

By: Representative Malone

To: Corrections

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 427

1 AN ACT TO AMEND SECTION 47-5-1005, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT PARTICIPANTS IN THE INTENSIVE SUPERVISION PROGRAM FROM
3 LEAVING THE JURISDICTION OF THE STATE OF MISSISSIPPI EXCEPT WHEN
4 MEDICAL EMERGENCIES OCCUR FOR SUCH PARTICIPANTS AND APPROVAL IS
5 GIVEN BY THE COMMISSIONER OF CORRECTIONS; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 47-5-1005, Mississippi Code of 1972, is
9 amended as follows:

10 47-5-1005. (1) The department shall promulgate rules that
11 prescribe reasonable guidelines under which an intensive
12 supervision program shall operate. These rules shall include, but
13 not be limited to, the following:

14 (a) The participant shall remain within the interior
15 premises or within the property boundaries of his or her residence
16 at all times during the hours designated by the correctional field
17 officer.

18 (b) Approved absences from the home may include, but
19 are not limited to, the following:

20 (i) Working or employment approved by the court or
21 department and traveling to or from approved employment;

22 (ii) Unemployed and seeking employment approved
23 for the participant by the court or department;

24 (iii) Undergoing medical, psychiatric, mental
25 health treatment, counseling or other treatment programs approved
26 for the participant by the court or department;

27 (iv) Attending an educational institution or a
28 program approved for the participant by the court or department;

29 (v) Participating in community work release or a
30 community service program approved for the participant by the
31 court or department; or

32 (vi) For another compelling reason consistent with
33 the public interest, as approved by the court or department.

34 (c) Except in case of a medical emergency and approval
35 by the Commissioner of the Department of Corrections or his or her
36 designee, no participant in the intensive supervision program may
37 leave the jurisdiction of the State of Mississippi.

38 (2) The department shall select and approve all electronic
39 monitoring devices used under Sections 47-5-1001 through
40 47-5-1015.

41 (3) The department may lease the equipment necessary to
42 implement the intensive supervision program and to contract for
43 the monitoring of such devices. The department is authorized to
44 select the lowest price and best source in contracting for these
45 services.

46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2007.