HOUSE BILL NO. 1813  
(As Sent to Governor)  


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 Post-Conviction Counsel of the State of Mississippi for the fiscal year beginning July 1, 2002, and ending June 30, 2003........ $ 647,702.00.

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

AUTHORIZED POSITIONS:

Permanent: Full Time............ 6
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and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.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 Office of Capital Post-Conviction Counsel shall have the authority to accept, budget and expend any source funds not to exceed Two Million Dollars ($2,000,000.00). Such funds are to be escalated...
in accordance with procedures for federal fund escalations as
established in Section 27-104-21, Mississippi Code of 1972, and
expended for the purposes of performing such duties as set forth
by law in accordance with applicable rules and regulations of the
State Fiscal Officer.

SECTION 4. It is the intention of the Legislature that the
Director of the Office of Capital Post-Conviction 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 Special Capital Post-Conviction Fund, and to
escalate, budget and expend funds, not to exceed Two Hundred
Thousand Dollars ($200,000.00), 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
Special Capital Post-Conviction Fund, in accordance with Section

SECTION 5. 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 6. This act shall take effect and be in force from
and after July 1, 2002, with the exception of Section 4 which
shall take effect and be in force from and after its passage.