

By: Representatives Bailey, Calhoun, Banks, Brown, Clarke, Coleman (65th), Hines, Reeves, Robinson (63rd), Thomas, Whittington To: Corrections

HOUSE BILL NO. 985  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 47-5-931, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE  
3 BOARDS OF SUPERVISORS OF WASHINGTON, HINDS AND ALCORN COUNTIES TO  
4 HOUSE STATE INMATES IN A REGIONAL FACILITY; TO PROVIDE THAT THE  
5 DEPARTMENT OF CORRECTIONS MAY CONTRACT WITH THE KEMPER/NESHOBA  
6 REGIONAL CORRECTIONAL FACILITY TO HOUSE FEMALE OFFENDERS; TO AMEND  
7 SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT  
8 FROM \$24.90 TO \$29.74 THAT THE DEPARTMENT OF CORRECTIONS PAYS TO  
9 REGIONAL FACILITIES FOR THE HOUSING OF STATE OFFENDERS; AND FOR  
10 RELATED PURPOSES.

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

12 **SECTION 1.** Section 47-5-931, Mississippi Code of 1972, is  
13 amended as follows:

14 47-5-931. (1) The Department of Corrections, in its  
15 discretion, may contract with the board of supervisors of one or  
16 more counties and/or with a regional facility \* \* \* operated by  
17 one (1) or more counties, to provide for housing, care and control  
18 of not more than three hundred (300) offenders who are in the  
19 custody of the State of Mississippi. Any facility owned or leased  
20 by a county or counties for this purpose shall be designed,  
21 constructed, operated and maintained in accordance with American  
22 Correctional Association standards, and shall comply with all  
23 constitutional standards of the United States and the State of  
24 Mississippi, and with all court orders that may now or hereinafter  
25 be applicable to the facility. If the Department of Corrections  
26 contracts with more than one (1) county to house state offenders  
27 in county correctional facilities, excluding a regional facility,  
28 then the first of such facilities shall be constructed in Sharkey  
29 County and the second of such facilities shall be constructed in  
30 Jefferson County.

31           (2) The Department of Corrections shall contract with the  
32 boards of supervisors of the following counties to house state  
33 inmates in regional facilities: (a) Marion and Walthall Counties;  
34 (b) Carroll and Montgomery Counties; (c) Stone and Pearl River  
35 Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba  
36 Counties; (f) Holmes County and any contiguous county in which  
37 there is located an unapproved jail; and (g) Bolivar County and  
38 any contiguous county in which there is located an unapproved  
39 jail. The Department of Corrections may contract with the boards  
40 of supervisors of the following counties to house state inmates in  
41 regional facilities: (a) Yazoo County \* \* \*, (b) Chickasaw  
42 County, (c) George and Greene Counties, (d) Washington County, (e)  
43 Hinds County, and (f) Alcorn County. The Department of  
44 Corrections shall decide the order of priority of the counties  
45 listed in this subsection with which it will contract for the  
46 housing of state inmates. For the purposes of this subsection the  
47 term "unapproved jail" means any jail that the local grand jury  
48 determines should be condemned or has found to be of substandard  
49 condition or in need of substantial repair or reconstruction.

50           (3) In addition to the number of offenders authorized to be  
51 housed under subsection (1) of this section, the Department of  
52 Corrections may contract with the Kemper and Neshoba regional  
53 facility to provide for housing, care and control of not more than  
54 seventy-five (75) female offenders who are in the custody of the  
55 State of Mississippi.

56           **SECTION 2.** Section 47-5-933, Mississippi Code of 1972, is  
57 amended as follows:

58           47-5-933. The Department of Corrections may contract for the  
59 purposes set out in Section 47-5-931 for a period of not more than  
60 twenty (20) years. The contract may provide that the Department  
61 of Corrections pay a fee of up to Twenty-nine Dollars and  
62 Seventy-four Cents (\$29.74) per day for each offender that is  
63 housed in the facility. The Department of Corrections may include

64 in the contract, as an inflation factor, a three percent (3%)  
65 annual increase in the contract price. The state shall retain  
66 responsibility for medical care for state offenders to the extent  
67 that is required by law.

68         **SECTION 3.** This act shall take effect and be in force from  
69 and after July 1, 2007.