

By: Senator(s) Hopson, Polk, DeLano,
Barnett, McCaughn, McLendon

To: Appropriations

SENATE BILL NO. 3039
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR
3 FISCAL YEAR 2025.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the support and
8 maintenance of the Mississippi Department of Corrections for the
9 fiscal year beginning July 1, 2024, and ending June 30, 2025.....
10\$ 424,349,537.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the Mississippi
14 Department of Corrections which is collected by or otherwise
15 becomes available for the purpose of defraying the expenses of the
16 department, for the fiscal year beginning July 1, 2024, and ending
17 June 30, 2025.....\$ 38,680,127.00.



18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Sections 1 and 2 of this act, not more than the amounts set forth
20 below shall be expended:

21 **CENTRAL OFFICE**

22 Of the funds appropriated under the provisions of this act,
23 the following funding and positions are authorized:

24 FUNDING:

25 General Funds.....	\$	28,355,046.00
26 Special Funds.....		<u>13,143,827.00</u>
27 Total.....	\$	41,498,873.00

28 AUTHORIZED HEADCOUNT:

29 Permanent:	183
30 Time-Limited:	8

31 **FARMING OPERATIONS**

32 Of the funds appropriated under the provisions of this act,
33 the following funding and positions are authorized:

34 FUNDING:

35 General Funds.....	\$	0.00
36 Special Funds.....		<u>4,082,419.00</u>
37 Total.....	\$	4,082,419.00

38 AUTHORIZED HEADCOUNT:

39 Permanent:	4
40 Time-Limited:	0

41 **PAROLE BOARD**



42 Of the funds appropriated under the provisions of this act,
43 the following funding and positions are authorized:

44 FUNDING:

45	General Funds.....	\$	788,844.00
46	Special Funds.....		<u>0.00</u>
47	Total.....	\$	788,844.00

48 AUTHORIZED HEADCOUNT:

49	Permanent:	8
50	Time-Limited:	0

51 **PRIVATE PRISONS**

52 Of the funds appropriated under the provisions of this act,
53 the following funding and positions are authorized:

54 FUNDING:

55	General Funds.....	\$	68,467,753.00
56	Special Funds.....		<u>0.00</u>
57	Total.....	\$	68,467,753.00

58 AUTHORIZED HEADCOUNT:

59	Permanent:	0
60	Time-Limited:	0

61 **MEDICAL SERVICES**

62 Of the funds appropriated under the provisions of this act,
63 the following funding and positions are authorized:

64 FUNDING:

65	General Funds.....	\$	109,132,784.00
66	Special Funds.....		<u>375,447.00</u>



67 Total.....\$ 109,508,231.00

68 AUTHORIZED HEADCOUNT:

69 Permanent: 1

70 Time-Limited: 2

71 REGIONAL FACILITIES

72 Of the funds appropriated under the provisions of this act,
73 the following funding and positions are authorized:

74 FUNDING:

75 General Funds.....\$ 50,331,765.00

76 Special Funds..... 0.00

77 Total.....\$ 50,331,765.00

78 AUTHORIZED HEADCOUNT:

79 Permanent: 0

80 Time-Limited: 0

81 COMMUNITY CORRECTIONS

82 Of the funds appropriated under the provisions of this act,
83 the following funding and positions are authorized:

84 FUNDING:

85 General Funds.....\$ 27,472,229.00

86 Special Funds..... 13,194,048.00

87 Total.....\$ 40,666,277.00

88 AUTHORIZED HEADCOUNT:

89 Permanent: 513

90 Time-Limited: 83

91 LOCAL CONFINEMENT



92 Of the funds appropriated under the provisions of this act,
93 the following funding and positions are authorized:

94 FUNDING:

95	General Funds.....	\$	10,064,537.00
96	Special Funds.....		<u>0.00</u>
97	Total.....	\$	10,064,537.00

98 AUTHORIZED HEADCOUNT:

99	Permanent:	0
100	Time-Limited:	0

101 **CENTRAL MISSISSIPPI CORRECTIONAL**

102 Of the funds appropriated under the provisions of this act,
103 the following funding and positions are authorized:

104 FUNDING:

105	General Funds.....	\$	35,055,511.00
106	Special Funds.....		<u>1,605,799.00</u>
107	Total.....	\$	36,661,310.00

108 AUTHORIZED HEADCOUNT:

109	Permanent:	622
110	Time-Limited:	5

111 **PARCHMAN**

112 Of the funds appropriated under the provisions of this act,
113 the following funding and positions are authorized:

114 FUNDING:

115	General Funds.....	\$	37,924,237.00
116	Special Funds.....		<u>2,513,634.00</u>



117 Total.....\$ 40,437,871.00

118 AUTHORIZED HEADCOUNT:

119 Permanent: 628

120 Time-Limited: 9

121 **SOUTH MISSISSIPPI CORRECTIONAL**

122 Of the funds appropriated under the provisions of this act,
123 the following funding and positions are authorized:

124 FUNDING:

125 General Funds.....\$ 26,554,105.00

126 Special Funds..... 1,514,953.00

127 Total.....\$ 28,069,058.00

128 AUTHORIZED HEADCOUNT:

129 Permanent: 495

130 Time-Limited: 4

131 **Marshall County Correctional**

132 Of the funds appropriated under the provisions of this act,
133 the following funding and positions are authorized:

134 FUNDING:

135 General Funds.....\$ 11,695,023.00

136 Special Funds..... 750,000.00

137 Total.....\$ 12,445,023.00

138 AUTHORIZED HEADCOUNT:

139 Permanent: 153

140 Time-Limited: 0

141 **Walnut Grove Correctional**



142 Of the funds appropriated under the provisions of this act,
143 the following funding and positions are authorized:

144 FUNDING:

145	General Funds.....	\$	11,464,324.00
146	Special Funds.....		<u>750,000.00</u>
147	Total.....	\$	12,214,324.00

148 AUTHORIZED HEADCOUNT:

149	Permanent:	170
150	Time-Limited:	0

151 **Delta Correctional**

152 Of the funds appropriated under the provisions of this act,
153 the following funding and positions are authorized:

154 FUNDING:

155	General Funds.....	\$	7,043,379.00
156	Special Funds.....		<u>750,000.00</u>
157	Total.....	\$	7,793,379.00

158 AUTHORIZED HEADCOUNT:

159	Permanent:	122
160	Time-Limited:	0

161 With the funds herein appropriated, it shall be the agency's
162 responsibility to make certain that funds required for Personal
163 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
164 appropriated for that purpose unless programs or positions are
165 added to the agency's Fiscal Year 2025 budget by the Mississippi
166 Legislature. The Legislature shall determine the agency's



167 personal services appropriation, which the State Personnel Board
168 shall publish. The agency's personal services appropriation may
169 consist of restricted funds for approved vacancies for Fiscal Year
170 2025 that may be utilized to fill vacant Fiscal Year 2024
171 headcount. It shall be the agency's responsibility to ensure that
172 the funds provided for vacancies are used to increase headcount
173 and not for promotions, title changes, in-range salary adjustments
174 or any other mechanism for increasing salaries for current
175 employees. It is the Legislature's intention that no employee
176 salary falls below the minimum salary established by the
177 Mississippi State Personnel Board.

178 Additionally, the State Personnel Board shall determine and
179 publish the projected annualized payroll costs based on current
180 employees. It shall be the responsibility of the agency head to
181 ensure that actual personnel expenditures for Fiscal Year 2025 do
182 not exceed the data provided by the Legislative Budget Office. If
183 the agency's Fiscal Year 2025 projected cost exceeds the
184 annualized costs, no salary actions shall be processed by the
185 State Personnel Board except for new hires determined to be
186 essential for the agency.

187 Any transfers or escalations shall be made in accordance with
188 the terms, conditions, and procedures established by law or
189 allowable under the terms set forth within this act. The State
190 Personnel Board shall not escalate positions without written
191 approval from the Department of Finance and Administration. The



192 Department of Finance and Administration shall not provide written
193 approval to escalate any funds for salaries and/or positions
194 without proof of availability of new or additional funds above the
195 appropriated level.

196 No general funds authorized to be expended herein shall be
197 used to replace federal funds and/or other special funds used for
198 salaries authorized under the provisions of this act and which are
199 withdrawn and no longer available.

200 None of the funds herein appropriated shall be used in
201 violation of the Internal Revenue Service's Publication 15-A
202 relating to the reporting of income paid to contract employees, as
203 interpreted by the Office of the State Auditor.

204 **SECTION 4.** The Commissioner of the Mississippi Department of
205 Corrections is hereby authorized to transfer spending authority
206 between and within budgets, both positions and funds, in an amount
207 not to exceed twenty-five percent (25%) of the authorized budgets
208 in the aggregate. It is further the intention of the Legislature
209 that the Department of Corrections shall submit written
210 justification for the transfer to the Legislative Budget Office
211 and the Department of Finance and Administration on or before the
212 fifteenth of the month prior to the effective date of the
213 transfer. The department shall provide a report of all transfers
214 made under this section to the Chairmen of Senate and House
215 Appropriations and Corrections Committees and the Legislative
216 Budget Office by December 15 of each fiscal year which shall



217 contain the required information from the previous and current
218 fiscal years.

219 **SECTION 5.** In compliance with the "Mississippi Performance
220 Budget and Strategic Planning Act of 1994," it is the intent of
221 the Legislature that the funds provided herein shall be utilized
222 in the most efficient and effective manner possible to achieve the
223 intended mission of this agency. Based on the funding authorized,
224 this agency shall make every effort to attain the targeted
225 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
228 General Administration	
229 Support as a Percent of Total Budget	10.00
230 Number of state prisoners per 100,000	
231 population (includes only inmates	
232 sentenced to more than a year)	656
233 Average annual incarceration cost per inmate	53.26
234 Percentage of offenders returning to	
235 incarceration with 3 years of release	34.60
236 Farming Operations	
237 Annual Income from Farm Sales	1,354,805.00
238 Parole Board	
239 Number of inmates paroled	4,000
240 Private Prisons	
241 Number of ABE program slots available	397



242	Number of VOC-ED program slots available	147
243	Number of A&D program slots available	148
244	Medical Services	
245	Number of total inmate days in a hospital	5,247
246	Regional Facilities	
247	Number of ABE program slots available	495
248	Number of VOC-ED program slots available	700
249	Number of A&D program slots available	445
250	Probation/parole	
251	Recidivism rate within 12 months of	
252	release to field supervision	10.50
253	Recidivism rate within 36 months of	
254	release to field supervision	17.00
255	Community Work Centers	
256	Recidivism rate within 12 months of release	10.30
257	Recidivism rate within 36 months of release	20.00
258	Restitution Centers	
259	Recidivism rate within 12 months	10.30
260	Recidivism rate within 36 months	17.00
261	Local Confinement	
262	Number of days offenders held in county	
263	jails	381,425
264	Institutional Security	
265	Number of assaults on inmates per 100	
266	inmates	3.60



267	Number of assaults on officers per 100	
268	officers	3.80
269	Youthful Offender School	
270	Recidivism rate within 12 months of release	21.00
271	Recidivism rate within 36 months of release	45.00
272	Evidenced Based Intervention	
273	Recidivism rate for inmates who complete	
274	the ABE program	29.70
275	Recidivism rate for inmates who complete	
276	a vocational program	12.60
277	Recidivism rate for inmates who complete	
278	the A&D program	31.30
279	Percent of offenders possessing GED	
280	certificate or high school diploma at	
281	time of release	59.60
282	Percent of offenders obtaining	
283	marketable job skills during	
284	incarceration	5.80

285 A reporting of the degree to which the performance targets
286 set above have been or are being achieved shall be provided in the
287 agency's budget request submitted to the Joint Legislative Budget
288 Committee for Fiscal Year 2026.

289 **SECTION 6.** Of the funds appropriated in Sections 1 and 2 of
290 this act, none shall be expended for personnel housing under the
291 jurisdiction of the Department of Corrections unless the



292 department shall collect a reasonable rent, after a finding of
293 fact as to what is a reasonable rent, and/or the cost of utilities
294 furnished to said housing. The Department of Corrections shall
295 not pay for the installation or monthly service of any telephone
296 installed in a staff residence under its jurisdiction.

297 It is further the intention of the Legislature that none of
298 the funds provided herein shall be used to pay certain utilities
299 for state-furnished housing for any employees. Such utilities
300 shall include electricity, natural gas, butane, propane and cable
301 services. Where actual cost cannot be determined, the agency
302 shall be required to provide meters to be in compliance with
303 legislative intent. Such state-furnished housing shall include
304 single-family and multifamily residences but shall not include any
305 dormitory residences. Allowances for such utilities shall be
306 prohibited.

307 **SECTION 7.** Of the funds appropriated in Sections 1 and 2 of
308 this act, and authorized for expenditure in Section 3 of this act,
309 payment may be authorized for court-ordered attorney fees and any
310 accrued interest subject to the approval of the Office of the
311 Attorney General.

312 **SECTION 8.** None of the money herein appropriated shall be
313 paid to any person who by the provision of Section 47-5-47,
314 Mississippi Code of 1972, as amended, is prohibited from being an
315 employee of the Mississippi Department of Corrections. The State
316 Department of Finance and Administration shall at least annually



317 make a report to the Joint Legislative Committee on Performance
318 Evaluation and Expenditure Review and to the Attorney General
319 stating the name of any person prohibited under the provisions of
320 Section 47-5-47, Mississippi Code of 1972, as amended, from being
321 an employee of the Mississippi Department of Corrections who has
322 during the preceding year received any money herein appropriated.
323 In the event that any such person prohibited as hereinabove
324 provided from receiving funds herein appropriated should receive
325 any of said funds, the Attorney General shall immediately commence
326 action to recover the monies so paid to said person and to enjoin
327 the further employment of said person at the Mississippi
328 Department of Corrections.

329 **SECTION 9.** It is the intent of the Legislature that all
330 prisoners at Parchman shall work a minimum of eight (8) hours per
331 day, excluding prisoners with a physical disability or those
332 incarcerated in maximum security.

333 **SECTION 10.** It is the intention of the Legislature that the
334 per diem rates paid to regional facilities shall not exceed
335 Thirty-two Dollars and Seventy-one Cents (\$32.71) per inmate. All
336 regional facilities shall continue to receive the annual three
337 percent (3%) increase in the per diem rate as authorized in
338 Section 47-5-933, Mississippi Code of 1972; however, in no event
339 shall any regional facility's per diem rate exceed Thirty-two
340 Dollars and Seventy-one Cents (\$32.71) per inmate.



341 **SECTION 11.** The department or its contracted medical
342 provider will pay to a provider of a medical service for any and
343 all incarcerated persons from a correctional or detention facility
344 an amount based upon negotiated fees as agreed to by the medical
345 care service providers and the department and/or its contracted
346 medical provider. In the absence of a negotiated discounted fee
347 schedule, medical care service providers will be paid by the
348 department or its contracted medical service provider an amount no
349 greater than the reimbursement rate applicable based on the
350 Mississippi Medicaid reimbursement rate. This limitation applies
351 to all medical care services, durable and nondurable goods,
352 prescription drugs and medications provided to any and all
353 incarcerated persons outside of the correctional or detention
354 facility. None of the monies appropriated herein may be used to
355 pay for cosmetic medical procedures for any prisoner. Cosmetic
356 medical procedure means any medical procedure performed in order
357 to change an individual's appearance without significantly serving
358 to prevent or treat illness or disease or to promote proper
359 functioning of the body.

360 **SECTION 12.** It is the intention of the Legislature that the
361 Mississippi Department of Corrections shall provide a report on
362 all funds clawed back due to a company or individual not meeting
363 the contractual obligations to the department. This report shall
364 contain the name of the entity, the reason why the funds were
365 clawed back, the amount of funds clawed back, and how the



366 department utilized the funds received. As used in this section,
367 the term funds clawed back shall include direct receipt of funds
368 from an entity not meeting their contractual obligation and the
369 reduction of funds owed by the department to an entity due to the
370 entity not meeting their contractual obligation. The report shall
371 be provided to the Chairmen of Senate and House Appropriations and
372 Corrections Committees and the Legislative Budget Office by
373 December 15 of each fiscal year and shall contain the required
374 information from the previous and current fiscal years.

375 **SECTION 13.** It is the intention of the Legislature that the
376 Commissioner of the Mississippi Department of Corrections shall
377 have the authority to transfer cash from one special fund treasury
378 fund to another special fund treasury fund under the control of
379 the Department of Corrections. The purpose of this authority is
380 to more efficiently use available cash reserves. It is further
381 the intention of the Legislature that the Department of
382 Corrections shall submit written justification for the transfer to
383 the Legislative Budget Office and the Department of Finance and
384 Administration on or before the fifteenth of the month prior to
385 the effective date of the transfer. The department shall provide
386 a report of all transfers made under this section to the Chairmen
387 of Senate and House Appropriations and Corrections Committees and
388 the Legislative Budget Office by December 15 of each fiscal year
389 which shall contain the required information from the previous and
390 current fiscal years.



391 **SECTION 14.** It is the intention of the Legislature that
392 whenever two (2) or more bids are received by this agency for the
393 purchase of commodities or equipment, and whenever all things
394 stated in such received bids are equal with respect to price,
395 quality and service, the Mississippi Industries for the Blind
396 shall be given preference. A similar preference shall be given to
397 the Mississippi Industries for the Blind whenever purchases are
398 made without competitive bids.

399 **SECTION 15.** It is the intention of the Legislature that all
400 funds held by the Inmate Welfare Fund, as created in Section
401 47-5-158, Mississippi Code of 1972, be placed in a treasury fund.
402 Of the amounts appropriated in Section 2 of this act, an amount
403 not exceeding Nine Million Two Hundred Fifty Thousand Dollars
404 (\$9,250,000.00) shall be available for expenditure in the Inmate
405 Welfare Fund. Of these funds, Five Hundred Thousand Dollars
406 (\$500,000.00) shall be used to provide for transitional housing
407 and post release reentry programs.

408 **SECTION 16.** It is the intention of the Legislature that all
409 funds held by the Inmate Incentive to Work Program Fund, as
410 created in Section 47-5-371, Mississippi Code of 1972, be placed
411 in a treasury fund. Of the amounts appropriated in Section 2 of
412 this act, an amount not exceeding One Million Dollars
413 (\$1,000,000.00) shall be available for expenditure in the Inmate
414 Incentive to Work Program Fund. The following funds shall be



415 utilized to pay inmates who are participants in the Inmate
416 Incentive to Work Program.

417 **SECTION 17.** It is the intention of the Legislature that the
418 Mississippi Department of Corrections shall maintain complete
419 accounting and personnel records related to the expenditure of all
420 funds appropriated under this act and that such records shall be
421 in the same format and level of detail as maintained for Fiscal
422 Year 2024. It is further the intention of the Legislature that
423 the agency's budget request for Fiscal Year 2026 shall be
424 submitted to the Joint Legislative Budget Committee in a format
425 and level of detail comparable to the format and level of detail
426 provided during the Fiscal Year 2025 budget request process.

427 **SECTION 18.** It is the intention of the Legislature for the
428 Mississippi Department of Corrections to manage funds budgeted and
429 allocated. In so doing, the commissioner of the department shall
430 have the authority to amend, extend and/or renew the term of any
431 lease agreement or any inmate housing agreement in connection with
432 a correctional facility. Notwithstanding any statutory limits to
433 the contrary, such amendment, extension and/or renewal may be for
434 a length of time up to and including ten (10) years as is
435 necessary for the continued operations of such facilities and
436 implementation of the department's duties and responsibilities in
437 accordance with Title 47 of the Mississippi Code of 1972, as
438 amended.



439 **SECTION 19.** With the funds herein appropriated, it is the
440 intent of the Legislature that upon vouchers submitted by the
441 board of supervisors of any county housing offenders in county
442 jails pending a probation or parole revocation hearing, the
443 department shall pay the reimbursement costs as provided for in
444 Section 47-5-901, Mississippi Code of 1972, as amended by House
445 Bill No. 585, 2014 Regular Session.

446 **SECTION 20.** With the funds herein appropriated, it is the
447 intent of the Legislature, that for Fiscal Year 2025, the
448 Department of Corrections shall reimburse municipalities, up to
449 Twenty Dollars (\$20.00) a day, for the cost incurred of housing
450 inmates in any jail facility based on time served for the
451 conviction of larceny, shoplifting, or related convictions where
452 the value of the property taken is Five Hundred Dollars (\$500.00)
453 or more but is equal to or less than One Thousand Dollars
454 (\$1,000.00). A copy of the court abstract of record and the jail
455 docket shall be provided to show the total number of days an
456 individual was incarcerated in said jail facility. The
457 reimbursement shall be payable back to the municipality upon
458 receipt of required documentation and an invoice. Total
459 reimbursements resulting from this section shall not exceed One
460 Hundred Twenty-five Thousand Dollars (\$125,000.00).

461 **SECTION 21.** Of the funds appropriated under the provisions
462 of Section 2 of this act, funds may be expended to defray the
463 costs of clothing for sworn nonuniform law enforcement officers in



464 an amount not to exceed One Thousand Dollars (\$1,000.00) annually
465 per officer.

466 **SECTION 22.** Of the funds appropriated in Section 1 of this
467 act, it is the intention of the Legislature that Five Hundred Ten
468 Thousand Two Hundred Sixty-one Dollars (\$510,261.00) shall be
469 allocated to Victim's Notification Programs supported by General
470 Fund court assessments.

471 **SECTION 23.** Of the funds appropriated in Section 1 of this
472 act, Two Million Four Hundred Thousand Dollars (\$2,400,000.00) is
473 provided for monitoring technology for probation and parole
474 officers in an effort to increase operational efficiencies and
475 reduce recidivism.

476 **SECTION 24.** With the funds appropriated herein, the
477 Department of Corrections is authorized to make payments for
478 expenses incurred during prior fiscal years for an amount not to
479 exceed One Million Two Hundred Sixty-seven Thousand Four Dollars
480 and Twenty-three Cents (\$1,267,004.23). For any medical expenses
481 authorized to be paid within this section, the amount paid shall
482 not be greater than the reimbursement rate applicable based on the
483 Mississippi Medicaid reimbursement rate for these services.

484 **SECTION 25.** Of the funds appropriated in Section 2 of this
485 act, Seven Million Five Hundred Thousand Dollars (\$7,500,000.00),
486 or so much thereof, shall be derived out of any money in the State
487 Treasury to the credit of the Capital Expense Fund, as created in
488 Section 27-103-303, Mississippi Code of 1972, and allocated in a



489 manner as determined by the Treasurer's Office. These funds are
490 provided for the purchase and repairs of doors and locks at Walnut
491 Grove Correctional Facility and East Mississippi Correctional
492 Facility. Once these repairs are completed, the Department may
493 use any remaining funds to repair doors and locks at other
494 Correctional Facilities upon approval by the Department of Finance
495 and Administration Bureau of Building, Grounds and Real Property
496 Management.

497 **SECTION 26.** The money herein appropriated shall be paid by
498 the State Treasurer out of any money in the State Treasury to the
499 credit of the proper fund or funds as set forth in this act, upon
500 warrants issued by the State Fiscal Officer; and the State Fiscal
501 Officer shall issue his warrants upon requisitions signed by the
502 proper person, officer or officers, in the manner provided by law.

503 **SECTION 27.** This act shall take effect and be in force from
504 and after July 1, 2024.

