

By: Representatives Robinson (84th), Horne

To: Judiciary A

HOUSE BILL NO. 698

1 AN ACT TO AMEND SECTION 63-11-37, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE CLERK OF THE COURT, RATHER THAN THE TRIAL JUDGE, TO
3 MAIL A COPY OF THE TRAFFIC CITATION FROM ALL DUI CONVICTIONS TO
4 THE COMMISSIONER OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 63-11-37, Mississippi Code of 1972, is
7 amended as follows:

8 63-11-37. It shall be the duty of the clerk of the court,
9 upon conviction of any person under Section 63-11-30, to mail a
10 true and correct copy of the traffic ticket, citation or affidavit
11 evidencing the arrest that resulted in the conviction and a copy
12 of the abstract of the court record within five (5) days to the
13 Commissioner of Public Safety at Jackson, Mississippi. The trial
14 judge in municipal and justice courts shall show on the docket and
15 the trial judge in courts of record shall show on the minutes:

16 (a) Whether or not a chemical test was given and the
17 results of the test;

18 (b) Where conviction was based in whole or in part on
19 the results of such a test.

20 The abstract of the court record shall show the date of the
21 conviction, the results of the test if there was one and the
22 penalty so that a record of same may be made by the Department of
23 Public Safety.

24 For the purposes of Section 63-11-30, a bond forfeiture shall
25 operate as and be considered as a conviction.

26 SECTION 2. This act shall take effect and be in force from
27 and after July 1, 2001.

