

By: Senator(s) Albritton

To: Appropriations

SENATE BILL NO. 2250

1 AN ACT TO AMEND SECTION 45-1-21, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE PROVISION THAT UNENCUMBERED REVENUES IN THE DEPARTMENT
3 OF PUBLIC SAFETY ADMINISTRATIVE FUND WILL LAPSE TO THE GENERAL
4 FUND AT THE END OF THE FISCAL YEAR IN ORDER TO ALLOW THE EXCESS
5 FUNDS COLLECTED TO BE CARRIED OVER INTO THE NEXT FISCAL YEAR; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 45-1-21, Mississippi Code of 1972, is
9 amended as follows:

10 45-1-21. The Mississippi Department of Public Safety being
11 required by law to keep various records and perform various
12 services and being authorized to furnish certain records and
13 services, said department, by direction of the Commissioner of
14 Public Safety, shall establish and collect for such services a
15 proper fee, commensurate with the service rendered and the cost of
16 such service for the furnishing of any record or abstract thereof
17 in the Department of Public Safety now or which may hereafter be
18 required by law to be kept by said department, any photograph or
19 photo copy or any report of any kind authorized by law, including
20 services for polygraph tests and reports thereof.

21 No records shall be furnished by the Mississippi Department
22 of Public Safety which are classified as confidential by law. All
23 fees collected under this section shall be paid into the General
24 Fund of the State Treasury in accordance with the provisions of
25 Section 45-1-23(2).

26 Provided, however, that any amount of said fee set in excess
27 of those fees set in the schedule of fees on file with the
28 Secretary of State under the Administrative Procedures Act as of
29 November 1, 1990, shall be deposited by the State Treasurer to the

30 credit of a special fund hereby created in the State Treasury and
31 designated the Department of Public Safety Administrative Fund.
32 Monies deposited in such fund shall be expended by the Department
33 of Public Safety, as authorized and appropriated by the
34 Legislature, to defray the expenses of the department. * * *

35 **SECTION 2.** This act shall take effect and be in force from
36 and after July 1, 2005.