

By: Representatives Watson, McBride, Coleman To: Appropriations  
(29th), Eakes, Gadd, Green

HOUSE BILL NO. 1812  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE OFFICE OF CAPITAL DEFENSE COUNSEL OF THE STATE  
3 OF MISSISSIPPI FOR THE FISCAL YEAR 2003.

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

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 purpose of  
8 defraying the expenses of the Office of Capital Defense Counsel of  
9 the State of Mississippi for the fiscal year beginning  
10 July 1, 2002, and ending June 30, 2003..... \$ 610,279.00.

11 **SECTION 2.** With the funds appropriated under the provisions  
12 of Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	9
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

18 Any transfers or escalations shall be made in accordance with  
19 the terms, conditions, and procedures established by law.

20 No general funds authorized to be expended herein shall be  
21 used to replace federal funds and/or other special funds which are  
22 being used for salaries authorized under the provisions of this  
23 act and which are withdrawn and no longer available.

24 **SECTION 3.** It is the intention of the Legislature that the  
25 Director of the Office of Capital Defense Counsel is hereby  
26 authorized to transfer any funds authorized to defray the expenses  
27 of the office, not to exceed Two Hundred Thousand Dollars



28 (\$200,000.00), to the Capital Defense Counsel Special Fund, and to  
29 escalate, budget and expend funds, not to exceed Five Hundred  
30 Thousand Dollars (\$500,000.00), in accordance with the rules and  
31 regulations of the Department of Finance and Administration, for  
32 the purpose of paying fees and expenses to private counsel,  
33 including investigative and expert witness expenses from the  
34 Capital Defense Counsel Special Fund, in accordance with Section  
35 99-18-17, Mississippi Code of 1972.

36 **SECTION 4.** The money herein appropriated shall be paid by  
37 the State Treasurer out of any money in the State Treasury to the  
38 credit of the proper fund or funds as set forth in this act, upon  
39 warrants issued by the State Fiscal Officer; and the State Fiscal  
40 Officer shall issue his warrants upon requisitions signed by the  
41 proper person, officer or officers, in the manner provided by law.

42 **SECTION 5.** This act shall take effect and be in force from  
43 and after July 1, 2002.

