

By: Senator(s) Walls

To: Judiciary, Division B

SENATE BILL NO. 2971

1 AN ACT TO AMEND SECTION 63-1-46, MISSISSIPPI CODE OF 1972, TO
2 ALLOW REINSTATEMENT OF A PERSON'S DRIVER'S LICENSE PURSUANT TO A
3 PAYMENT PLAN; AND FOR RELATED PURPOSES.

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

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

7 63-1-46. (1) A fee of Twenty-five Dollars (\$25.00) shall be
8 charged for the reinstatement of a license issued pursuant to this
9 article to every person whose license has been validly suspended,
10 revoked or cancelled. This fee shall be in addition to the fee
11 provided for in Section 63-1-43, Mississippi Code of 1972.

12 (2) The funds received under the provisions of subsection
13 (1) of this section shall be deposited into the State General Fund
14 in accordance with Section 45-1-23, Mississippi Code of 1972.

15 (3) In addition to the fee provided for in subsection (1) of
16 this section, an additional fee of Seventy-five Dollars (\$75.00)
17 shall be charged for the reinstatement of a license issued
18 pursuant to this article to every person whose license has been
19 suspended or revoked under the provisions of the Mississippi
20 Implied Consent Law or as a result of a conviction of a violation
21 of the Uniform Controlled Substances Law under the provisions of
22 Section 63-1-71.

23 (4) The funds received under the provisions of subsection
24 (3) of this section shall be placed in a special fund hereby
25 created in the State Treasury. Monies in such special fund may be
26 expended solely to contribute to the Disability and Relief Fund
27 for members of the Mississippi Highway Safety Patrol such amounts

28 as are necessary to make sworn agents of the Mississippi Bureau of
29 Narcotics who were employed by such bureau prior to December 1,
30 1990, and who were subsequently employed as enforcement troopers
31 by the Department of Public Safety, full members of the retirement
32 system for the Mississippi Highway Safety Patrol with full credit
33 for the time they were employed as sworn agents for the
34 Mississippi Bureau of Narcotics. The Board of Trustees of the
35 Public Employees' Retirement System shall certify to the State
36 Treasurer the amounts necessary for the purposes described above.
37 The State Treasurer shall monthly transfer from the special fund
38 created pursuant to this subsection the amounts deposited in such
39 special fund to the Disability and Relief Fund for members of the
40 Mississippi Highway Safety Patrol until such time as the certified
41 amount has been transferred. At such time as the certified amount
42 has been transferred, the State Treasurer shall transfer any funds
43 remaining in the special fund created pursuant to this subsection
44 to the State General Fund and shall then dissolve such special
45 fund. This subsection (4) shall stand repealed at such time when
46 the State Treasurer transfers funds and dissolves the special fund
47 account in accordance with the provisions of this subsection.

48 (5) The procedure for the reinstatement of a license issued
49 pursuant to this article that has been suspended for being out of
50 compliance with an order for support, as defined in Section
51 93-11-153, and the payment of any fees for the reinstatement of a
52 license suspended for that purpose, shall be governed by Section
53 93-11-157 or 93-11-163, as the case may be.

54 (6) The department is hereby authorized to reinstate a
55 person's driving privileges when the person provides the
56 department with certification from the court or clerk of court
57 issuing the order that resulted in the suspension of driving
58 privileges has entered into a payment plan with the court and has
59 satisfied all other provisions of law relating to the issuance and
60 restoration of a driver's license.

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