

By: Representative Ford

To: Judiciary A

HOUSE BILL NO. 431
(As Sent to Governor)

1 AN ACT TO REENACT SECTIONS 13-7-1, 13-7-3, 13-7-5, 13-7-7,
2 13-7-9, 13-7-11, 13-7-13, 13-7-15, 13-7-17, 13-7-19, 13-7-21,
3 13-7-23, 13-7-25, 13-7-27, 13-7-29, 13-7-31, 13-7-33, 13-7-35,
4 13-7-37, 13-7-39, 13-7-41, 13-7-43, 13-7-45, 13-7-47 AND 13-7-49,
5 MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE GRAND JURY ACT
6 AND PROVIDE FOR THE OPERATION OF A STATE GRAND JURY; TO AMEND
7 SECTION 99-11-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER
8 ON VENUE FOR INDICTMENTS BY THE STATE GRAND JURY; TO AMEND SECTION
9 27 OF CHAPTER 553, LAWS OF 1993, AS AMENDED BY CHAPTER 382, LAWS
10 OF 1998, AS AMENDED BY CHAPTER 480, LAWS OF 1999, TO EXTEND THE
11 REPEALER ON THE STATE GRAND JURY ACT; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** Section 13-7-1, Mississippi Code of 1972, is
14 reenacted as follows:

15 13-7-1. This chapter may be cited as the "State Grand Jury
16 Act," and any state grand jury which may be convened as provided
17 herein shall be known as "State Grand Jury of Mississippi."

18 **SECTION 2.** Section 13-7-3, Mississippi Code of 1972, is
19 reenacted as follows:

20 13-7-3. For purposes of this chapter:

21 (a) The phrase "Attorney General or his designee" also
22 includes:

- 23 (i) The Attorney General or his designees;
- 24 (ii) The Attorney General and his designee or
25 designees.

26 (b) The term "impaneling judge" means any senior
27 circuit court judge of any circuit court district who, upon
28 petition by the Attorney General, impanels a state grand jury
29 under the provisions of this chapter and shall also include any
30 successor to such judge as provided by law.



31 **SECTION 3.** Section 13-7-5, Mississippi Code of 1972, is
32 reenacted as follows:

33 13-7-5. There is established a state grand jury system.
34 Each state grand jury shall consist of twenty (20) persons who may
35 be impaneled and who may meet at any suitable location within the
36 state as designated by the impaneling judge. Fifteen (15) members
37 of a state grand jury constitute a quorum.

38 **SECTION 4.** Section 13-7-7, Mississippi Code of 1972, is
39 reenacted as follows:

40 13-7-7. (1) The jurisdiction of a state grand jury
41 impaneled under this chapter extends throughout the state. The
42 subject matter jurisdiction of a state grand jury in all cases is
43 limited to offenses involving any and all conduct made unlawful by
44 the Mississippi Uniform Controlled Substance Law or any other
45 provision of law involving narcotics, dangerous drugs or
46 controlled substances, or any crime arising out of or in
47 connection with a crime involving narcotics, dangerous drugs or
48 controlled substances, and crimes involving any attempt, aiding,
49 abetting, solicitation or conspiracy to commit any of the
50 aforementioned crimes if the crimes occur within more than one (1)
51 circuit court district or have transpired or are transpiring or
52 have significance in more than one (1) circuit court district of
53 this state.

54 (2) Whenever the Attorney General considers it necessary,
55 and normal investigative or prosecutorial procedures are not
56 adequate, the Attorney General may petition in writing to the
57 senior circuit court judge of any circuit court district in this
58 state for an order impaneling a state grand jury. For the
59 purposes of this chapter, such judge shall be referred to as the
60 impaneling judge. The petition must allege the following:

- 61 (a) The type of offenses to be inquired into;
62 (b) That the state grand jury has jurisdiction to
63 consider such matters;



64 (c) That the offenses to be inquired into have occurred
65 within more than one (1) circuit court district or have transpired
66 or are transpiring or have significance in more than one (1)
67 circuit court district of this state;

68 (d) That the Attorney General has conferred with the
69 Commissioner of Public Safety and the Director of the Mississippi
70 Bureau of Narcotics and that each of such officials join in the
71 petition; and

72 (e) That the Attorney General has conferred with the
73 appropriate district attorney for each jurisdiction in which the
74 crime or crimes are alleged to have occurred.

75 (3) The impaneling judge, after due consideration of the
76 petition, may order the impanelment of a state grand jury in
77 accordance with the petition for a term of twelve (12) calendar
78 months. Upon petition by the Attorney General, the impaneling
79 judge, by order, may extend the term of that state grand jury for
80 a period of six (6) months, but the term of that state grand jury,
81 including any extension thereof, shall not exceed two (2) years.

82 (4) The impaneling judge shall preside over the state grand
83 jury until its discharge.

84 (5) The impaneling judge may discharge a state grand jury
85 prior to the end of its original term or any extensions thereof,
86 upon a determination that its business has been completed, or upon
87 the request of the Attorney General.

88 (6) If, at any time within the original term of any state
89 grand jury or any extension thereof, the impaneling judge
90 determines that the state grand jury is not conducting
91 investigative activity within its jurisdiction or proper
92 investigative activity, the impaneling judge may limit the
93 investigations so that the investigation conforms with the
94 jurisdiction of the state grand jury and existing law or he may
95 discharge the state grand jury. An order issued pursuant to this
96 subsection or under subsection (5) of this section shall not



97 become effective less than ten (10) days after the date on which
98 it is issued and actual notice given to the Attorney General and
99 the foreman of the state grand jury, and may be appealed by the
100 Attorney General to the Supreme Court. If an appeal from the
101 order is made, the state grand jury, except as otherwise ordered
102 by the Supreme Court, shall continue to exercise its powers
103 pending disposition of the appeal.

104 **SECTION 5.** Section 13-7-9, Mississippi Code of 1972, is
105 reenacted as follows:

106 13-7-9. A state grand jury may return indictments
107 irrespective of the county or judicial district where the offense
108 is committed. If an indictment is returned, it must be certified
109 and transferred for prosecution to the county designated by the
110 impaneling judge. The powers and duties of and the law applicable
111 to county grand juries apply to the state grand jury, except when
112 such powers and duties and applicable law are inconsistent with
113 the provisions of this chapter.

114 **SECTION 6.** Section 13-7-11, Mississippi Code of 1972, is
115 reenacted as follows:

116 13-7-11. The Attorney General or his designee shall attend
117 sessions of a state grand jury and shall serve as its legal
118 advisor. The Attorney General or his designee shall examine
119 witnesses, present evidence, and draft indictments and reports
120 upon the direction of a state grand jury.

121 **SECTION 7.** Section 13-7-13, Mississippi Code of 1972, is
122 reenacted as follows:

123 13-7-13. The impaneling judge shall appoint a circuit clerk
124 who shall serve as the clerk of the state grand jury. The
125 compensation of the state grand jury clerk shall be paid out of
126 any available funds appropriated for that purpose.

127 **SECTION 8.** Section 13-7-15, Mississippi Code of 1972, is
128 reenacted as follows:



129 13-7-15. After the impaneling judge orders a term for the
130 state grand jury on petition of the Attorney General, the
131 impaneling judge shall order that the circuit clerk for each
132 county shall proceed to draw at random from the jury box as
133 provided by Section 13-5-26, the name of one (1) voter of such
134 county for each two thousand (2,000) voters or fraction thereof
135 registered in such county and shall place these names on a list.
136 The circuit clerk shall not disqualify or excuse any individual
137 whose name is drawn. When the list is compiled, the clerk of the
138 circuit court for each county shall forward the list to the clerk
139 of the state grand jury. Upon receipt of all the lists from the
140 clerks of the circuit courts, the clerk of the state grand jury
141 shall place all the names so received upon a list which shall be
142 known as the master list.

143 The impaneling judge shall order the clerk of the state grand
144 jury to produce the master list and shall direct the random
145 drawing of the names of one hundred (100) persons from the master
146 list. The names drawn shall be given to the clerk of the state
147 grand jury who shall cause each person drawn for service to be
148 served with a summons either personally by the sheriff of the
149 county where the juror resides or by mail, addressed to the juror
150 at his usual residence, business or post office address, requiring
151 him to report for state grand jury service at a specified time and
152 place as designated by the impaneling judge. From the one hundred
153 (100) persons summoned, a state grand jury shall be drawn for that
154 term consisting of twenty (20) persons. State grand jurors must
155 be drawn in the same manner as jurors are drawn for service on the
156 county grand jury.

157 All qualified persons shall be liable to serve as state grand
158 jurors, unless excused by the court for one (1) of the following
159 causes:



160 (a) When the juror is ill, or when on account of
161 serious illness in the juror's family, the presence of the juror
162 is required at home;

163 (b) When the juror's attendance would cause a serious
164 financial loss to the juror or to the juror's business; or

165 (c) When the juror is under an emergency, fairly
166 equivalent to those mentioned in the foregoing paragraphs (a) and
167 (b).

168 An excuse of illness under paragraph (a) may be made to the
169 state grand jury clerk outside of open court by providing the
170 clerk with either a certificate of a licensed physician or an
171 affidavit of the juror, stating that the juror is ill or that
172 there is a serious illness in the juror's family. The test of an
173 excuse under paragraph (b) shall be whether, if the juror were
174 incapacitated by illness or otherwise for a week, some other
175 persons would be available or could reasonably be procured to
176 carry on the business for the week, and the test of an excuse
177 under paragraph (c) shall be such as to be the fair equivalent,
178 under the circumstances of that prescribed under paragraph (b).
179 In cases under paragraphs (b) and (c) the excuse must be made by
180 the juror, in open court, under oath.

181 It shall be unlawful for any employer or other person to
182 persuade or attempt to persuade any juror to avoid jury service,
183 or to intimidate or to threaten any juror in that respect. So to
184 do shall be deemed an interference with the administration of
185 justice and a contempt of court and punishable as such.

186 Every citizen over sixty-five (65) years of age shall be
187 exempt from service if he claims the privilege. No qualified
188 juror shall be excluded because of such reason, but the same shall
189 be a personal privilege to be claimed by any person selected for
190 state grand jury duty. Any citizen over sixty-five (65) years of
191 age may claim this personal privilege outside of open court by



192 providing the clerk of court with information that allows the
193 clerk to determine the validity of the claim.

194 The state grand jurors shall be charged by the impaneling
195 judge as to their authority and responsibility under the law and
196 each juror shall be sworn pursuant to Section 13-5-45. Nothing in
197 this section shall be construed as limiting the right of the
198 Attorney General or his designee to request that a potential state
199 grand juror be excused for cause. The jury selection process
200 shall be conducted by the impaneling judge. Jurors of a state
201 grand jury shall receive reimbursement for travel and mileage as
202 provided for state employees by Section 25-3-41 and shall be paid
203 per diem compensation in the amount provided by Section 25-3-69.
204 All compensation and expenses for meals and lodging of state grand
205 jurors shall be paid out of any available funds appropriated for
206 that purpose.

207 **SECTION 9.** Section 13-7-17, Mississippi Code of 1972, is
208 reenacted as follows:

209 13-7-17. The impaneling judge shall appoint one (1) of the
210 jurors to be a foreman and another to be deputy foreman. During
211 the absence of the foreman, the deputy foreman shall act as
212 foreman. The foreman and deputy foreman shall be sworn pursuant
213 to Section 13-5-45.

214 **SECTION 10.** Section 13-7-19, Mississippi Code of 1972, is
215 reenacted as follows:

216 13-7-19. After the state grand jurors shall have been sworn
217 and impaneled, no objections shall be raised by plea or otherwise,
218 to the state grand jury, but the impaneling of the state grand
219 jury shall be conclusive evidence of its competency and
220 qualifications. However, any party interested may challenge the
221 jury, except to the array, for fraud.

222 **SECTION 11.** Section 13-7-21, Mississippi Code of 1972, is
223 reenacted as follows:



224 13-7-21. The clerk of the state grand jury, upon request of
225 the Attorney General or his designee, shall issue subpoenas, or
226 subpoenas duces tecum to compel individuals, documents or other
227 materials to be brought from anywhere in the state or another
228 state to a state grand jury. In addition, a state grand jury may
229 proceed in the same manner as is provided for by law in relation
230 to the issuance of subpoenas and subpoenas duces tecum; however,
231 the provisions of such law shall not be considered a limitation
232 upon this section, but shall be supplemental thereto. The
233 subpoenas and subpoenas duces tecum may be for investigative
234 purposes and for the retention of documents or other materials so
235 subpoenaed for proper criminal proceedings. Any investigator
236 employed by the Attorney General or any law enforcement officer
237 with appropriate jurisdiction is empowered to serve such subpoenas
238 and subpoenas duces tecum and receive such documents and other
239 materials for return to a state grand jury. Any person violating
240 a subpoena or subpoena duces tecum issued pursuant to this
241 chapter, or who fails to fully answer all questions put to him
242 before proceedings of the state grand jury whenever the response
243 thereto is not privileged or otherwise protected by law, including
244 the granting of immunity as authorized by this chapter, or any
245 other law, may be punished by the impaneling judge for contempt
246 provided the response is not privileged or otherwise protected by
247 law. The Attorney General or his designee may petition the
248 impaneling judge to compel compliance by the person alleged to
249 have committed the violation or who has failed to answer. If the
250 impaneling judge considers compliance is warranted, he may order
251 compliance and may punish the individual for contempt, as provided
252 in Section 9-1-17, where the compliance does not occur. The clerk
253 of the state grand jury may also issue subpoenas and subpoenas
254 duces tecum to compel individuals, documents or other materials to
255 be brought from anywhere in the state to the trial of any
256 indictment returned by a state grand jury or the trial of any



257 civil forfeiture action arising out of an investigation conducted
258 by a state grand jury.

259 **SECTION 12.** Section 13-7-23, Mississippi Code of 1972, is
260 reenacted as follows:

261 13-7-23. Once a state grand jury has entered into a term,
262 the petition and order establishing and impaneling the state grand
263 jury may be amended as often as necessary and appropriate so as to
264 expand the areas of inquiry authorized by the order or to add
265 additional areas of inquiry thereto, consistent with the
266 provisions of this chapter. The procedures for amending this
267 authority are the same as those for filing the original petition
268 and order.

269 **SECTION 13.** Section 13-7-25, Mississippi Code of 1972, is
270 reenacted as follows:

271 13-7-25. A court reporter shall record either
272 stenographically or by use of an electronic recording device, all
273 state grand jury proceedings except when the state grand jury is
274 deliberating or voting. Subject to the limitations of Section
275 13-7-29 and any rule of court, a defendant has the right to review
276 and to reproduce the stenographically or electronically recorded
277 materials. Transcripts of the recorded testimony or proceedings
278 must be made when requested by the Attorney General or his
279 designee. An unintentional failure of any recording to reproduce
280 all or any portion of the testimony or proceeding shall not affect
281 the validity of the prosecution. The recording or reporter's
282 notes or any transcript prepared therefrom and all books, papers,
283 records and correspondence produced before the state grand jury
284 shall remain in the custody and control of the Attorney General or
285 his designee unless otherwise ordered by the court in a particular
286 case.

287 **SECTION 14.** Section 13-7-27, Mississippi Code of 1972, is
288 reenacted as follows:



289 13-7-27. The foreman shall administer an oath or affirmation
290 in the manner prescribed by law to any witness who testifies
291 before a state grand jury.

292 **SECTION 15.** Section 13-7-29, Mississippi Code of 1972, is
293 reenacted as follows:

294 13-7-29. (1) State grand jury proceedings are secret, and a
295 state grand juror shall not disclose the nature or substance of
296 the deliberations or vote of the state grand jury. The only
297 persons who may be present in the state grand jury room when a
298 state grand jury is in session, except for deliberations and
299 voting, are the state grand jurors, the Attorney General or his
300 designees, an interpreter if necessary and the witness testifying.
301 A state grand juror, the Attorney General or his designees, any
302 interpreter used and any person to whom disclosure is made
303 pursuant to subsection (2)(b) of this section may not disclose the
304 testimony of a witness examined before a state grand jury or other
305 evidence received by it except when directed by a court for the
306 purpose of:

307 (a) Ascertaining whether it is consistent with the
308 testimony given by the witness before the court in any subsequent
309 criminal proceedings;

310 (b) Determining whether the witness is guilty of
311 perjury;

312 (c) Assisting local, state or federal law enforcement
313 or investigating agencies, including another grand jury, in
314 investigating crimes under their investigative jurisdiction;

315 (d) Providing the defendant the materials to which he
316 is entitled pursuant to Section 13-7-25; or

317 (e) Complying with constitutional, statutory or other
318 legal requirements or to further justice.

319 If the court orders disclosure of matters occurring before a
320 state grand jury, the disclosure shall be made in that manner, at
321 that time, and under those conditions as the court directs.



322 (2) In addition, disclosure of testimony of a witness
323 examined before a state grand jury or other evidence received by
324 it may be made without being directed by a court to:

325 (a) The Attorney General or his designees for use in
326 the performance of their duties; or

327 (b) Those governmental personnel, including personnel
328 of the state or its political subdivisions, as are considered
329 necessary by the Attorney General or his designee to assist in the
330 performance of their duties to enforce the criminal laws of the
331 state; however, any person to whom matters are disclosed under
332 this paragraph (b) shall not utilize the state grand jury material
333 for purposes other than assisting the Attorney General or his
334 designee in the performance of their duties to enforce the
335 criminal laws of this state. The Attorney General or his
336 designees shall promptly provide the impaneling judge the names of
337 the persons to whom the disclosure has been made and shall certify
338 that he has advised these persons of their obligations of secrecy
339 under this section.

340 (3) Nothing in this section affects the attorney-client
341 relationship. A client has the right to communicate to his
342 attorney any testimony given by the client to a state grand jury,
343 any matters involving the client discussed in the client's
344 presence before a state grand jury and evidence involving the
345 client received by a proffer to a state grand jury in the client's
346 presence.

347 (4) Any person violating the provisions of this section is
348 guilty of a misdemeanor and, upon conviction, shall be punished by
349 a fine not exceeding Five Thousand Dollars (\$5,000.00), or by a
350 term of imprisonment not exceeding one (1) year, or by both such
351 fine and imprisonment.

352 (5) State grand jurors, the Attorney General and his
353 designee, any interpreter used and the clerk of the state grand



354 jury shall be sworn to secrecy and also may be punished for
355 criminal contempt for violations of this section.

356 **SECTION 16.** Section 13-7-31, Mississippi Code of 1972, is
357 reenacted as follows:

358 13-7-31. Except for the prosecution of cases arising from
359 indictments issued by the state grand jury, the impaneling judge
360 has jurisdiction to hear all matters arising from the proceedings
361 of a state grand jury, including, but not limited to, matters
362 related to the impanelment or removal of state grand jurors, the
363 quashing of subpoenas and the punishment for contempt.

364 **SECTION 17.** Section 13-7-33, Mississippi Code of 1972, is
365 reenacted as follows:

366 13-7-33. The Attorney General or his designee shall
367 coordinate the scheduling of activities of any state grand jury.

368 **SECTION 18.** Section 13-7-35, Mississippi Code of 1972, is
369 reenacted as follows:

370 13-7-35. (1) In order to return a "True Bill" of
371 indictment, twelve (12) or more state grand jurors must find that
372 probable cause exists for the indictment and vote in favor of the
373 indictment. Upon indictment by a state grand jury, the indictment
374 shall be returned to the impaneling judge. If the impaneling
375 judge considers the indictment to be within the authority of the
376 state grand jury and otherwise in accordance with the provisions
377 of this chapter, he shall order the clerk of the state grand jury
378 to certify the indictment and return the indictment to the county
379 designated by the impaneling judge as the county in which the
380 indictment shall be tried.

381 (2) Indictments returned by a state grand jury are properly
382 triable in any county of the state where any of the alleged
383 conduct occurred. The impaneling judge to whom the indictment is
384 returned shall designate the county in which the indictment shall
385 be tried. If a multicount indictment returned by a state grand
386 jury is properly triable in a single proceeding as otherwise



387 provided by law, all counts may be tried in the county designated
388 by the impaneling judge notwithstanding the fact that different
389 counts may have occurred in more than one (1) county.

390 (3) In determining the venue for indictments returned by a
391 state grand jury, the impaneling judge shall select the county in
392 which the state and defendant may receive a fair trial before an
393 impartial jury taking into consideration the totality of the
394 circumstances of each case.

395 (4) When the indictment has been returned to the circuit
396 clerk of the county designated by the impaneling judge, the capias
397 shall be issued as otherwise provided by law. The indictment
398 shall be kept secret until the defendant is in custody or has been
399 released pending trial.

400 **SECTION 19.** Section 13-7-37, Mississippi Code of 1972, is
401 reenacted as follows:

402 13-7-37. If any person asks to be excused from testifying
403 before a state grand jury or from producing any books, papers,
404 records, correspondence or other documents before a state grand
405 jury on the ground that the testimony or evidence required of him
406 may tend to incriminate him or subject him to any penalty or
407 forfeiture and such person, notwithstanding such ground, is
408 directed by the impaneling judge to give the testimony or produce
409 the evidence, he shall comply with this direction, but no
410 testimony so given or evidence produced may be received against
411 him in any criminal action, investigation or criminal proceeding.
412 No individual testifying or producing evidence or documents is
413 exempt from prosecution or punishment for any perjury committed by
414 him while so testifying, and the testimony or evidence given or
415 produced is admissible against him upon any criminal action,
416 criminal investigation or criminal proceeding concerning this
417 perjury; however, any individual may execute, acknowledge and file
418 a statement with the appropriate court expressly waiving immunity
419 or privilege in respect to any testimony given or produced and



420 thereupon the testimony or evidence given or produced may be
421 received or produced before any judge or justice, court tribunal,
422 grand jury or otherwise, and if so received or produced, the
423 individual is not entitled to any immunity or privilege on account
424 of any testimony he may give or evidence produced.

425 **SECTION 20.** Section 13-7-39, Mississippi Code of 1972, is
426 reenacted as follows:

427 13-7-39. Records, orders and subpoenas related to state
428 grand jury proceedings shall be kept under seal to the extent and
429 for the time that is necessary to prevent disclosure of matters
430 occurring before a state grand jury.

431 **SECTION 21.** Section 13-7-41, Mississippi Code of 1972, is
432 reenacted as follows:

433 13-7-41. The Attorney General shall make available suitable
434 space for state grand juries to meet. The Mississippi Department
435 of Public Safety and the Mississippi Bureau of Narcotics may
436 provide such services as required by the Attorney General and the
437 state grand juries.

438 **SECTION 22.** Section 13-7-43, Mississippi Code of 1972, is
439 reenacted as follows:

440 13-7-43. The Supreme Court may promulgate rules as are
441 necessary for the operation of the state grand jury system
442 established by this chapter.

443 **SECTION 23.** Section 13-7-45, Mississippi Code of 1972, is
444 reenacted as follows:

445 13-7-45. If any part of this chapter is declared invalid,
446 unenforceable or unconstitutional by a court of competent
447 jurisdiction, that part shall be severable from the remaining
448 portions of this chapter, which portions shall remain in full
449 force and effect as if the invalid, unenforceable or
450 unconstitutional portion were omitted.

451 **SECTION 24.** Section 13-7-47, Mississippi Code of 1972, is
452 reenacted as follows:



453 13-7-47. This chapter applies to offenses committed both
454 before and after its effective date.

455 **SECTION 25.** Section 13-7-49, Mississippi Code of 1972, is
456 reenacted as follows:

457 13-7-49. Nothing in this chapter shall be construed as
458 amending, repealing or superseding any other law of this state
459 governing the powers and duties of county grand jurors, district
460 attorneys or law enforcement agencies or other officials with
461 regard to their authority to investigate, indict or prosecute
462 offenses that are prescribed by this chapter as within the
463 jurisdiction of the state grand jury.

464 **SECTION 26.** Section 99-11-3, Mississippi Code of 1972, is
465 amended as follows:

466 99-11-3. (1) The local jurisdiction of all offenses, unless
467 otherwise provided by law, shall be in the county where committed.
468 But, if on the trial the evidence makes it doubtful in which of
469 several counties, including that in which the indictment or
470 affidavit alleges the offense was committed, such doubt shall not
471 avail to procure the acquittal of the defendant.

472 (2) The provisions of subsection (1) of this section shall
473 not apply to indictments returned by a state grand jury. The
474 venue of trials for indictments returned by a state grand jury
475 shall be as provided by the State Grand Jury Act. This subsection
476 shall stand repealed from and after July 1, 2005.

477 **SECTION 27.** Section 27 of Chapter 553, Laws of 1993, as
478 amended by Chapter 382, Laws of 1998, as amended by Chapter 480,
479 Laws of 1999, is amended as follows:

480 Section 27. This act shall take effect and be in force from
481 and after its passage, and, with the exception of Section 22,
482 shall stand repealed from and after July 1, 2005.

483 **SECTION 28.** This act shall take effect and be in force from
484 and after July 1, 2002.

