

By: Senator(s) Davis, Burton, Butler, Carmichael, Chaney, Dawkins, Dearing, Horhn, Jackson (11th), Jackson (32nd), Jordan, King, Lee (35th), Little, Morgan, Posey, Robertson, Tollison, Walls, Williamson

To: Judiciary, Division B

SENATE BILL NO. 2418

1 AN ACT TO AMEND SECTION 63-1-46, MISSISSIPPI CODE OF 1972, TO
2 INCREASE REINSTATEMENT FEES FOR SUSPENDED DRIVERS' LICENSES; TO
3 PROVIDE FOR THE DISPOSITION OF THE ADDITIONAL REVENUE; AND FOR
4 RELATED PURPOSES.

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

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

8 63-1-46. (1) A fee of Fifty Dollars (\$50.00) shall be
9 charged for the reinstatement of a license issued pursuant to this
10 article to every person whose license has been validly suspended,
11 revoked or cancelled. This fee shall be in addition to the fee
12 provided for in Section 63-1-43 * * *.

13 (2) (a) One-half (1/2) of the funds received under the
14 provisions of subsection (1) of this section shall be deposited
15 into the State General Fund in accordance with Section
16 45-1-23, * * *, and the remaining one-half (1/2) shall be used for
17 overtime pay for Highway Safety Patrol officers.

18 (b) There is created in the State Treasury a special
19 fund to be known as the Highway Safety Patrol Overtime Fund. The
20 purpose of the fund shall be to provide funding for overtime pay
21 for Highway Safety Patrol officers. The fund shall be a
22 continuing fund, not subject to fiscal-year limitations, and shall
23 consist of:

- 24 (i) Monies appropriated by the Legislature;
- 25 (ii) The interest accruing to the fund;
- 26 (iii) Monies received under the provisions of this
27 section.

28 (3) In addition to the fee provided for in subsection (1) of
29 this section, an additional fee of Two Hundred Dollars (\$200.00)
30 shall be charged for the reinstatement of a license issued
31 pursuant to this article to every person whose license has been
32 suspended or revoked under the provisions of the Mississippi
33 Implied Consent Law or as a result of a conviction of a violation
34 of the Uniform Controlled Substances Law under the provisions of
35 Section 63-1-71.

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

61 fund account in accordance with the provisions of this subsection.

62 (b) Seventy-five Dollars (\$75.00) shall be deposited to
63 the State General Fund, and Fifty Dollars (\$50.00) shall be
64 deposited in the Highway Safety Patrol Overtime Fund.

65 (5) The procedure for the reinstatement of a license issued
66 pursuant to this article that has been suspended for being out of
67 compliance with an order for support, as defined in Section
68 93-11-153, and the payment of any fees for the reinstatement of a
69 license suspended for that purpose, shall be governed by Section
70 93-11-157 or 93-11-163, as the case may be.

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