MISSISSIPPI LEGISLATURE REGULAR SESSION 2007

By: Representative Warren

To: Corrections

# HOUSE BILL NO. 766

AN ACT TO AMEND SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES BOARDS OF SUPERVISORS AND THE GOVERNING AUTHORITIES OF MUNICIPALITIES TO COOPERATE WITH THE DEPARTMENT OF CORRECTIONS TO ESTABLISH RESTITUTION CENTERS; TO EXTEND THE DATE OF REPEAL ON THIS SECTION FROM JULY 1, 2007, TO JULY 1, 2009; AND FOR RELATED PURPOSES.

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

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

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

It is the intent of this section that county and local governments contribute only to the establishment, renovation and maintenance of the physical plant of a restitution center and that the Department of Corrections support the operation of, and have sole jurisdiction over and responsibility for offenders in, such restitution program.

This section shall stand repealed on July 1, 2009.

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