

By: Representative Malone

To: Corrections;
Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 653

1 AN ACT TO AMEND SECTION 47-5-943, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE NUMBER OF JUVENILE OFFENDERS FOR WHICH THE
3 DEPARTMENT OF CORRECTIONS MAY CONTRACT WITH THE WALNUT GROVE
4 CORRECTIONAL FACILITY FOR THE HOUSING OF YOUTH OFFENDERS; TO
5 INCREASE THE MAXIMUM AGE OF YOUTH OFFENDERS WHO MAY BE HOUSED AT
6 THE FACILITY; AND FOR RELATED PURPOSES.

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

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

10 47-5-943. The Mississippi Department of Corrections shall
11 contract with the Walnut Grove Correctional Authority or the
12 governing authorities of the Municipality of Walnut Grove, Leake
13 County, Mississippi, to provide for the private housing, care and
14 control of five hundred (500) juvenile offenders who are in the
15 custody of the Department of Corrections at a maximum security
16 facility in Walnut Grove; the department also may contract with
17 such authority or governing authorities for the housing at the
18 Walnut Grove facility of an additional five hundred (500) juvenile
19 offenders in the department's custody. The maximum age of any
20 offender housed in this facility shall be twenty-one (21) years of
21 age, and upon reaching his or her twenty-first birthday, the
22 offender must be removed from the facility speedily and within a
23 reasonable amount of time. A county or circuit judge shall not
24 order any juvenile to be housed in the correctional facility
25 authorized in Sections 47-5-943 through 47-5-953. Commitment of
26 juvenile offenders shall not be to this facility, but shall be to
27 the jurisdiction of the department. The commissioner shall assign
28 newly sentenced offenders to an appropriate facility consistent
29 with public safety. Any facility owned or leased by the Walnut

30 Grove Correctional Authority or the Municipality of Walnut Grove
31 for this purpose shall be designed, constructed, operated and
32 maintained in accordance with American Correctional Association
33 standards, and shall comply with all constitutional standards of
34 the United States and the State of Mississippi and with all court
35 orders that may now or hereinafter be applicable to the facility.
36 The contract must comply with Sections 47-5-1211 through
37 47-5-1227.

38 **SECTION 2.** This act shall take effect and be in force from
39 and after July 1, 2004.