SENATE BILL NO. 2804

AN ACT TO AMEND SECTION 19-7-31, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE BOARDS OF SUPERVISORS IN CONTRACTING TO PROVIDE COUNTY LAW LIBRARY SERVICES; AND FOR RELATED PURPOSES.

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

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

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

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

For the purpose of providing suitable quarters for such public law library, the said board of supervisors may, in its discretion, expend such sums as may be deemed necessary or proper for such purpose, and may also employ a suitable person as librarian and pay said law librarian such salary as the board, in its discretion, may determine. The board may employ additional librarians or other employees on either a part-time or full-time...
basis and may pay these additional employees as the board, in its
discretion, may determine. The board of supervisors, in their
discretion, may contract with the State Law Library or the county
or municipal library for any staff or facilities as they deem
necessary for the overall management and operation of the county
law library.

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library, shall be superseded in such county so long as such public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

The board of supervisors of any such county is further
authorized, in its discretion, to levy, by way of resolution,
additional court costs not exceeding Two Dollars and Fifty Cents
($2.50) per case for each case, both civil and criminal, filed in
the chancery, circuit and county courts or any of these in said
county, and it is further authorized in its discretion to levy, by
way of resolution, additional court costs not exceeding One Dollar
and Fifty Cents ($1.50) per case for each case, both civil and
criminal, filed in the justice courts of said county for the
support of the library therein authorized. If the additional
court costs herein authorized be levied, the clerk or judge of
said courts shall collect said costs for all cases thereinafter
filed in his court and forward same to the chancery clerk who will
deposit the same in a special account in a county depository for
support and maintenance of said library, and the chancery clerk
shall be accountable therefor. However, no such levy shall be
made against any cause of action, the purpose of which is to
commit any lunatic, alcoholic or narcotic addict to any
institution for custodial or medical care, and no such tax shall be collected under this subsection on any cause of action that the proper clerk handling same deems to be in its very nature charitable and in which cause said clerk has not collected his own legal fees.

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

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

The governing authorities of any municipality are authorized, in their discretion, by resolution duly adopted and entered on their official minutes, to levy additional court costs not exceeding One Dollar and Fifty Cents ($1.50) per case for each conviction in the municipal court of the municipality for the support and maintenance of the county law library in the county within which the municipality is located. The additional costs shall be collected by the clerk of the court, forwarded to the chancery clerk of the county for deposit in a special account in the county depository, and expended for support and maintenance of the county law library in the same manner and in accordance with
the same procedure as provided for costs similarly collected in
the chancery, circuit, county and justice courts of the county.

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