

By: Representatives Creel, Barnett (116th),
Broomfield, Eads, Janus, Mayo, Roberson,
Simpson, Watson

To: Judiciary A

HOUSE BILL NO. 1384

1 AN ACT TO AMEND SECTION 63-11-32, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE PRIVATE COMPANIES TO OFFER DRIVER IMPROVEMENT
3 PROGRAMS FOR IMPLIED CONSENT OFFENDERS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 63-11-32, Mississippi Code of 1972, is
6 amended as follows:

7 63-11-32. (1) (a) The State Department of Public Safety in
8 conjunction with the Governor's Highway Safety Program, the State
9 Board of Health, or any other state agency or institution shall
10 develop and implement a driver improvement program for persons
11 identified as first offenders convicted of driving while under the
12 influence of intoxicating liquor or another substance which had
13 impaired such person's ability to operate a motor vehicle,
14 including provision for referral to rehabilitation facilities.

15 (b) Any private company which has provided a driver
16 improvement program as described in Section (1)(a) of this section
17 in another state which has been approved by the Department of
18 Public Safety shall be authorized to provide such program in this
19 state.

20 (2) The program shall consist of a minimum of ten (10) hours
21 of instruction. Each person who participates shall pay a nominal
22 fee to defray a portion of the cost of the program.

23 (3) Such assessments as are collected under subsection (2)
24 of Section 99-19-73 shall be deposited in a special fund hereby
25 created in the State Treasury and designated the "Mississippi
26 Alcohol Safety Education Program Fund." Monies deposited in such
27 fund shall be expended by the Board of Trustees of State

28 Institutions of Higher Learning as authorized and appropriated by
29 the Legislature to defray the costs of the Mississippi Alcohol
30 Safety Education Program operated pursuant to the provisions of
31 this section. Any revenue in the fund which is not encumbered at
32 the end of the fiscal year shall lapse to the General Fund.

33 (4) Such assessments as are collected under subsection (2)
34 of Section 99-19-73 shall be deposited in a special fund hereby
35 created in the State Treasury and designated the "Federal-State
36 Alcohol Program Fund." Monies deposited in such fund shall be
37 expended by the Department of Public Safety as authorized and
38 appropriated by the Legislature to defray the costs of alcohol and
39 traffic safety programs. Any revenue in the fund which is not
40 encumbered at the end of the fiscal year shall lapse to the
41 General Fund.

42 (5) Such assessments as are collected under subsection (2)
43 of Section 99-19-73 shall be deposited in a special fund hereby
44 created in the State Treasury and designated the "Mississippi
45 Crime Laboratory Implied Consent Law Fund." Monies deposited in
46 such fund shall be expended by the Department of Public Safety as
47 authorized and appropriated by the Legislature to defray the costs
48 of equipment replacement and operational support of the
49 Mississippi Crime Laboratory relating to enforcement of the
50 Implied Consent Law. Any revenue in the fund which is not
51 encumbered at the end of the fiscal year shall not lapse to the
52 General Fund but shall remain in the fund.

53 SECTION 2. This act shall take effect and be in force from
54 and after its passage.