

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

HOUSE BILL NO. 1538  
(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 2004.

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, 2003, and ending June 30, 2004..... \$ 607,233.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the special  
13 fund in the State Treasury to the credit of the Office of Capital  
14 Defense Counsel of the State of Mississippi for the purpose of  
15 defraying the expenses of the office for the fiscal year beginning  
16 July 1, 2003, and ending June 30, 2004..... \$ 120,000.00.

17 **SECTION 3.** With the funds appropriated under the provisions  
18 of Section 1, the following positions are authorized:

19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	9
21		Part Time.....	0
22	Time-Limited:	Full Time.....	0
23		Part Time.....	0

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

26 No general funds authorized to be expended herein shall be  
27 used to replace federal funds and/or other special funds which are



28 being used for salaries authorized under the provisions of this  
29 act and which are withdrawn and no longer available.

30         **SECTION 4.** It is the intention of the Legislature that the  
31 Director of the Office of Capital Defense Counsel shall have the  
32 authority to accept, budget and expend any source funds, not to  
33 exceed Two Hundred Thousand Dollars (\$200,000.00). Such funds are  
34 to be escalated in accordance with the rules and regulations of  
35 the Department of Finance and Administration in a manner  
36 consistent with escalation of federal funds.

37         **SECTION 5.** The money herein appropriated shall be paid by  
38 the State Treasurer out of any money in the State Treasury to the  
39 credit of the proper fund or funds as set forth in this act, upon  
40 warrants issued by the State Fiscal Officer; and the State Fiscal  
41 Officer shall issue his warrants upon requisitions signed by the  
42 proper person, officer or officers, in the manner provided by law.

43         **SECTION 6.** This act shall take effect and be in force from  
44 and after July 1, 2003.

