

By: Representative Warren

To: Corrections

HOUSE BILL NO. 194

1 AN ACT TO AMEND SECTION 99-37-19, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE REPEALER ON THE AUTHORITY OF COUNTIES AND  
3 MUNICIPALITIES TO ESTABLISH RESTITUTION CENTERS; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** Section 99-37-19, Mississippi Code of 1972, is  
7 amended as follows:

8 99-37-19. The boards of supervisors of the several counties  
9 and the governing authorities of municipalities are hereby  
10 authorized to cooperate with the Department of Corrections in the  
11 establishment of restitution centers. Such centers may house both  
12 probationers referred by the circuit courts as well as inmates  
13 transferred from other facilities of the Department of Corrections  
14 as provided in Section 47-5-110. In order to qualify for  
15 placement in a restitution center, an offender must: (a) be  
16 convicted of a nonviolent offense that constitutes a felony, (b)  
17 not be convicted of a sex crime and (c) not have drug, alcohol,  
18 emotional or physical problems so serious that the offender  
19 appears unlikely to meet obligations of the restitution program.  
20 Such centers shall be operated by the Department of Corrections.  
21 County or municipal property may be utilized with the approval of  
22 the board of supervisors or municipal governing authority for the  
23 construction, renovation and maintenance of facilities owned by  
24 the state or a local political subdivision. Such facility may be  
25 leased to the Department of Corrections for a period of time for  
26 use as a restitution center.

27 It is the intent of this section that county and local  
28 governments contribute only to the establishment, renovation and

29 maintenance of the physical plant of a restitution center and that  
30 the Department of Corrections support the operation of, and have  
31 sole jurisdiction over and responsibility for offenders in, such  
32 restitution program.

33 This section shall stand repealed on July 1, 2007.

34 **SECTION 2.** This act shall take effect and be in force from  
35 and after July 1, 2005.