

By: Senator(s) Turner

To: County Affairs

SENATE BILL NO. 2804

1 AN ACT TO AMEND SECTION 19-7-31, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE AUTHORITY OF THE BOARDS OF SUPERVISORS IN CONTRACTING
3 TO PROVIDE COUNTY 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 State Law Library or the county
31 or municipal library for any staff or facilities as they deem
32 necessary for the overall management and operation of the county
33 law library.

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41 library, shall be superseded in such county so long as such public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

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



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

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

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

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



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

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

