 Total.....\$ 54,806,825.00

78 AUTHORIZED HEADCOUNT:

79 Permanent: 0

80 Time-Limited: 0

81 **COMMUNITY CORRECTIONS**

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

83 the following funding and positions are authorized:

84 FUNDING:

85 General Funds.....\$ 27,482,350.00

86 Special Funds.....13,225,955.00

87 Total.....\$ 40,708,305.00

88 AUTHORIZED HEADCOUNT:

89 Permanent: 486

90 Time-Limited: 83

91 **LOCAL CONFINEMENT**

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

93 the following funding and positions are authorized:

94 FUNDING:

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

96 Special Funds.....0.00

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

98 AUTHORIZED HEADCOUNT:

99 Permanent: 0

100 Time-Limited: 0

101 **CENTRAL MISSISSIPPI CORRECTIONAL**

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

104 FUNDING:

105 General Funds.....	\$ 36,777,599.00
106 Special Funds.....	<u>1,592,739.00</u>
107 Total.....	\$ 38,370,338.00

108 AUTHORIZED HEADCOUNT:

109 Permanent: 606

110 Time-Limited: 5

111 **PARCHMAN**

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

114 FUNDING:

115 General Funds.....	\$ 36,455,199.00
116 Special Funds.....	<u>2,321,993.00</u>
117 Total.....	\$ 38,777,192.00

118 AUTHORIZED HEADCOUNT:

119 Permanent: 617

120 Time-Limited: 9

121 **SOUTH MISSISSIPPI CORRECTIONAL**

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

124 FUNDING:

125 General Funds.....	\$ 25,655,967.00
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126 Special Funds..... 1,397,384.00
127 Total.....\$ 27,053,351.00

128 AUTHORIZED HEADCOUNT:

129 Permanent: 473

130 Time-Limited: 4

131 **Marshall County Correctional**

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

134 FUNDING:

135 General Funds.....\$ 9,056,856.00

136 Special Funds..... 750,180.00

137 Total.....\$ 9,807,036.00

138 AUTHORIZED HEADCOUNT:

139 Permanent: 140

140 Time-Limited: 0

141 **Walnut Grove Correctional**

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

144 FUNDING:

145 General Funds.....\$ 9,964,435.00

146 Special Funds..... 750,204.00

147 Total.....\$ 10,714,639.00

148 AUTHORIZED HEADCOUNT:

149 Permanent: 161

150 Time-Limited: 0

151 **Delta Correctional**

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

FUNDING:

General Funds.....	\$	7,430,190.00
Special Funds.....		<u>750,197.00</u>
Total.....	\$	8,180,387.00

AUTHORIZED HEADCOUNT:

Permanent:	114
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2026 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2026 that may be utilized to fill vacant Fiscal Year 2025 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

178 Additionally, the State Personnel Board shall determine and
179 publish the projected annualized payroll costs based on current
180 employees. It shall be the responsibility of the agency head to
181 ensure that actual personnel expenditures for Fiscal Year 2026 do
182 not exceed the data provided by the Legislative Budget Office. If
183 the agency's Fiscal Year 2026 projected cost exceeds the
184 annualized costs, no salary actions shall be processed by the
185 State Personnel Board except for new hires determined to be
186 essential for the agency.

187 Any transfers or escalations shall be made in accordance with
188 the terms, conditions, and procedures established by law or
189 allowable under the terms set forth within this act. The State
190 Personnel Board shall not escalate positions without written
191 approval from the Department of Finance and Administration. The
192 Department of Finance and Administration shall not provide written
193 approval to escalate any funds for salaries and/or positions
194 without proof of availability of new or additional funds above the
195 appropriated level.

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

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

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

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

	FY2026
<u>Performance Measures</u>	<u>Target</u>
General Administration	
Support as a Percent of Total Budget	7.20

230	Number of State Prisoners per 100,000	
231	Population (Includes only Inmates	
232	Sentenced to More than a Year)	646.00
233	Average Annual Incarceration Cost per Inmate	58.19
234	Percentage of Offenders Returning to	
235	Incarceration Within 3 Years of Release	34.60
236	Farming Operations	
237	Annual Income from Farm Sales	2,119,870.05
238	Parole Board	
239	Number of Inmates Paroled	3,800
240	Private Prisons	
241	Number of ABE Program Slots Available	302
242	Number of VOC-ED Program Slots Available	127
243	Number of A&D Program Slots Available	148
244	Medical Services	
245	Number of Total Inmate Days in a Hospital	3,836
246	Regional Facilities	
247	Number of ABE program Slots Available	468
248	Number of VOC-ED Program Slots Available	700
249	Number of A&D Program Slots Available	445
250	Probation/parole	
251	Recidivism Rate Within 12 Months of	
252	Release to Field Supervision	8.20
253	Recidivism Rate Within 36 Months of	
254	Release to Field Supervision	17.70
255	Community Work Centers	

256	Recidivism Rate Within 12 Months of Release	17.60
257	Recidivism Rate Within 36 Months of Release	29.80
258	Restitution Centers	
259	Recidivism Rate Within 12 Months	10.30
260	Recidivism Rate Within 36 Months	17.00
261	Local Confinement	
262	Number of Days Offenders Held in County	
263	Jails	360,000
264	Institutional Security	
265	Number of Assaults on Inmates per 100	
266	Inmates	3.90
267	Number of Assaults on Officers per 100	
268	Officers	3.50
269	Youthful Offender School	
270	Recidivism Rate Within 12 Months of Release	7.00
271	Recidivism Rate Within 36 Months of Release	30.00
272	Evidenced Based Intervention	
273	Recidivism Rate for Inmates who Complete	
274	the ABE Program	33.30
275	Recidivism Rate for Inmates who Complete	
276	a Vocational Program	2.90
277	Recidivism Rate for Inmates who Complete	
278	the A&D Program	30.40
279	Percent of Offenders Possessing GED	
280	Certificate or High School Diploma at	
281	Time of Release	45.20

Percent of Offenders Obtaining

Marketable Job Skills During

Incarceration 4.30

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2027.

SECTION 6. Of the funds appropriated in Sections 1 and 2 of this act, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

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

307 **SECTION 7.** Of the funds appropriated in Sections 1 and 2 of
308 this act, and authorized for expenditure in Section 3 of this act,
309 payment may be authorized for court-ordered attorney fees and any
310 accrued interest subject to the approval of the Office of the
311 Attorney General.

312 **SECTION 8.** None of the money herein appropriated shall be
313 paid to any person who by the provision of Section 47-5-47,
314 Mississippi Code of 1972, as amended, is prohibited from being an
315 employee of the Mississippi Department of Corrections. The State
316 Department of Finance and Administration shall at least annually
317 make a report to the Joint Legislative Committee on Performance
318 Evaluation and Expenditure Review and to the Attorney General
319 stating the name of any person prohibited under the provisions of
320 Section 47-5-47, Mississippi Code of 1972, as amended, from being
321 an employee of the Mississippi Department of Corrections who has
322 during the preceding year received any money herein appropriated.
323 In the event that any such person prohibited as hereinabove
324 provided from receiving funds herein appropriated should receive
325 any of said funds, the Attorney General shall immediately commence
326 action to recover the monies so paid to said person and to enjoin
327 the further employment of said person at the Mississippi
328 Department of Corrections.

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

333 **SECTION 10.** It is the intention of the Legislature that the
334 per diem rates paid to regional facilities shall be Thirty-two
335 Dollars and Seventy-one Cents (\$32.71) per inmate. In no event
336 shall any regional facility's per diem rate exceed Thirty-two
337 Dollars and Seventy-one Cents (\$32.71) per inmate, as authorized
338 in Section 47-5-933, Mississippi Code of 1972.

339 **SECTION 11.** The department or its contracted medical
340 provider will pay to a provider of a medical service for any and
341 all incarcerated persons from a correctional or detention facility
342 an amount based upon negotiated fees as agreed to by the medical
343 care service providers and the department and/or its contracted
344 medical provider. In the absence of a negotiated discounted fee
345 schedule, medical care service providers will be paid by the
346 department or its contracted medical service provider an amount no
347 greater than the reimbursement rate applicable based on the
348 Mississippi Medicaid reimbursement rate. This limitation applies
349 to all medical care services, durable and nondurable goods,
350 prescription drugs and medications provided to any and all
351 incarcerated persons outside of the correctional or detention
352 facility. None of the monies appropriated herein may be used to
353 pay for cosmetic medical procedures for any prisoner. Cosmetic
354 medical procedure means any medical procedure performed in order
355 to change an individual's appearance without significantly serving
356 to prevent or treat illness or disease or to promote proper
357 functioning of the body.

358 **SECTION 12.** It is the intention of the Legislature that the
359 Mississippi Department of Corrections shall provide a report on
360 all funds clawed back due to a company or individual not meeting
361 the contractual obligations to the department. This report shall
362 contain the name of the entity, the reason why the funds were
363 clawed back, the amount of funds clawed back, and how the
364 department utilized the funds received. As used in this section,
365 the term funds clawed back shall include direct receipt of funds
366 from an entity not meeting their contractual obligation and the
367 reduction of funds owed by the department to an entity due to the
368 entity not meeting their contractual obligation. The report shall
369 be provided to the Chairmen of Senate and House Appropriations and
370 Corrections Committees and the Legislative Budget Office by
371 December 15 of each fiscal year and shall contain the required
372 information from the previous and current fiscal years.

373 **SECTION 13.** It is the intention of the Legislature that the
374 Commissioner of the Mississippi Department of Corrections shall
375 have the authority to transfer cash from one special fund treasury
376 fund to another special fund treasury fund under the control of
377 the Department of Corrections. The purpose of this authority is
378 to more efficiently use available cash reserves. It is further
379 the intention of the Legislature that the Department of
380 Corrections shall submit written justification for the transfer to
381 the Legislative Budget Office and the Department of Finance and
382 Administration on or before the fifteenth of the month prior to
383 the effective date of the transfer. The department shall provide

a report of all transfers made under this section to the Chairmen of Senate and House Appropriations and Corrections Committees and the Legislative Budget Office by December 15 of each fiscal year which shall contain the required information from the previous and current fiscal years.

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

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund, as created in Section 47-5-158, Mississippi Code of 1972, be placed in a treasury fund. Of the amounts appropriated in Section 2 of this act, an amount not exceeding Nine Million Two Hundred Fifty Thousand Dollars (\$9,250,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars (\$500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 16. It is the intention of the Legislature that all funds held by the Inmate Incentive to Work Program Fund, as created in Section 47-5-371, Mississippi Code of 1972, be placed in a treasury fund. Of the amounts appropriated in Section 2 of

this act, an amount not exceeding One Million Dollars (\$1,000,000.00) shall be available for expenditure in the Inmate Incentive to Work Program Fund. The following funds shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program.

SECTION 17. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2025. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2027 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2026 budget request process.

SECTION 18. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in

accordance with Title 47 of the Mississippi Code of 1972, as amended.

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

SECTION 20. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2026, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars (\$20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars (\$500.00) or more but is equal to or less than One Thousand Dollars (\$1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00).

SECTION 21. Of the funds appropriated under the provisions of Section 2 of this act, funds may be expended to defray the

costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

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

SECTION 23. Of the funds appropriated in Section 1 of this act, Two Million Four Hundred Thousand Dollars (\$2,400,000.00) is provided for monitoring technology for probation and parole officers in an effort to increase operational efficiencies and reduce recidivism.

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

SECTION 25. This act shall take effect and be in force from and after July 1, 2025.

HR13\SB3031A.J

Andrew Ketchings
Clerk of the House of Representatives