

By: Senator(s) Tollison

To: Judiciary, Division A

SENATE BILL NO. 2575

1 AN ACT TO REENACT SECTIONS 13-7-1, 13-7-3, 13-7-5, 13-7-7,
 2 13-7-9, 13-7-11, 13-7-13, 13-7-15, 13-7-17, 13-7-19, 13-7-21,
 3 13-7-23, 13-7-25, 13-7-27, 13-7-29, 13-7-31, 13-7-33, 13-7-35,
 4 13-7-37, 13-7-39, 13-7-41, 13-7-43, 13-7-45, 13-7-47 AND 13-7-49,
 5 MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE GRAND JURY ACT
 6 AND PROVIDE FOR THE OPERATION OF A STATE GRAND JURY; TO REENACT
 7 AND AMEND SECTION 99-11-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE
 8 REPEALER ON VENUE FOR INDICTMENTS BY THE STATE GRAND JURY; TO
 9 AMEND SECTION 27, LAWS OF 1993, AS AMENDED BY CHAPTER 382, LAWS OF
 10 1998, AS AMENDED BY CHAPTER 480, LAWS OF 1999, AS AMENDED BY
 11 CHAPTER 471, LAWS OF 2002, TO EXTEND THE REPEALER ON THE STATE
 12 GRAND JURY ACT; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Section 13-7-1, Mississippi Code of 1972, is
 15 reenacted as follows:

16 13-7-1. This chapter may be cited as the "State Grand Jury
 17 Act," and any state grand jury which may be convened as provided
 18 herein shall be known as "State Grand Jury of Mississippi."

19 **SECTION 2.** Section 13-7-3, Mississippi Code of 1972, is
 20 reenacted as follows:

21 13-7-3. For purposes of this chapter:

22 (a) The phrase "Attorney General or his designee" also
 23 includes:

- 24 (i) The Attorney General or his designees;
- 25 (ii) The Attorney General and his designee or
- 26 designees.

27 (b) The term "impaneling judge" means any senior
 28 circuit court judge of any circuit court district who, upon
 29 petition by the Attorney General, impanels a state grand jury
 30 under the provisions of this chapter and shall also include any
 31 successor to such judge as provided by law.

32 **SECTION 3.** Section 13-7-5, Mississippi Code of 1972, is
33 reenacted as follows:

34 13-7-5. There is established a state grand jury system.
35 Each state grand jury shall consist of twenty (20) persons who may
36 be impaneled and who may meet at any suitable location within the
37 state as designated by the impaneling judge. Fifteen (15) members
38 of a state grand jury constitute a quorum.

39 **SECTION 4.** Section 13-7-7, Mississippi Code of 1972, is
40 reenacted as follows:

41 13-7-7. (1) The jurisdiction of a state grand jury
42 impaneled under this chapter extends throughout the state. The
43 subject matter jurisdiction of a state grand jury in all cases is
44 limited to offenses involving any and all conduct made unlawful by
45 the Mississippi Uniform Controlled Substances Law or any other
46 provision of law involving narcotics, dangerous drugs or
47 controlled substances, or any crime arising out of or in
48 connection with a crime involving narcotics, dangerous drugs or
49 controlled substances, and crimes involving any attempt, aiding,
50 abetting, solicitation or conspiracy to commit any of the
51 aforementioned crimes if the crimes occur within more than one (1)
52 circuit court district or have transpired or are transpiring or
53 have significance in more than one (1) circuit court district of
54 this state.

55 (2) Whenever the Attorney General considers it necessary,
56 and normal investigative or prosecutorial procedures are not
57 adequate, the Attorney General may petition in writing to the
58 senior circuit court judge of any circuit court district in this
59 state for an order impaneling a state grand jury. For the
60 purposes of this chapter, such judge shall be referred to as the
61 impaneling judge. The petition must allege the following:

- 62 (a) The type of offenses to be inquired into;
63 (b) That the state grand jury has jurisdiction to
64 consider such matters;

65 (c) That the offenses to be inquired into have occurred
66 within more than one (1) circuit court district or have transpired
67 or are transpiring or have significance in more than one (1)
68 circuit court district of this state;

69 (d) That the Attorney General has conferred with the
70 Commissioner of Public Safety and the Director of the Mississippi
71 Bureau of Narcotics and that each of such officials join in the
72 petition; and

73 (e) That the Attorney General has conferred with the
74 appropriate district attorney for each jurisdiction in which the
75 crime or crimes are alleged to have occurred.

76 (3) The impaneling judge, after due consideration of the
77 petition, may order the impanelment of a state grand jury in
78 accordance with the petition for a term of twelve (12) calendar
79 months. Upon petition by the Attorney General, the impaneling
80 judge, by order, may extend the term of that state grand jury for
81 a period of six (6) months, but the term of that state grand jury,
82 including any extension thereof, shall not exceed two (2) years.

83 (4) The impaneling judge shall preside over the state grand
84 jury until its discharge.

85 (5) The impaneling judge may discharge a state grand jury
86 prior to the end of its original term or any extensions thereof,
87 upon a determination that its business has been completed, or upon
88 the request of the Attorney General.

89 (6) If, at any time within the original term of any state
90 grand jury or any extension thereof, the impaneling judge
91 determines that the state grand jury is not conducting
92 investigative activity within its jurisdiction or proper
93 investigative activity, the impaneling judge may limit the
94 investigations so that the investigation conforms with the
95 jurisdiction of the state grand jury and existing law or he may
96 discharge the state grand jury. An order issued pursuant to this
97 subsection or under subsection (5) of this section shall not

98 become effective less than ten (10) days after the date on which
99 it is issued and actual notice given to the Attorney General and
100 the foreman of the state grand jury, and may be appealed by the
101 Attorney General to the Supreme Court. If an appeal from the
102 order is made, the state grand jury, except as otherwise ordered
103 by the Supreme Court, shall continue to exercise its powers
104 pending disposition of the appeal.

105 **SECTION 5.** Section 13-7-9, Mississippi Code of 1972, is
106 reenacted as follows:

107 13-7-9. A state grand jury may return indictments
108 irrespective of the county or judicial district where the offense
109 is committed. If an indictment is returned, it must be certified
110 and transferred for prosecution to the county designated by the
111 impaneling judge. The powers and duties of and the law applicable
112 to county grand juries apply to the state grand jury, except when
113 such powers and duties and applicable law are inconsistent with
114 the provisions of this chapter.

115 **SECTION 6.** Section 13-7-11, Mississippi Code of 1972, is
116 reenacted as follows:

117 13-7-11. The Attorney General or his designee shall attend
118 sessions of a state grand jury and shall serve as its legal
119 advisor. The Attorney General or his designee shall examine
120 witnesses, present evidence, and draft indictments and reports
121 upon the direction of a state grand jury.

122 **SECTION 7.** Section 13-7-13, Mississippi Code of 1972, is
123 reenacted as follows:

124 13-7-13. The impaneling judge shall appoint a circuit clerk
125 who shall serve as the clerk of the state grand jury. The
126 compensation of the state grand jury clerk shall be paid out of
127 any available funds appropriated for that purpose.

128 **SECTION 8.** Section 13-7-15, Mississippi Code of 1972, is
129 reenacted as follows:

130 13-7-15. After the impaneling judge orders a term for the
131 state grand jury on petition of the Attorney General, the
132 impaneling judge shall order that the circuit clerk for each
133 county shall proceed to draw at random from the jury box as
134 provided by Section 13-5-26, the name of one (1) voter of such
135 county for each two thousand (2,000) voters or fraction thereof
136 registered in such county and shall place these names on a list.
137 The circuit clerk shall not disqualify or excuse any individual
138 whose name is drawn. When the list is compiled, the clerk of the
139 circuit court for each county shall forward the list to the clerk
140 of the state grand jury. Upon receipt of all the lists from the
141 clerks of the circuit courts, the clerk of the state grand jury
142 shall place all the names so received upon a list which shall be
143 known as the master list.

144 The impaneling judge shall order the clerk of the state grand
145 jury to produce the master list and shall direct the random
146 drawing of the names of one hundred (100) persons from the master
147 list. The names drawn shall be given to the clerk of the state
148 grand jury who shall cause each person drawn for service to be
149 served with a summons either personally by the sheriff of the
150 county where the juror resides or by mail, addressed to the juror
151 at his usual residence, business or post office address, requiring
152 him to report for state grand jury service at a specified time and
153 place as designated by the impaneling judge. From the one hundred
154 (100) persons summoned, a state grand jury shall be drawn for that
155 term consisting of twenty (20) persons. State grand jurors must
156 be drawn in the same manner as jurors are drawn for service on the
157 county grand jury.

158 All qualified persons shall be liable to serve as state grand
159 jurors, unless excused by the court for one (1) of the following
160 causes:

161 (a) When the juror is ill, or when on account of
162 serious illness in the juror's family, the presence of the juror
163 is required at home;

164 (b) When the juror's attendance would cause a serious
165 financial loss to the juror or to the juror's business; or

166 (c) When the juror is under an emergency, fairly
167 equivalent to those mentioned in the foregoing paragraphs (a) and
168 (b).

169 An excuse of illness under paragraph (a) may be made to the
170 state grand jury clerk outside of open court by providing the
171 clerk with either a certificate of a licensed physician or an
172 affidavit of the juror, stating that the juror is ill or that
173 there is a serious illness in the juror's family. The test of an
174 excuse under paragraph (b) shall be whether, if the juror were
175 incapacitated by illness or otherwise for a week, some other
176 persons would be available or could reasonably be procured to
177 carry on the business for the week, and the test of an excuse
178 under paragraph (c) shall be such as to be the fair equivalent,
179 under the circumstances of that prescribed under paragraph (b).
180 In cases under paragraphs (b) and (c) the excuse must be made by
181 the juror, in open court, under oath.

182 It shall be unlawful for any employer or other person to
183 persuade or attempt to persuade any juror to avoid jury service,
184 or to intimidate or to threaten any juror in that respect. So to
185 do shall be deemed an interference with the administration of
186 justice and a contempt of court and punishable as such.

187 Every citizen over sixty-five (65) years of age shall be
188 exempt from service if he claims the privilege. No qualified
189 juror shall be excluded because of such reason, but the same shall
190 be a personal privilege to be claimed by any person selected for
191 state grand jury duty. Any citizen over sixty-five (65) years of
192 age may claim this personal privilege outside of open court by

193 providing the clerk of court with information that allows the
194 clerk to determine the validity of the claim.

195 The state grand jurors shall be charged by the impaneling
196 judge as to their authority and responsibility under the law and
197 each juror shall be sworn pursuant to Section 13-5-45. Nothing in
198 this section shall be construed as limiting the right of the
199 Attorney General or his designee to request that a potential state
200 grand juror be excused for cause. The jury selection process
201 shall be conducted by the impaneling judge. Jurors of a state
202 grand jury shall receive reimbursement for travel and mileage as
203 provided for state employees by Section 25-3-41 and shall be paid
204 per diem compensation in the amount provided by Section 25-3-69.
205 All compensation and expenses for meals and lodging of state grand
206 jurors shall be paid out of any available funds appropriated for
207 that purpose.

208 **SECTION 9.** Section 13-7-17, Mississippi Code of 1972, is
209 reenacted as follows:

210 13-7-17. The impaneling judge shall appoint one (1) of the
211 jurors to be a foreman and another to be deputy foreman. During
212 the absence of the foreman, the deputy foreman shall act as
213 foreman. The foreman and deputy foreman shall be sworn pursuant
214 to Section 13-5-45.

215 **SECTION 10.** Section 13-7-19, Mississippi Code of 1972, is
216 reenacted as follows:

217 13-7-19. After the state grand jurors shall have been sworn
218 and impaneled, no objections shall be raised by plea or otherwise,
219 to the state grand jury, but the impaneling of the state grand
220 jury shall be conclusive evidence of its competency and
221 qualifications. However, any party interested may challenge the
222 jury, except to the array, for fraud.

223 **SECTION 11.** Section 13-7-21, Mississippi Code of 1972, is
224 reenacted as follows:

225 13-7-21. The clerk of the state grand jury, upon request of
226 the Attorney General or his designee, shall issue subpoenas, or
227 subpoenas duces tecum to compel individuals, documents or other
228 materials to be brought from anywhere in the state or another
229 state to a state grand jury. In addition, a state grand jury may
230 proceed in the same manner as is provided for by law in relation
231 to the issuance of subpoenas and subpoenas duces tecum; however,
232 the provisions of such law shall not be considered a limitation
233 upon this section, but shall be supplemental thereto. The
234 subpoenas and subpoenas duces tecum may be for investigative
235 purposes and for the retention of documents or other materials so
236 subpoenaed for proper criminal proceedings. Any investigator
237 employed by the Attorney General or any law enforcement officer
238 with appropriate jurisdiction is empowered to serve such subpoenas
239 and subpoenas duces tecum and receive such documents and other
240 materials for return to a state grand jury. Any person violating
241 a subpoena or subpoena duces tecum issued pursuant to this
242 chapter, or who fails to fully answer all questions put to him
243 before proceedings of the state grand jury whenever the response
244 thereto is not privileged or otherwise protected by law, including
245 the granting of immunity as authorized by this chapter, or any
246 other law, may be punished by the impaneling judge for contempt
247 provided the response is not privileged or otherwise protected by
248 law. The Attorney General or his designee may petition the
249 impaneling judge to compel compliance by the person alleged to
250 have committed the violation or who has failed to answer. If the
251 impaneling judge considers compliance is warranted, he may order
252 compliance and may punish the individual for contempt, as provided
253 in Section 9-1-17, where the compliance does not occur. The clerk
254 of the state grand jury may also issue subpoenas and subpoenas
255 duces tecum to compel individuals, documents or other materials to
256 be brought from anywhere in the state to the trial of any
257 indictment returned by a state grand jury or the trial of any

258 civil forfeiture action arising out of an investigation conducted
259 by a state grand jury.

260 **SECTION 12.** Section 13-7-23, Mississippi Code of 1972, is
261 reenacted as follows:

262 13-7-23. Once a state grand jury has entered into a term,
263 the petition and order establishing and impaneling the state grand
264 jury may be amended as often as necessary and appropriate so as to
265 expand the areas of inquiry authorized by the order or to add
266 additional areas of inquiry thereto, consistent with the
267 provisions of this chapter. The procedures for amending this
268 authority are the same as those for filing the original petition
269 and order.

270 **SECTION 13.** Section 13-7-25, Mississippi Code of 1972, is
271 reenacted as follows:

272 13-7-25. A court reporter shall record either
273 stenographically or by use of an electronic recording device, all
274 state grand jury proceedings except when the state grand jury is
275 deliberating or voting. Subject to the limitations of Section
276 13-7-29 and any rule of court, a defendant has the right to review
277 and to reproduce the stenographically or electronically recorded
278 materials. Transcripts of the recorded testimony or proceedings
279 must be made when requested by the Attorney General or his
280 designee. An unintentional failure of any recording to reproduce
281 all or any portion of the testimony or proceeding shall not affect
282 the validity of the prosecution. The recording or reporter's
283 notes or any transcript prepared therefrom and all books, papers,
284 records and correspondence produced before the state grand jury
285 shall remain in the custody and control of the Attorney General or
286 his designee unless otherwise ordered by the court in a particular
287 case.

288 **SECTION 14.** Section 13-7-27, Mississippi Code of 1972, is
289 reenacted as follows:

290 13-7-27. The foreman shall administer an oath or affirmation
291 in the manner prescribed by law to any witness who testifies
292 before a state grand jury.

293 **SECTION 15.** Section 13-7-29, Mississippi Code of 1972, is
294 reenacted as follows:

295 13-7-29. (1) State grand jury proceedings are secret, and a
296 state grand juror shall not disclose the nature or substance of
297 the deliberations or vote of the state grand jury. The only
298 persons who may be present in the state grand jury room when a
299 state grand jury is in session, except for deliberations and
300 voting, are the state grand jurors, the Attorney General or his
301 designees, an interpreter if necessary and the witness testifying.
302 A state grand juror, the Attorney General or his designees, any
303 interpreter used and any person to whom disclosure is made
304 pursuant to subsection (2)(b) of this section may not disclose the
305 testimony of a witness examined before a state grand jury or other
306 evidence received by it except when directed by a court for the
307 purpose of:

308 (a) Ascertaining whether it is consistent with the
309 testimony given by the witness before the court in any subsequent
310 criminal proceedings;

311 (b) Determining whether the witness is guilty of
312 perjury;

313 (c) Assisting local, state or federal law enforcement
314 or investigating agencies, including another grand jury, in
315 investigating crimes under their investigative jurisdiction;

316 (d) Providing the defendant the materials to which he
317 is entitled pursuant to Section 13-7-25; or

318 (e) Complying with constitutional, statutory or other
319 legal requirements or to further justice.

320 If the court orders disclosure of matters occurring before a
321 state grand jury, the disclosure shall be made in that manner, at
322 that time, and under those conditions as the court directs.

323 (2) In addition, disclosure of testimony of a witness
324 examined before a state grand jury or other evidence received by
325 it may be made without being directed by a court to:

326 (a) The Attorney General or his designees for use in
327 the performance of their duties; or

328 (b) Those governmental personnel, including personnel
329 of the state or its political subdivisions, as are considered
330 necessary by the Attorney General or his designee to assist in the
331 performance of their duties to enforce the criminal laws of the
332 state; however, any person to whom matters are disclosed under
333 this paragraph (b) shall not utilize the state grand jury material
334 for purposes other than assisting the Attorney General or his
335 designee in the performance of their duties to enforce the
336 criminal laws of this state. The Attorney General or his
337 designees shall promptly provide the impaneling judge the names of
338 the persons to whom the disclosure has been made and shall certify
339 that he has advised these persons of their obligations of secrecy
340 under this section.

341 (3) Nothing in this section affects the attorney-client
342 relationship. A client has the right to communicate to his
343 attorney any testimony given by the client to a state grand jury,
344 any matters involving the client discussed in the client's
345 presence before a state grand jury and evidence involving the
346 client received by a proffer to a state grand jury in the client's
347 presence.

348 (4) Any person violating the provisions of this section is
349 guilty of a misdemeanor and, upon conviction, shall be punished by
350 a fine not exceeding Five Thousand Dollars (\$5,000.00), or by a
351 term of imprisonment not exceeding one (1) year, or by both such
352 fine and imprisonment.

353 (5) State grand jurors, the Attorney General and his
354 designee, any interpreter used and the clerk of the state grand

355 jury shall be sworn to secrecy and also may be punished for
356 criminal contempt for violations of this section.

357 **SECTION 16.** Section 13-7-31, Mississippi Code of 1972, is
358 reenacted as follows:

359 13-7-31. Except for the prosecution of cases arising from
360 indictments issued by the state grand jury, the impaneling judge
361 has jurisdiction to hear all matters arising from the proceedings
362 of a state grand jury, including, but not limited to, matters
363 related to the impanelment or removal of state grand jurors, the
364 quashing of subpoenas and the punishment for contempt.

365 **SECTION 17.** Section 13-7-33, Mississippi Code of 1972, is
366 reenacted as follows:

367 13-7-33. The Attorney General or his designee shall
368 coordinate the scheduling of activities of any state grand jury.

369 **SECTION 18.** Section 13-7-35, Mississippi Code of 1972, is
370 reenacted as follows:

371 13-7-35. (1) In order to return a "True Bill" of
372 indictment, twelve (12) or more state grand jurors must find that
373 probable cause exists for the indictment and vote in favor of the
374 indictment. Upon indictment by a state grand jury, the indictment
375 shall be returned to the impaneling judge. If the impaneling
376 judge considers the indictment to be within the authority of the
377 state grand jury and otherwise in accordance with the provisions
378 of this chapter, he shall order the clerk of the state grand jury
379 to certify the indictment and return the indictment to the county
380 designated by the impaneling judge as the county in which the
381 indictment shall be tried.

382 (2) Indictments returned by a state grand jury are properly
383 triable in any county of the state where any of the alleged
384 conduct occurred. The impaneling judge to whom the indictment is
385 returned shall designate the county in which the indictment shall
386 be tried. If a multicount indictment returned by a state grand
387 jury is properly triable in a single proceeding as otherwise

388 provided by law, all counts may be tried in the county designated
389 by the impaneling judge notwithstanding the fact that different
390 counts may have occurred in more than one (1) county.

391 (3) In determining the venue for indictments returned by a
392 state grand jury, the impaneling judge shall select the county in
393 which the state and defendant may receive a fair trial before an
394 impartial jury taking into consideration the totality of the
395 circumstances of each case.

396 (4) When the indictment has been returned to the circuit
397 clerk of the county designated by the impaneling judge, the capias
398 shall be issued as otherwise provided by law. The indictment
399 shall be kept secret until the defendant is in custody or has been
400 released pending trial.

401 **SECTION 19.** Section 13-7-37, Mississippi Code of 1972, is
402 reenacted as follows:

403 13-7-37. If any person asks to be excused from testifying
404 before a state grand jury or from producing any books, papers,
405 records, correspondence or other documents before a state grand
406 jury on the ground that the testimony or evidence required of him
407 may tend to incriminate him or subject him to any penalty or
408 forfeiture and such person, notwithstanding such ground, is
409 directed by the impaneling judge to give the testimony or produce
410 the evidence, he shall comply with this direction, but no
411 testimony so given or evidence produced may be received against
412 him in any criminal action, investigation or criminal proceeding.
413 No individual testifying or producing evidence or documents is
414 exempt from prosecution or punishment for any perjury committed by
415 him while so testifying, and the testimony or evidence given or
416 produced is admissible against him upon any criminal action,
417 criminal investigation or criminal proceeding concerning this
418 perjury; however, any individual may execute, acknowledge and file
419 a statement with the appropriate court expressly waiving immunity
420 or privilege in respect to any testimony given or produced and

421 thereupon the testimony or evidence given or produced may be
422 received or produced before any judge or justice, court tribunal,
423 grand jury or otherwise, and if so received or produced, the
424 individual is not entitled to any immunity or privilege on account
425 of any testimony he may give or evidence produced.

426 **SECTION 20.** Section 13-7-39, Mississippi Code of 1972, is
427 reenacted as follows:

428 13-7-39. Records, orders and subpoenas related to state
429 grand jury proceedings shall be kept under seal to the extent and
430 for the time that is necessary to prevent disclosure of matters
431 occurring before a state grand jury.

432 **SECTION 21.** Section 13-7-41, Mississippi Code of 1972, is
433 reenacted as follows:

434 13-7-41. The Attorney General shall make available suitable
435 space for state grand juries to meet. The Mississippi Department
436 of Public Safety and the Mississippi Bureau of Narcotics may
437 provide such services as required by the Attorney General and the
438 state grand juries.

439 **SECTION 22.** Section 13-7-43, Mississippi Code of 1972, is
440 reenacted as follows:

441 13-7-43. The Supreme Court may promulgate rules as are
442 necessary for the operation of the state grand jury system
443 established by this chapter.

444 **SECTION 23.** Section 13-7-45, Mississippi Code of 1972, is
445 reenacted as follows:

446 13-7-45. If any part of this chapter is declared invalid,
447 unenforceable or unconstitutional by a court of competent
448 jurisdiction, that part shall be severable from the remaining
449 portions of this chapter, which portions shall remain in full
450 force and effect as if the invalid, unenforceable or
451 unconstitutional portion were omitted.

452 **SECTION 24.** Section 13-7-47, Mississippi Code of 1972, is
453 reenacted as follows:

454 13-7-47. This chapter applies to offenses committed both
455 before and after its effective date.

456 **SECTION 25.** Section 13-7-49, Mississippi Code of 1972, is
457 reenacted as follows:

458 13-7-49. Nothing in this chapter shall be construed as
459 amending, repealing or superseding any other law of this state
460 governing the powers and duties of county grand jurors, district
461 attorneys or law enforcement agencies or other officials with
462 regard to their authority to investigate, indict or prosecute
463 offenses that are prescribed by this chapter as within the
464 jurisdiction of the state grand jury.

465 **SECTION 26.** Section 99-11-3, Mississippi Code of 1972, is
466 reenacted and amended as follows:

467 99-11-3. (1) The local jurisdiction of all offenses, unless
468 otherwise provided by law, shall be in the county where committed.
469 But, if on the trial the evidence makes it doubtful in which of
470 several counties, including that in which the indictment or
471 affidavit alleges the offense was committed, such doubt shall not
472 avail to procure the acquittal of the defendant.

473 (2) The provisions of subsection (1) of this section shall
474 not apply to indictments returned by a state grand jury. The
475 venue of trials for indictments returned by a state grand jury
476 shall be as provided by the State Grand Jury Act. This subsection
477 shall stand repealed from and after July 1, 2007.

478 **SECTION 27.** Section 27, Chapter 553, Laws of 1993, as
479 amended by Chapter 382, Laws of 1998, as amended by Chapter 480,
480 Laws of 1999, as amended by Chapter 471, Laws of 2002, is amended
481 as follows:

482 Section 27. This act shall take effect and be in force from
483 and after its passage, and, with the exception of Section 22,
484 shall stand repealed from and after July 1, 2007.

485 **SECTION 28.** This act shall take effect and be in force from
486 and after July 1, 2005.