

By: Representatives Fleming, Banks

To: Corrections

## HOUSE BILL NO. 539

1 AN ACT TO PROVIDE THAT CERTAIN GOVERNMENTAL AUTHORITIES AND  
2 PRIVATE PRISONS MUST RECEIVE APPROVAL OF MISSISSIPPI PRISONS  
3 INDUSTRIES CORPORATION BEFORE PROCURING GOODS OR SERVICES FROM ANY  
4 ENTITY THAT EMPLOYS OR USES INMATES OF A CORRECTIONAL SYSTEM OF  
5 ANOTHER STATE; TO AMEND SECTION 47-5-549, MISSISSIPPI CODE OF  
6 1972, TO AUTHORIZE MISSISSIPPI PRISONS INDUSTRIES CORPORATION TO  
7 GIVE APPROVAL FOR SUCH PROCUREMENT OF GOODS OR SERVICES; AND FOR  
8 RELATED PURPOSES.

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

10 **SECTION 1.** No governing authority, as defined in Section  
11 31-7-1, may procure goods or services from any entity that employs  
12 or uses inmates of a correctional system of another state unless  
13 Mississippi Prison Industries Corporation, created under the  
14 Mississippi Prison Industries Act of 1990, approves or gives  
15 consent to the procurement of such goods or services.

16 **SECTION 2.** No privately operated correctional facility, as  
17 described in Section 47-4-1 et seq., may procure goods or services  
18 from any entity that employs or uses inmates of a correctional  
19 system of another state unless Mississippi Prison Industries  
20 Corporation, created under the Mississippi Prison Industries Act  
21 of 1990, approves or gives consent to the procurement of such  
22 goods or services.

23 **SECTION 3.** No private correctional facility established by  
24 the State Prison Emergency Construction and Management Board may  
25 procure goods or services from any entity that employs or uses  
26 inmates of a correctional system of another state unless  
27 Mississippi Prison Industries Corporation, created under the  
28 Mississippi Prison Industries Act of 1990, approves or gives  
29 consent to the procurement of such goods or services.

30           **SECTION 4.** Section 47-5-549, Mississippi Code of 1972, is  
31 amended as follows:

32           47-5-549. (1) Any service or item manufactured, processed,  
33 grown or produced by the corporation from its prison industries  
34 may be furnished or sold to any legislative, executive or judicial  
35 branch of the state, any political subdivision or any governing  
36 authority of the state, any other state, any school, college or  
37 university of the state, any foreign government, any agency of the  
38 federal government or to any private entity. The corporation  
39 shall make reasonable efforts to purchase raw materials from  
40 in-state vendors. The prices for industry-made products shall be  
41 established by the board of directors of the corporation or its  
42 designee.

43           (2) The corporation is authorized to provide approval or  
44 consent for purchases made pursuant to Sections 1 and 2 of House  
45 Bill \_No.\_\_\_\_\_, 2004 Regular Session.

46           **SECTION 5.** This act shall take effect and be in force from  
47 and after July 1, 2004.