

By: Senator(s) Smith

To: Corrections

SENATE BILL NO. 2787

1 AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE FEE PAYMENT OF OFFENDERS UNDER THE SUPERVISION OF THE  
3 COMMUNITY SERVICES DIVISION AND TO PROVIDE FOR THE DISBURSEMENT OF  
4 THE INCREASE; TO EXTEND THE REPEAL DATE ON THE COMMUNITY SERVICE  
5 REVOLVING FUND; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 47-7-49, Mississippi Code of 1972, is  
8 amended as follows:

9 47-7-49. (1) Any offender on probation, parole,  
10 earned-release supervision, post-release supervision, earned  
11 probation or any other offender under the field supervision of the  
12 Community Services Division of the department shall pay to the  
13 department the sum of Thirty Dollars (\$30.00) per month by  
14 certified check or money order unless a hardship waiver is granted  
15 by the sentencing court. The commissioner or his designee shall  
16 deposit Twenty-five Dollars (\$25.00) of the payments received into  
17 a special fund in the State Treasury, which is hereby created, to  
18 be known as the Community Service Revolving Fund. Expenditures  
19 from this fund shall be made for: (a) the establishment of  
20 restitution and satellite centers; and (b) the establishment,  
21 administration and operation of the department's Drug  
22 Identification Program and the intensive and field supervision  
23 program. Fifteen Dollars (\$15.00) of the Twenty-five Dollars  
24 (\$25.00) may be used for salaries and to purchase equipment,  
25 supplies and vehicles to be used by the Community Services  
26 Division in the performance of its duties. Expenditures for the  
27 purposes established in this section may be made from the fund  
28 upon requisition by the commissioner, or his designee.

29           Of the remaining amount, Three Dollars (\$3.00) of the  
30 payments shall be deposited in the Crime Victims' Compensation  
31 Fund created in Section 99-41-29, Two Dollars (\$2.00) shall be  
32 deposited into the Training Revolving Fund created pursuant to  
33 Section 47-7-51. When a person is convicted of a felony in this  
34 state, in addition to any other sentence it may impose, the court  
35 may, in its discretion, order the offender to pay a state  
36 assessment not to exceed the greater of One Thousand Dollars  
37 (\$1,000.00) or the maximum fine that may be imposed for the  
38 offense, into the Crime Victims' Compensation Fund created  
39 pursuant to Section 99-41-29.

40           Any federal funds made available to the department for  
41 training or for training facilities, equipment or services shall  
42 be deposited in the Correctional Training Revolving Fund created  
43 in Section 47-7-51. The funds deposited in this account shall be  
44 used to support an expansion of the department's training program  
45 to include the renovation of facilities for training purposes,  
46 purchase of equipment and contracting of training services with  
47 community colleges in the state.

48           No offender shall be required to make this payment for a  
49 period of time longer than ten (10) years.

50           (2) The offender may be imprisoned until the payments are  
51 made if the offender is financially able to make the payments and  
52 the court in the county where the offender resides so finds,  
53 subject to the limitations hereinafter set out. The offender  
54 shall not be imprisoned if the offender is financially unable to  
55 make the payments and so states to the court in writing, under  
56 oath, and the court so finds.

57           (3) This section shall stand repealed from and after June  
58 30, 2002.

59           SECTION 2. This act shall take effect and be in force from  
60 and after July 1, 2001.