

By: Representative Malone

To: Penitentiary

HOUSE BILL NO. 1138

1 AN ACT TO AMEND SECTION 47-5-943, MISSISSIPPI CODE OF 1972,
2 TO INCREASE FROM 500 TO 700 THE NUMBER OF JUVENILE OFFENDERS IN
3 THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS FOR WHOM THE
4 DEPARTMENT CAN CONTRACT WITH THE WALNUT GROVE CORRECTIONAL
5 AUTHORITY TO PROVIDE FOR THEIR HOUSING, CARE AND CONTROL IN THE
6 CUSTODY OF THE DEPARTMENT OF CORRECTIONS; AND FOR RELATED
7 PURPOSES.

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

9 **SECTION 1.** Section 47-5-943, Mississippi Code of 1972, is
10 amended as follows:

11 47-5-943. The Mississippi Department of Corrections shall
12 contract with the Walnut Grove Correctional Authority or the
13 governing authorities of the Municipality of Walnut Grove, Leake
14 County, Mississippi, to provide for the private housing, care and
15 control of seven hundred (700) juvenile offenders who are in the
16 custody of the Department of Corrections at a maximum security
17 facility in Walnut Grove; the department also may contract with
18 such authority or governing authorities for the housing at the
19 Walnut Grove facility of an additional two hundred fifty (250)
20 juvenile offenders in the department's custody. The maximum age
21 of any offender housed in this facility shall be twenty (20)
22 years. A county or circuit judge shall not order any juvenile to
23 be housed in the correctional facility authorized in Sections
24 47-5-943 through 47-5-953. Commitment of juvenile offenders shall
25 not be to this facility, but shall be to the jurisdiction of the
26 department. The commissioner shall assign newly sentenced
27 offenders to an appropriate facility consistent with public
28 safety. Any facility owned or leased by the Walnut Grove
29 Correctional Authority or the Municipality of Walnut Grove for



30 this purpose shall be designed, constructed, operated and
31 maintained in accordance with American Correctional Association
32 standards, and shall comply with all constitutional standards of
33 the United States and the State of Mississippi and with all court
34 orders that may now or hereinafter be applicable to the facility.
35 The contract must comply with Sections 47-5-1211 through
36 47-5-1227.

37 **SECTION 2.** This act shall take effect and be in force from
38 and after July 1, 2003.

