

By: Representatives Creel, Fillingane,
Janus, Ketchings, Roberson, Zuber

To: Judiciary A

HOUSE BILL NO. 1260

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 which has been approved by the Department of Public Safety shall
18 be authorized to provide such program in this state.

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

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



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

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

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

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

