

By: Representative Watson

To: County Affairs

HOUSE BILL NO. 893

1 AN ACT TO AMEND SECTION 19-7-31, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE BOARDS OF SUPERVISORS TO CONTRACT WITH THE STATE LAW
3 LIBRARY FOR LAW LIBRARY SERVICES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 19-7-31, Mississippi Code of 1972, is
6 amended as follows:

7 19-7-31. The board of supervisors of each county in the
8 state shall have power, by an appropriate order or orders on its
9 minutes, to establish and maintain in the county courthouse or
10 other suitable public building, adjacent or near thereto, a public
11 county law library under such rules, regulations and supervision
12 as it may from time to time ordain and establish, and to that end,
13 the board may accept gifts, grants, donations or bequests of
14 money, furniture, fixtures, books, documents, maps, plats or other
15 property suitable for such purpose.

16 The board of supervisors shall have power to exchange or sell
17 duplicate volumes or sets of any such books or furniture, and in
18 case of sale to invest the proceeds in other suitable books or
19 furniture. The said board may also purchase or lease from time to
20 time additional books, furniture, or equipment therefor.

21 For the purpose of providing suitable quarters for such
22 public law library, the said board of supervisors may, in its
23 discretion, expend such sums as may be deemed necessary or proper
24 for such purpose, and may also employ a suitable person as
25 librarian and pay said law librarian such salary as the board, in
26 its discretion, may determine. The board may employ additional
27 librarians or other employees on either a part-time or full-time



28 basis and may pay these additional employees as the board, in its
29 discretion, may determine. The board of supervisors, in their
30 discretion, may contract with the county or municipal library for
31 any staff or facilities as they deem necessary for the overall
32 management and operation of the county law library. The board of
33 supervisors may contract with the State Law Library for law
34 library services that may be offered by the State Law Library.

35 In case such public law library shall be so established, all
36 books, documents, furniture and other property then belonging to
37 the county library, as provided for in Section 19-7-25, shall be
38 transferred to and become part of such public law library, and all
39 books, documents and publications hereafter donated by the state
40 to the county library shall also become a part thereof. And in
41 such case, Sections 19-7-25 and 19-25-65, relating to the county
42 library, shall be superseded in such county so long as such public
43 law library shall be maintained therein.

44 The board of supervisors of any such county is further
45 authorized, in its discretion, to levy, by way of resolution,
46 additional court costs not exceeding Two Dollars and Fifty Cents
47 (\$2.50) per case for each case, both civil and criminal, filed in
48 the chancery, circuit and county courts or any of these in said
49 county, and it is further authorized in its discretion to levy, by
50 way of resolution, additional court costs not exceeding One Dollar
51 and Fifty Cents (\$1.50) per case for each case, both civil and
52 criminal, filed in the justice courts of said county for the
53 support of the library therein authorized. If the additional
54 court costs herein authorized be levied, the clerk or judge of
55 said courts shall collect said costs for all cases thereafter
56 filed in his court and forward same to the chancery clerk who will
57 deposit the same in a special account in a county depository for
58 support and maintenance of said library, and the chancery clerk
59 shall be accountable therefor. However, no such levy shall be
60 made against any cause of action, the purpose of which is to



61 commit any lunatic, alcoholic or narcotic addict to any
62 institution for custodial or medical care, and no such tax shall
63 be collected under this subsection on any cause of action that the
64 proper clerk handling same deems to be in its very nature
65 charitable and in which cause said clerk has not collected his own
66 legal fees.

67 To accomplish the purposes of this section, the board of
68 supervisors is hereby further authorized and empowered to enter
69 into such arrangement or arrangements with the county bar
70 association of any such county as may seem advisable for the care
71 and operation of said law library and said board may receive and
72 consider, from time to time, such recommendations as the bar
73 association may deem appropriate in the premises.

74 The board of supervisors of each county in which there are
75 two (2) judicial districts is authorized and empowered, in its
76 discretion, to maintain a law library in each judicial district;
77 in such counties the board is authorized and empowered, in its
78 discretion, to pay from the county general fund or from the
79 special fund herein authorized all such costs herein authorized,
80 provided that the board shall not spend in each judicial district
81 less than the amount of the special court costs authorized herein
82 and collected in each such district.

83 The governing authorities of any municipality are authorized,
84 in their discretion, by resolution duly adopted and entered on
85 their official minutes, to levy additional court costs not
86 exceeding One Dollar and Fifty Cents (\$1.50) per case for each
87 conviction in the municipal court of the municipality for the
88 support and maintenance of the county law library in the county
89 within which the municipality is located. The additional costs
90 shall be collected by the clerk of the court, forwarded to the
91 chancery clerk of the county for deposit in a special account in
92 the county depository, and expended for support and maintenance of
93 the county law library in the same manner and in accordance with



94 the same procedure as provided for costs similarly collected in
95 the chancery, circuit, county and justice courts of the county.

96 **SECTION 2.** This act shall take effect and be in force from
97 and after July 1, 2003.

