

By: Representative Zuber

To: Transportation

## HOUSE BILL NO. 1269

1 AN ACT TO AMEND SECTION 63-1-46, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE FEES FOR REINSTATEMENT OF DRIVERS' LICENSES THAT HAVE  
3 BEEN SUSPENDED, REVOKED OR CANCELLED; TO PROVIDE THAT A PORTION OF  
4 THE FEES SHALL BE EXPENDED BY THE DEPARTMENT OF PUBLIC SAFETY,  
5 UPON APPROPRIATION BY THE LEGISLATURE, TO PROVIDE OVERTIME PAY FOR  
6 MISSISSIPPI HIGHWAY SAFETY PATROL OFFICERS; AND FOR RELATED  
7 PURPOSES.

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

9 **SECTION 1.** Section 63-1-46, Mississippi Code of 1972, is  
10 amended as follows:

11 63-1-46. (1) A fee of Fifty Dollars (\$50.00) shall be  
12 charged for the reinstatement of a license issued pursuant to this  
13 article to every person whose license has been validly suspended,  
14 revoked or cancelled. This fee shall be charged for each offense  
15 of which the person was convicted that prescribes a penalty that  
16 includes the suspension, revocation or cancellation of the  
17 person's license and shall be in addition to the fee provided for  
18 in Section 63-1-43.

19 (2) One-half (1/2) of the funds received under the  
20 provisions of subsection (1) of this section shall be deposited  
21 into the State General Fund in accordance with Section 45-1-23,  
22 and the remaining one-half (1/2) of the fees shall be expended by  
23 the Department of Public Safety, upon appropriation by the  
24 Legislature, to provide overtime pay for Mississippi Highway  
25 Safety Patrol officers who work more than a forty-hour shift.

26 (3) In addition to the fee provided for in subsection (1) of  
27 this section, an additional fee of Twenty Dollars (\$20.00) shall  
28 be charged for the reinstatement of a license issued pursuant to  
29 this article to every person whose license has been suspended or

30 revoked under the provisions of the Mississippi Implied Consent  
31 Law or as a result of a conviction of a violation of the Uniform  
32 Controlled Substances Law under the provisions of Section 63-1-71.  
33 This additional fee shall be charged for each offense of which the  
34 person was convicted under the provisions of the Mississippi  
35 Implied Consent Law or the Uniform Controlled Substances Law that  
36 prescribes a penalty that includes the suspension or revocation of  
37 the person's license.

38 (4) Of the funds received under the provisions of subsection  
39 (3) of this section, Seventy-five Dollars (\$75.00) shall be placed  
40 in a special fund hereby created in the State Treasury. Monies in  
41 such special fund may be expended solely to contribute to the  
42 Disability and Relief Fund for members of the Mississippi Highway  
43 Safety Patrol such amounts as are necessary to make sworn agents  
44 of the Mississippi Bureau of Narcotics who were employed by such  
45 bureau prior to December 1, 1990, and who were subsequently  
46 employed as enforcement troopers by the Department of Public  
47 Safety, full members of the retirement system for the Mississippi  
48 Highway Safety Patrol with full credit for the time they were  
49 employed as sworn agents for the Mississippi Bureau of Narcotics.  
50 The Board of Trustees of the Public Employees' Retirement System  
51 shall certify to the State Treasurer the amounts necessary for the  
52 purposes described above. The State Treasurer shall monthly  
53 transfer from the special fund created pursuant to this subsection  
54 the amounts deposited in such special fund to the Disability and  
55 Relief Fund for members of the Mississippi Highway Safety Patrol  
56 until such time as the certified amount has been transferred. At  
57 such time as the certified amount has been transferred, the State  
58 Treasurer shall transfer any funds remaining in the special fund  
59 created pursuant to this subsection to the State General Fund and  
60 shall then dissolve such special fund. This subsection (4) shall  
61 stand repealed at such time when the State Treasurer transfers  
62 funds and dissolves the special fund account in accordance with

63 the provisions of this subsection. Of the remaining funds,  
64 Seventy-five Dollars (\$75.00) shall be deposited into the State  
65 General Fund and Fifty Dollars (\$50.00) shall be expended by the  
66 Department of Public Safety, upon appropriation by the  
67 Legislature, to provide overtime pay for Mississippi Highway  
68 Safety Patrol officers who work more than a forty-hour shift.

69 (5) The procedure for the reinstatement of a license issued  
70 pursuant to this article that has been suspended for being out of  
71 compliance with an order for support, as defined in Section  
72 93-11-153, and the payment of any fees for the reinstatement of a  
73 license suspended for that purpose, shall be governed by Section  
74 93-11-157 or 93-11-163, as the case may be.

75 **SECTION 2.** This act shall take effect and be in force from  
76 and after July 1, 2006.