

By: Senator(s) Mettetal

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 2288

1 AN ACT TO AMEND SECTION 25-7-47, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE WITNESS APPEARANCE FEE IN STATE COURT; TO REVISE
3 MILEAGE PAID TO WITNESSES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-7-47, Mississippi Code of 1972, is
6 amended as follows:

7 25-7-47. Witnesses in the county, circuit and chancery
8 courts shall receive a witness fee in the amount allowable to
9 witnesses in the federal courts and the mileage reimbursement rate
10 allowable to federal employees for the use of a privately-owned
11 vehicle while on official travel for each mile going to and
12 returning from the courthouse to their homes by the nearest route,
13 and such tolls and ferriages as they may actually be obliged to
14 pay; but mileage, toll and ferriage shall be charged but once at
15 each term of court, and a charge shall not be made for mileage
16 except that traveled in this state. Witnesses before a justice
17 court judge shall be allowed the federal witness appearance fee
18 per day and no more. Witnesses in all other cases shall receive
19 the same compensation as they receive before the circuit court.
20 It shall not be necessary to issue subpoenas for police officers
21 as witnesses in city cases of cities having a population of more
22 than ten thousand (10,000) according to the federal census of
23 1930; and such officers, when used as witnesses in such cases, are
24 not to be allowed witness fees. A law enforcement officer who has
25 retired or otherwise ceased employment as a law enforcement
26 officer but who is required to testify in any case based on
27 matters that arose during the course of the officer's employment

28 shall be entitled to the same compensation and expenses from the
29 former employing law enforcement agency as an officer on active
30 duty under the same circumstances.

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