

By: Representative Warren

To: Corrections

HOUSE BILL NO. 209

1 AN ACT TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972,
2 WHICH CREATES THE STATE PAROLE BOARD AND REQUIRES THE BOARD TO
3 MAINTAIN A CENTRAL REGISTRY OF PAROLED INMATES, TO EXTEND THE DATE
4 OF REPEAL ON THIS SECTION FROM JULY 1, 2005, TO JULY 1, 2007; AND
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 47-7-5, Mississippi Code of 1972, is
8 amended as follows:

9 47-7-5. (1) The State Parole Board, created under former
10 Section 47-7-5, is hereby created, continued and reconstituted and
11 shall be composed of five (5) members. The Governor shall appoint
12 the members with the advice and consent of the Senate. All terms
13 shall be at the will and pleasure of the Governor. Any vacancy
14 shall be filled by the Governor, with the advice and consent of
15 the Senate. The Governor shall appoint a chairman of the board.

16 (2) Any person who is appointed to serve on the board shall
17 possess at least a bachelor's degree or a high school diploma and
18 four (4) years' work experience. Each member shall devote his
19 full time to the duties of his office and shall not engage in any
20 other business or profession or hold any other public office. A
21 member shall not receive compensation or per diem in addition to
22 his salary as prohibited under Section 25-3-38. Each member shall
23 keep such hours and workdays as required of full-time state
24 employees under Section 25-1-98. Individuals shall be appointed
25 to serve on the board without reference to their political
26 affiliations. Each board member, including the chairman, may be
27 reimbursed for actual and necessary expenses as authorized by

28 Section 25-3-41; but a member shall not be reimbursed for travel
29 expenses from his residence to the nearest State Penitentiary.

30 (3) The board shall have exclusive responsibility for the
31 granting of parole as provided by Sections 47-7-3 and 47-7-17 and
32 shall have exclusive authority for revocation of the same. The
33 board shall have exclusive responsibility for investigating
34 clemency recommendations upon request of the Governor.

35 (4) The board, its members and staff, shall be immune from
36 civil liability for any official acts taken in good faith and in
37 exercise of the board's legitimate governmental authority.

38 (5) The budget of the board shall be funded through a
39 separate line item within the general appropriation bill for the
40 support and maintenance of the department. Employees of the
41 department which are employed by or assigned to the board shall
42 work under the guidance and supervision of the board. There shall
43 be an executive secretary to the board who shall be responsible
44 for all administrative and general accounting duties related to
45 the board. The executive secretary shall keep and preserve all
46 records and papers pertaining to the board.

47 (6) The board shall have no authority or responsibility for
48 supervision of offenders granted a release for any reason,
49 including, but not limited to, probation, parole or executive
50 clemency or other offenders requiring the same through interstate
51 compact agreements. The supervision shall be provided exclusively
52 by the staff of the Division of Community Corrections of the
53 department.

54 (7) (a) The Parole Board shall maintain a central registry
55 of paroled inmates. The Parole Board shall place the following
56 information on the registry: name, address, photograph, crime for
57 which paroled, the date of the end of parole or flat-time date and
58 other information deemed necessary. The Parole Board shall
59 immediately remove information on a parolee at the end of his
60 parole or flat-time date.

61 (b) When a person is placed on parole, the Parole Board
62 shall inform the parolee of the duty to report to the Parole
63 Officer any change in address ten (10) days before changing
64 address.

65 (c) The Parole Board shall utilize an Internet website
66 or other electronic means to release or publish the information.

67 (d) Records maintained on the registry shall be open to
68 law enforcement agencies and the public and shall be available no
69 later than July 1, 2003.

70 (8) This section shall stand repealed on July 1, 2007.

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