

By: Representative Chism

To: Corrections; County  
Affairs

HOUSE BILL NO. 137

1 AN ACT TO AMEND SECTION 19-3-81, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE PROCEEDS FROM PAY TELEPHONES THAT ARE USED BY INMATES IN  
3 COUNTY JAILS TO BE DEPOSITED INTO A COUNTY'S INMATE CANTEEN FUND;  
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 19-3-81, Mississippi Code of 1972, is  
7 amended as follows:

8 19-3-81. (1) (a) The board of supervisors of any county is  
9 hereby authorized and empowered, in its discretion, to allow the  
10 sheriff of such county to operate a facility or facilities to be  
11 known as an inmate canteen facility or facilities, the purpose of  
12 which is to make available certain goods and other items of value  
13 for purchase by inmates confined in the county jail of such  
14 county, employees of the county jail and persons visiting inmates  
15 or employees. The sheriff of such county shall promulgate rules  
16 and regulations for the operation of such a facility.

17 (b) If the board of supervisors of any county  
18 authorizes the sheriff of such county to operate such a facility  
19 or facilities as provided in subsection (1) of this section, any  
20 funds which may be derived from the operation of an inmate canteen  
21 facility or facilities shall be deposited into a special fund in  
22 the county treasury to be designated as the "Inmate Canteen Fund."  
23 Any monies in the special fund may be expended solely by the  
24 sheriff of the county for any educational related expenses, to  
25 purchase equipment and supplies and to provide for maintenance of  
26 the equipment purchased for the benefit and welfare of the inmates  
27 incarcerated in the county jail. The term "supplies" shall not  
28 include supplies related to the personal hygiene of inmates.

29           (c) If a county provides pay telephone service for the  
30 inmates of a county jail, any proceeds from inmate phone usage  
31 shall be deposited into a county's inmate canteen fund to be used  
32 by the sheriff of the county as authorized in this section.

33           (2) In lieu of the authority to operate an inmate canteen  
34 facility under subsection (1) of this section, the board of  
35 supervisors of any county, in its discretion, may authorize the  
36 sheriff to contract with a private company for the provision of  
37 commissary services to inmates of the county jail. Money  
38 collected from or on behalf of an inmate for the purchase of  
39 commissary items shall be deposited to the credit of the inmate  
40 into a special fund in the county treasury to be designated as the  
41 "Inmate Commissary Trust Fund." Money in the special fund may be  
42 expended upon requisition by the sheriff for the purchase and  
43 delivery of prepackaged items from the company with which the  
44 sheriff has contracted. The sheriff shall adopt rules and  
45 regulations for the letting of contracts for commissary services,  
46 the collection and distribution of commissary items to inmates,  
47 and the items that inmates may purchase through commissary  
48 services contracts.

49           **SECTION 2.** This act shall take effect and be in force from  
50 and after July 1, 2006.