

**REPORT OF CONFERENCE COMMITTEE**

**MR. PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3039: Appropriation; Corrections, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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.





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, an amount not exceeding  
403 Nine Million Two Hundred Fifty Thousand Dollars (\$9,250,000.00)  
404 shall be available for expenditure in the Inmate Welfare Fund. Of  
405 these funds, Five Hundred Thousand Dollars (\$500,000.00) shall be  
406 used to provide for transitional housing and post release reentry  
407 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, an  
412 amount not exceeding One Million Dollars (\$1,000,000.00) shall be  
413 available for expenditure in the Inmate Incentive to Work Program  
414 Fund. The following funds shall be utilized to pay inmates who  
415 are participants in the Inmate Incentive to Work Program.



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

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

438           **SECTION 19.** With the funds herein appropriated, it is the  
439 intent of the Legislature that upon vouchers submitted by the  
440 board of supervisors of any county housing offenders in county



441 jails pending a probation or parole revocation hearing, the  
442 department shall pay the reimbursement costs as provided for in  
443 Section 47-5-901, Mississippi Code of 1972, as amended by House  
444 Bill No. 585, 2014 Regular Session.

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

460       **SECTION 21.** Of the funds appropriated under the provisions  
461 of Section 2, funds may be expended to defray the costs of  
462 clothing for sworn nonuniform law enforcement officers in an  
463 amount not to exceed One Thousand Dollars (\$1,000.00) annually per  
464 officer.



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

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

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

482           **SECTION 25.** Of the funds appropriated in Section 2 of this  
483 act, Seven Million Five Hundred Thousand Dollars (\$7,500,000.00),  
484 or so much thereof, shall be derived out of any money in the State  
485 Treasury to the credit of the Capital Expense Fund, as created in  
486 Section 27-103-303, Mississippi Code of 1972, and allocated in a  
487 manner as determined by the Treasurer's Office. These funds are  
488 provided for the purchase and repairs of doors and locks at Walnut  
489 Grove Correctional Facility and East Mississippi Correctional



490 Facility. Once these repairs are completed, the Department may  
491 use any remaining funds to repair doors and locks at other  
492 Correctional Facilities upon approval by the Department of Finance  
493 and Administration Bureau of Building, Grounds and Real Property  
494 Management.

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

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X (SIGNED)  
Hopson

X (SIGNED)  
Read

X (SIGNED)  
DeLano

X (SIGNED)  
Deweese

X (SIGNED)  
McCaughn

X (SIGNED)  
Currie

