HOUSE BILL NO. 1812
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE OFFICE OF CAPITAL DEFENSE COUNSEL OF THE STATE

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

SECTION 1. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
General Fund not otherwise appropriated, for the purpose of
defraying the expenses of the Office of Capital Defense Counsel of
the State of Mississippi for the fiscal year beginning
July 1, 2002, and ending June 30, 2003........ $ 610,279.00.

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

AUTHORIZED POSITIONS:

Permanent: Full Time.............  9
Part Time.............  0
Time-Limited: Full Time.............  0
Part Time.............  0

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

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act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the
Director of the Office of Capital Defense Counsel is hereby
authorized to transfer any funds authorized to defray the expenses
of the office, not to exceed Two Hundred Thousand Dollars
($200,000.00), to the Capital Defense Counsel Special Fund, and to escalate, budget and expend funds, not to exceed Five Hundred Thousand Dollars ($500,000.00), in accordance with the rules and regulations of the Department of Finance and Administration, for the purpose of paying fees and expenses to private counsel, including investigative and expert witness expenses from the Capital Defense Counsel Special Fund, in accordance with Section 99-18-17, Mississippi Code of 1972.

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

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