

By: Representative Read

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 887

1 AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE STATE AGENCIES TO CHARGE EACH OTHER FOR SERVICES IF
3 FEDERAL GRANTS, PASS-THROUGH FUNDS, COST ALLOCATION CHARGES,
4 SURPLUS PROPERTY CHARGES, PROJECT FEES OR NONRECURRING FEES ARE
5 INVOLVED; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972,
6 TO PROVIDE THAT CERTAIN SPECIAL FUNDS SHALL BE EXEMPT FROM THE
7 REQUIREMENT THAT ALL SPECIAL FUNDS ARE TO BE DEPOSITED INTO THE
8 STATE GENERAL FUND; TO AMEND SECTIONS 7-3-59, 23-15-169.7 AND
9 79-29-1203, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE END OF
10 YEAR BALANCE OF THE HELP MISSISSIPPI VOTE FUND AND THE ELECTIONS
11 SUPPORT FUND SHALL BE DEPOSITED INTO THE STATE GENERAL FUND AND
12 THE PROGRAM SHALL BE ADMINISTERED FROM APPROPRIATIONS FROM THE
13 STATE GENERAL FUND; TO BRING FORWARD SECTION 23-15-5, MISSISSIPPI
14 CODE OF 1972, WHICH CREATED THE ELECTIONS SUPPORT FUND AND
15 PROVIDES FOR THE DISTRIBUTION OF THE MONIES IN THE FUND, FOR THE
16 PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 7-5-305,
17 MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE EXPENSES OF THE
18 INSURANCE INTEGRITY ENFORCEMENT FUND PROGRAM SHALL BE DEFRAID BY
19 APPROPRIATION FROM THE STATE GENERAL FUND AND ALL FEES AUTHORIZED
20 UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE STATE GENERAL FUND
21 AS DETERMINED BY THE STATE FISCAL OFFICER; TO AMEND SECTIONS
22 9-11-35 AND 21-23-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
23 THE MISSISSIPPI DEPARTMENT OF REVENUE SHALL ADMINISTER THE JUSTICE
24 COURT COLLECTIONS PAYMENT PROGRAM AND THE MUNICIPAL COURT
25 COLLECTIONS PAYMENT PROGRAM; TO DELETE THE JUSTICE COURT
26 COLLECTIONS SPECIAL FUND; TO DELETE THE MUNICIPAL COURT
27 COLLECTIONS SPECIAL FUND; TO AMEND SECTION 11-46-17, MISSISSIPPI
28 CODE OF 1972, TO PROVIDE THAT THE TORT CLAIMS BOARD SHALL BE
29 EXEMPT FROM THE REQUIREMENT THAT SPECIAL FUNDS ARE TO BE DEPOSITED
30 INTO THE STATE GENERAL FUND AND FROM THE PROHIBITION AGAINST
31 CHARGING FEES; TO AUTHORIZE THE BOARD TO CHARGE CERTAIN FEES
32 DURING FISCAL UPON 2017; TO AMEND SECTIONS 27-19-99 AND 27-19-155,
33 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LICENSE PLATES AND DECAL
34 FEES SHALL BE DEPOSITED INTO THE STATE GENERAL FUND; TO AMEND



35 SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE
36 EXPENSES OF THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND
37 PROGRAM SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL
38 FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED
39 INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE FISCAL
40 OFFICER; TO AMEND SECTION 27-104-21, MISSISSIPPI CODE OF 1972, TO
41 PROVIDE THAT REVENUE FROM THE STATEWIDE COST ALLOCATION (SWCA)
42 PLAN SHALL ONLY BE USED BY THE DEPARTMENT OF FINANCE AND
43 ADMINISTRATION FOR THE MAINTENANCE OF STATE-OWNED PROPERTY; TO
44 AMEND SECTION 29-1-95, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
45 THE PROCEEDS FROM TAX SALES IN THE LAND RECORDS MAINTENANCE FUND
46 ADMINISTERED BY THE SECRETARY OF STATE USED TO PAY TAXES DUE TO
47 LOCAL GOVERNMENTAL ENTITIES SHALL BE EXEMPT FROM THE REQUIREMENT
48 THAT ALL SPECIAL FUNDS ARE TO BE DEPOSITED INTO THE STATE GENERAL
49 FUND; TO AMEND SECTIONS 37-26-3 AND 37-26-9, MISSISSIPPI CODE OF
50 1972, TO CLARIFY THAT THE EXPENSES OF THE STATE COURT EDUCATION
51 FUND AND THE STATE PROSECUTOR EDUCATION FUND AND THE STATE COURT
52 CONSTITUENTS FUND AND THE STATE COURT SECURITY SYSTEMS FUND
53 PROGRAMS SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL
54 FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED
55 INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE FISCAL
56 OFFICER; TO AMEND SECTION 37-26-11, MISSISSIPPI CODE OF 1972, TO
57 CLARIFY THAT THE EXPENSES OF THE CHILDREN'S ADVOCACY CENTERS FUND
58 PROGRAM SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL
59 FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED
60 INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE FISCAL
61 OFFICER; TO AMEND SECTION 43-19-61, MISSISSIPPI CODE OF 1972, TO
62 CLARIFY THAT THE EXPENSES OF THE LEGAL DIVISION OF THE CHILD
63 SUPPORT UNIT SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE
64 GENERAL FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE
65 DEPOSITED INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE
66 FISCAL OFFICER AND TO DELETE REFERENCE TO CERTAIN TRUST FUNDS; TO
67 AMEND SECTION 43-47-39, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT
68 THE EXPENSES OF THE VULNERABLE PERSONS UNIT SHALL BE DEFRAID BY
69 APPROPRIATION FROM THE STATE GENERAL FUND AND ALL FEES AUTHORIZED
70 UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE STATE GENERAL FUND
71 AS DETERMINED BY THE STATE FISCAL OFFICER; TO AMEND SECTION
72 45-2-21, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE EXPENSES OF
73 THE LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS DISABILITIES
74 BENEFITS FUND SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE
75 GENERAL FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE
76 DEPOSITED INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE
77 FISCAL OFFICER; TO AMEND SECTION 45-6-21, MISSISSIPPI CODE OF
78 1972, TO CLARIFY THAT THE EXPENSES OF THE MOTORCYCLE OFFICERS
79 TRAINING PROGRAM SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE
80 GENERAL FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE
81 DEPOSITED INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE
82 FISCAL OFFICER; TO AMEND SECTION 53-1-77, MISSISSIPPI CODE OF
83 1972, TO DELETE THE PROVISIONS THAT REQUIRES THE EXPENSES OF THE
84 EMERGENCY PLUGGING PROGRAM AND THE OIL AND GAS CONSERVATION FUND
85 PROGRAM TO BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL



86 FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM TO BE DEPOSITED
87 INTO THE STATE GENERAL FUND; TO AMEND SECTION 71-3-73, MISSISSIPPI
88 CODE OF 1972, TO PROVIDE THAT THE YEAR-END BALANCE OF THE SECOND
89 INJURY FUND SHALL BE DEPOSITED INTO THE STATE GENERAL FUND; TO
90 AMEND SECTION 75-57-119, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT
91 THE PROPANE EDUCATION AND RESEARCH FUND SHALL BE DIVERTED INTO THE
92 STATE GENERAL FUND AND THE PROGRAM SHALL BE ADMINISTERED BY
93 APPROPRIATION FROM THE STATE GENERAL FUND; TO AMEND SECTION
94 75-63-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PRENEED
95 CONTRACTS LOSS RECOVERY FUND SHALL BE EXEMPT FROM THE REQUIREMENT
96 THAT SPECIAL FUNDS BE DIVERTED INTO THE STATE GENERAL FUND AND TO
97 PROVIDE THAT NO SUCH FUNDS MAY BE USED IN THE ADMINISTRATION OF
98 THIS PROGRAM; TO AMEND SECTION 77-3-87, MISSISSIPPI CODE OF 1972,
99 TO CLARIFY THAT THE AMOUNT OF THE PUBLIC UTILITIES REGULATORY
100 ASSESSMENT SHALL NOT EXCEED THE TOTAL LEGISLATIVE APPROPRIATION
101 AND THAT THE PROCEEDS OF SUCH ASSESSMENT SHALL BE DEPOSITED INTO
102 THE STATE TREASURY FOR THE CREDIT OF THE GENERAL FUND; TO AMEND
103 SECTION 93-21-31, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE
104 EXPENSES OF THE DOMESTIC VIOLENCE DIVISION OF THE OFFICE OF
105 ATTORNEY GENERAL SHALL BE DEFRAID BY APPROPRIATION BY
106 APPROPRIATION FROM THE STATE GENERAL FUND AND ALL FEES AUTHORIZED
107 UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE STATE GENERAL FUND
108 AS DETERMINED BY THE STATE FISCAL OFFICER; TO AMEND SECTION
109 97-3-54.8, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE EXPENSES
110 OF THE RELIEF FOR VICTIMS OF HUMAN TRAFFICKING FUND PROGRAM SHALL
111 BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL FUND AND ALL
112 FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE
113 STATE GENERAL FUND AS DETERMINED BY THE STATE FISCAL OFFICER; TO
114 AMEND SECTION 97-33-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT
115 THE CHARITABLE BINGO FUND SHALL BE DIVERTED INTO THE STATE GENERAL
116 FUND AND THE CHARITABLE BINGO LAW SHALL BE ADMINISTERED BY
117 APPROPRIATION FROM THE STATE GENERAL FUND; TO AMEND SECTION
118 97-45-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE EXPENSES
119 OF THE ATTORNEY GENERAL'S CYBER CRIME CENTRAL SPECIAL FUND PROGRAM
120 SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL FUND AND
121 ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE
122 STATE GENERAL FUND AS DETERMINED BY THE STATE FISCAL OFFICER; TO
123 AMEND SECTION 99-41-29, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT
124 THE EXPENSES OF THE CRIME VICTIMS COMPENSATION FUND PROGRAM SHALL
125 BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL FUND AND ALL
126 FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE
127 STATE GENERAL FUND AS DETERMINED BY THE STATE FISCAL OFFICER; AND
128 FOR RELATED PURPOSES.

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

130 **SECTION 1.** Section 27-104-203, Mississippi Code of 1972, is
131 amended as follows:



132 27-104-203. From and after July 1, 2016, no state agency
133 shall charge another state agency a fee, assessment, rent, audit
134 fee, personnel fee or other charge for services or resources
135 received. The provisions of this section shall not apply (a) to
136 grants, contracts, pass-through funds, project fees or other
137 charges for services between state agencies and the Board of
138 Trustees of State Institutions of Higher Learning, any public
139 university, the Mississippi Community College Board, any public
140 community or junior college, and the State Department of
141 Education, nor (b) to charges for services between the Board of
142 Trustees of State Institutions of Higher Learning, any public
143 university, the Mississippi Community College Board, any public
144 community or junior college, and the State Department of
145 Education, nor (c) to federal grants, pass-through funds, cost
146 allocation charges, surplus property charges, project fees or
147 nonrecurring fees between state agencies as approved or determined
148 by the State Fiscal Officer. The Board of Trustees of State
149 Institutions of Higher Learning, any public university, the
150 Mississippi Community College Board, any public community or
151 junior college, and the State Department of Education shall retain
152 the authority to charge and be charged for expenditures that they
153 deemed nonrecurring in nature by the State Fiscal Officer.

154 **SECTION 2.** Section 27-104-205, Mississippi Code of 1972, is
155 amended as follows:



156 27-104-205. (1) From and after July 1, 2016, the expenses
157 of the following enumerated state agencies shall be defrayed by
158 appropriation of the Legislature from the State General Fund: the
159 State Fire Marshal, the State Fire Academy, the Office of
160 Secretary of State (not including the Preneed Contracts Loss
161 Recovery Fund), the Mississippi Public Service Commission, the
162 Mississippi Department of Information Technology Services, the
163 State Personnel Board, the Mississippi Department of Insurance
164 (not including the Municipal Fire Protection Fund, Section
165 83-1-37, and the County Volunteer Fire Department Fund, Section
166 83-1-39), the Mississippi Law Enforcement Officers' Minimum
167 Standards Board; * * * the Mississippi Gaming Commission; the
168 Mississippi Oil and Gas Board (not including the Emergency
169 Plugging Fund program and Oil and Gas Conservation Fund program);
170 the Mississippi Department of Revenue - License Tag; the Office of
171 the State Public Defender; the Mississippi Workers' Compensation
172 Commission; the Office of Attorney General; and the Mississippi
173 Department of Finance and Administration (not including the
174 Statewide Cost Allocation Plan, the Office of Surplus Property and
175 the Office of Insurance). Beginning July 1, 2016, any fees,
176 assessments or other revenues charged for the support of the
177 above-named state agencies shall be deposited into the State
178 General Fund, and any special fund or depository established
179 within the State Treasury for the deposit of such fees,
180 assessments or revenues shall be abolished and the balance



181 transferred to the State General Fund. Expenses heretofore drawn
182 from such special funds or other depositories shall be drawn from
183 the agencies General Fund Account.

184 (2) Beginning with the fiscal year ending June 30, 2016, the
185 amount to be appropriated annually from the State General Fund for
186 the support of each of the above-named state agencies shall not
187 exceed the amount appropriated for such purpose in the preceding
188 fiscal year, plus any increases in or additional fees, assessments
189 or other charges authorized by act of the Legislature for the
190 succeeding fiscal year.

191 (3) The provisions of this section shall not apply to any
192 trust fund account that is maintained by any above-named agency.

193 (4) The provisions of this section shall not prohibit any of
194 the above-named agencies from maintaining clearing accounts in
195 approved depositories.

196 (5) The provisions of this section shall not apply to any
197 trust fund accounts maintained by the Public Employees' Retirement
198 System and protected under Section 272A of the Mississippi
199 Constitution of 1890.

200 **SECTION 3.** Section 7-3-59, Mississippi Code of 1972, is
201 amended as follows:

202 7-3-59. (1) Except as otherwise provided in this section,
203 all fees collected by the Office of the Secretary of State under
204 Section 75-9-525 shall be deposited in State Treasury Special Fund
205 3111, and shall be used to operate the activities of the Office of



206 the Secretary of State as necessary to administer the filing and
207 research provisions of Revised Article 9 of the Uniform Commercial
208 Code and to pay to each chancery clerk such amounts as that clerk
209 shall be owed under subsection (2) of this section. The
210 expenditure of the funds deposited in this fund shall be paid by
211 the State Treasurer upon requisition signed by the Office of the
212 Secretary of State.

213 (2) (a) Through September 30, 2007, for each filing and
214 indexing of a financing statement under Part 5 (Filing) of Title
215 75, Chapter 9 (Uniform Commercial Code Revised Article 9 - Secured
216 Transactions), the Secretary of State shall remit the following
217 fee to the chancery clerk of the Mississippi county, if any,
218 indicated on the face of the financing statement as the domicile
219 of the debtor, or, if no county is so indicated, the Mississippi
220 county of the address of the debtor stated on the financing
221 statement.

222 (i) Five Dollars (\$5.00), when the financing
223 statement is communicated in writing, either in the standard form
224 prescribed by the Secretary of State or not in the standard form
225 so prescribed, plus Two Dollars (\$2.00) for each additional debtor
226 name more than one (1) required to be indexed.

227 (ii) Five Dollars (\$5.00) if the financing
228 statement is communicated by another medium authorized by
229 filing-office rule.



230 (b) From and after October 1, 2007, for each filing and
231 indexing of a financing statement under Part 5 (Filing) of Title
232 75, Chapter 9 (Uniform Commercial Code Revised Article 9 - Secured
233 Transactions), the Secretary of State shall remit the following
234 fee to the County Voting Systems Assistance Bond Sinking Fund
235 created under Section 3 of House Bill No. 562, 2006 Regular
236 Session, in such amounts as specified in Section 3 of House Bill
237 No. 562, 2006 Regular Session, and shall distribute the remainder
238 of the fees to the "Help Mississippi Vote Fund" created in Section
239 23-15-169.7.

240 (i) Five Dollars (\$5.00), when the financing
241 statement is communicated in writing, either in the standard form
242 prescribed by the Secretary of State or not in the standard form
243 so prescribed, plus Two Dollars (\$2.00) for each additional debtor
244 name more than one (1) required to be indexed.

245 (ii) Five Dollars (\$5.00) if the financing
246 statement is communicated by another medium authorized by
247 filing-office rule.

248 (3) The Secretary of State shall remit to each chancery
249 clerk not less than monthly the amount owed under subsection (2)
250 of this section. Each payment shall be accompanied by a detailed
251 accounting of the transactions represented by that payment.
252 However, from and after October 1, 2007, the Secretary of State
253 shall remit to the County Voting Systems Assistance Bond Sinking
254 Fund and the "Help Mississippi Vote Fund" not less than monthly



255 the amount provided under subsection (2) of this section. Each
256 payment shall be accompanied by a detailed accounting of the
257 transactions represented by that payment.

258 (4) From and after July 1, 2016, the expenses of this agency
259 shall be defrayed by appropriation from the State General Fund and
260 all user charges and fees authorized under this section shall be
261 deposited into the State General Fund as authorized by law and as
262 determined necessary by the State Fiscal Officer for the purpose
263 of paying principal and interest on bond issues for county voting
264 systems.

265 (5) From and after July 1, 2016, no state agency shall
266 charge another state agency a fee, assessment, rent or other
267 charge for services or resources received by authority of this
268 section.

269 **SECTION 4.** Section 23-15-169.7, Mississippi Code of 1972, is
270 amended as follows:

271 23-15-169.7. (1) There is created in the State Treasury a
272 special fund, to be designated the "Help Mississippi Vote Fund" to
273 the credit of the Secretary of State, which shall be comprised of
274 the monies required to be deposited into the fund under Section
275 7-3-59, and any other funds that may be made available for the
276 fund by the Legislature.

277 (2) Monies in the fund shall be expended by the Secretary of
278 State to support the state's maintenance of efforts as required by
279 the federal mandates of the Help America Vote Act of 2002.



280 (3) Unexpended amounts remaining in the special fund at the
281 end of a fiscal year shall not lapse into the State General Fund,
282 and any interest earned or investment earnings on amounts in the
283 special fund shall be deposited to the credit of the special fund.

284 (4) From and after July 1, 2016, the expenses of this agency
285 shall be defrayed by appropriation from the State General Fund and
286 all user charges and fees authorized under this section shall be
287 deposited into the State General Fund as authorized by law and as
288 authorized by the State Fiscal Officer.

289 (5) From and after July 1, 2016, no state agency shall
290 charge another state agency a fee, assessment, rent or other
291 charge for services or resources received by authority of this
292 section.

293 **SECTION 5.** Section 79-29-1203, Mississippi Code of 1972, is
294 amended as follows:

295 79-29-1203. (1) No document required to be filed under this
296 chapter shall be effective until the applicable fee required by
297 this section is paid. The following fees shall be paid to and
298 collected by the Secretary of State for the use of the State of
299 Mississippi:

300 (a) Filing of Reservation of Limited Liability Company
301 Name or Transfer or Cancellation of Reservation, Twenty-five
302 Dollars (\$25.00).

303 (b) [Reserved]

304 (c) [Reserved]



305 (d) Filing of Certificate of Formation, Fifty Dollars
306 (\$50.00).

307 (e) Filing of Amendment to Certificate of Formation,
308 Fifty Dollars (\$50.00).

309 (f) Filing of Certificate of Dissolution, Fifty Dollars
310 (\$50.00).

311 (g) Filing of Application for Registration of Foreign
312 Limited Liability Company, Two Hundred Fifty Dollars (\$250.00) and
313 Ten Dollars (\$10.00) for each day, but not to exceed a total of
314 One Thousand Dollars (\$1,000.00) for each year the foreign limited
315 liability company transacts business in this state without a
316 registration as a foreign limited liability company.

317 (h) Filing of Certificate of Correction, Fifty Dollars
318 (\$50.00).

319 (i) Filing of Certificate of Cancellation of
320 Registration of Foreign Limited Liability Company, Fifty Dollars
321 (\$50.00).

322 (j) Filing of an Annual Report of Domestic Limited
323 Liability Company, (no fee).

324 (k) Filing of an Annual Report of Foreign Limited
325 Liability Company, to be deposited in the Elections Support Fund
326 created in Section 23-15-5, Two Hundred Fifty Dollars (\$250.00).

327 (l) Certificate of Administrative Dissolution, (no
328 fee).



329 (m) Filing of Application for Reinstatement Following
330 Administrative Dissolution, Fifty Dollars (\$50.00).

331 (n) Certificate of Administrative Revocation of
332 Authority to Transact Business, (no fee).

333 (o) Filing of Application for Reinstatement Following
334 Administrative Revocation, One Hundred Dollars (\$100.00).

335 (p) Certificate of Reinstatement Following
336 Administrative Dissolution, (no fee).

337 (q) Certificate of Reinstatement Following
338 Administrative Revocation of Authority to Transact Business, (no
339 fee).

340 (r) Filing of Certificate of Revocation of Dissolution,
341 Twenty-five Dollars (\$25.00).

342 (s) Application for Certificate of Existence or
343 Authorization, Twenty-five Dollars (\$25.00).

344 (t) Any other document required or permitted to be
345 filed under this chapter, Twenty-five Dollars (\$25.00).

346 (2) The Secretary of State shall collect a fee of
347 Twenty-five Dollars (\$25.00) each time process is served on the
348 Secretary of State under Section 79-29-101 et seq.

349 (3) The Secretary of State shall collect the following fees
350 for copying and certifying the copy of any filed document relating
351 to a domestic or foreign limited liability company:

352 (a) One Dollar (\$1.00) a page for copying; and

353 (b) Ten Dollars (\$10.00) for the certificate.



354 (4) The Secretary of State may promulgate rules to:
355 (a) Reduce the filing fees set forth in this section or
356 provide for discounts of fees as set forth in this section to
357 encourage online filing of documents or for other reasons as
358 determined by the Secretary of State; and

359 (b) Provide for documents to be filed and accepted on
360 an expedited basis upon the request of the applicant. The
361 Secretary of State may promulgate rules to provide for an
362 additional reasonable filing fee to be paid by the applicant and
363 collected by the Secretary of State for the expedited filing
364 services.

365 (5) From and after July 1, 2016, the expenses of this agency
366 shall be defrayed by appropriation from the State General Fund and
367 all user charges and fees authorized under this section shall be
368 deposited into the State General Fund as authorized by law and as
369 determined by the State Fiscal Officer.

370 (6) From and after July 1, 2016, no state agency shall
371 charge another state agency a fee, assessment, rent or other
372 charge for services or resources received by authority of this
373 section.

374 **SECTION 6.** Section 23-15-5, Mississippi Code of 1972, is
375 brought forward as follows:

376 23-15-5. (1) There is created in the State Treasury a
377 special fund to be known as the Elections Support Fund. Monies
378 derived from annual report fees imposed upon limited liability



379 companies under Section 79-29-1203 shall be deposited into the
380 Elections Support Fund. Unexpended amounts remaining in the fund
381 at the end of the fiscal year shall not lapse into the State
382 General Fund, and any interest earned or investment earnings on
383 amounts in the fund shall be disbursed as provided in subsection
384 (2) of this section. The expenditure of monies in the fund shall
385 be under the direction of the Secretary of State as provided by
386 subsection (2) of this section, and such funds shall be paid by
387 the State Treasurer upon warrants issued by the Department of
388 Finance and Administration.

389 (2) (a) Monies in the fund shall be used as follows:

390 (i) Fifty percent (50%) of the monies in the
391 special fund shall be distributed annually to the counties, based
392 on the proportion that the population of a county bears to the
393 total population in all counties of the state population according
394 to the most recent information from the United States Census
395 Bureau, for the purpose of acquiring, upgrading, maintaining or
396 repairing voting equipment, systems and supplies, hiring temporary
397 technical support, conducting elections using such voting
398 equipment or systems and training election officials; and

399 (ii) The remaining fifty percent (50%) of the
400 monies in the special fund shall be allocated annually to the
401 Secretary of State and expended for the purpose of maintaining,
402 upgrading or equipping the Statewide Elections Management System.



403 (b) The Secretary of State shall create standard
404 training guidelines to assist counties in training election
405 officials with the funds authorized under subsection (2)(a)(ii) of
406 this section. Any criteria established by the Secretary of State
407 for the purposes of this section shall be used in addition to any
408 other training or coursework prescribed by the Secretary of State
409 to train circuit clerks, poll managers and any other election
410 officials participating in county elections.

411 (c) Notwithstanding any other provision of law, no
412 monies from the Elections Support Fund shall be used by the
413 Secretary of State or any person associated with the Office of the
414 Secretary of State to provide or otherwise support expert
415 testimony in any manner for any hearing, trial or election
416 contest.

417 (3) From and after July 1, 2016, the expenses of this agency
418 shall be defrayed by appropriation from the State General Fund and
419 all user charges and fees authorized under this section shall be
420 deposited into the State General Fund as authorized by law.

421 (4) From and after July 1, 2016, no state agency shall
422 charge another state agency a fee, assessment, rent or other
423 charge for services or resources received by authority of this
424 section.

425 **SECTION 7.** Section 7-5-305, Mississippi Code of 1972, is
426 amended as follows:



427 7-5-305. (1) To fund the Insurance Integrity Enforcement
428 Bureau, the Workers' Compensation Commission may assess each
429 workers' compensation carrier and self-insurer, in the manner
430 provided in Section 71-3-99, an amount based upon the proportion
431 that the total gross claims for compensation and medical services
432 and supplies paid by such carrier or self-insurer during the
433 preceding one-year period bore to the total gross claims for
434 compensation and medical services and supplies paid by all
435 carriers and self-insurers during such period. The total amount
436 assessed and collected by the commission from all workers'
437 compensation carriers and self-insurers used to fund the Insurance
438 Integrity Enforcement Bureau during each fiscal year shall be
439 based upon the recommendation of the Insurance Integrity
440 Enforcement Bureau, but shall not exceed One Hundred Fifty
441 Thousand Dollars (\$150,000.00). The funds received from the
442 assessment in this subsection (1) shall be used primarily for the
443 purpose of investigating and prosecuting workers' compensation
444 fraud. Within thirty (30) days of receipt, the Workers'
445 Compensation Commission shall transfer such assessment from the
446 Administrative Expense Fund into a special fund of the Office of
447 the Attorney General created in the State Treasury and designated
448 as the "Insurance Integrity Enforcement Fund."

449 (2) In addition to the monies collected under the assessment
450 provided in this section to fund the Insurance Integrity
451 Enforcement Bureau, for fiscal year 1999 the sum of One Hundred



452 Fifty Thousand Dollars (\$150,000.00) shall be appropriated by the
453 Legislature to the Insurance Integrity Enforcement Fund from the
454 State General Fund. The funds received from the appropriation in
455 this subsection (2) shall be used primarily for the purpose of
456 investigating and prosecuting insurance fraud other than workers'
457 compensation fraud.

458 (3) The Insurance Integrity Enforcement Bureau may accept
459 gifts, grants and appropriations of state and federal funds for
460 deposit in the Insurance Integrity Enforcement Fund. The
461 Insurance Integrity Enforcement Fund shall be used solely to
462 defray the expenses of the Insurance Integrity Enforcement Bureau,
463 and any interest earned on monies in such fund shall be credited
464 to the fund. Expenditures from the Insurance Integrity
465 Enforcement Fund shall be made upon requisition by the Attorney
466 General and subject to appropriation by the Legislature.

467 (4) From and after July 1, 2016, the expenses of this agency
468 shall be defrayed by appropriation from the State General Fund and
469 all user charges and fees authorized under this section shall be
470 deposited into the State General Fund as authorized by law and as
471 determined by the State Fiscal Officer.

472 (5) From and after July 1, 2016, no state agency shall
473 charge another state agency a fee, assessment, rent or other
474 charge for services or resources received by authority of this
475 section.



476 **SECTION 8.** Section 9-11-35, Mississippi Code of 1972, is
477 amended as follows:

478 9-11-35. (1) * * * The Department of Revenue shall
479 administer the Justice Court Collections Payment Program. The
480 purpose of the * * * program shall be to provide support for
481 salaries of justice court personnel, for the purchase, operation
482 and maintenance of software and equipment, for facility planning
483 and improvement, and for other expenses incurred for the purpose
484 of collecting fines and assessments within the justice court
485 system. Monies * * * appropriated by the Legislature to the
486 Department of Revenue for the purposes of funding the Justice
487 Court Collections Payment Program shall be expended by the
488 department * * * to each participating county based upon that
489 county's deposits in the Treasury of the monies received under the
490 provisions of Section 99-19-73.

491 * * *

492 (2) The Department of Revenue shall promulgate rules and
493 procedures relating to * * * the disbursement of monies * * * to
494 participating counties. The department * * * shall promulgate
495 rules and procedures to * * * ensure that the justice court system
496 of a participating county practices proper and effective
497 collection procedures for the collection of fines and other
498 assessments. The county may use monies * * * received from the
499 program to defray the costs associated with collection actions
500 under Section 19-3-41(4) for collection of delinquent fines and



501 other assessments. The county shall participate in collection
502 actions under Section 19-3-41(2) for collection of delinquent
503 fines and other assessments in order to qualify. * * *

504 **SECTION 9.** Section 21-23-23, Mississippi Code of 1972, is
505 amended as follows:

506 21-23-23. (1) * * * The Department of Revenue shall
507 administer the Municipal Court Collections Payment Program. The
508 purpose of the * * * program shall be to provide support for
509 salaries of municipal court personnel, for the purchase, operation
510 and maintenance of software and equipment, for facility planning
511 and improvement, and for other expenses incurred for the purpose
512 of collecting fines and assessments within the municipal court
513 system. Monies * * * appropriated by the Legislature to the
514 Department of Revenue for the purposes of funding the Municipal
515 Court Collections Payment Program shall be expended by the
516 department * * * to each participating municipality based upon
517 that municipality's deposits in the Treasury of the monies
518 received under the provisions of Section 99-19-73.

519 * * *

520 (2) The Department of Revenue shall promulgate rules and
521 procedures relating to * * * the disbursement of monies * * * to
522 participating municipalities. The department * * * shall
523 promulgate rules and procedures to * * * ensure that the municipal
524 court system of a participating municipality practices proper and
525 effective collection procedures for the collection of fines and



526 other assessments. If a municipality uses its own employees to
527 collect delinquent fines and other assessments owed to the
528 municipality, then it may use monies from the fund to defray the
529 costs associated with these collection actions. In addition, the
530 governing authority of a participating municipality shall contract
531 with a private attorney or private collection agent or agency to
532 collect delinquent criminal fines and other assessments as
533 provided in Section 21-17-1(6) in order to qualify. * * *

534 **SECTION 10.** Section 11-46-17, Mississippi Code of 1972, is
535 amended as follows:

536 11-46-17. (1) There is hereby created in the State Treasury
537 a special fund to be known as the "Tort Claims Fund."

538 All monies that the Department of Finance and Administration
539 receives and collects under the provisions of subsection (2) of
540 this section and all funds that the Legislature appropriates for
541 use by the board in administering the provisions of this chapter
542 shall be deposited in the fund. All monies in the fund may be
543 expended by the board for any and all purposes for which the board
544 is authorized to expend funds under the provisions of this
545 chapter. All interest earned from the investment of monies in the
546 fund shall be credited to the fund. Monies remaining in the fund
547 at the end of a fiscal year shall not lapse into the State General
548 Fund.

549 (2) From and after July 1, 1993, each governmental entity
550 other than political subdivisions shall participate in a



551 comprehensive plan of self-insurance or one or more policies of
552 liability insurance or combination of the two, all to be
553 administered by the Department of Finance and Administration. The
554 plan shall provide coverage to each of such governmental entities
555 for every risk for which the board determines the respective
556 governmental entities to be liable in the event of a claim or suit
557 for injuries under the provisions of this chapter, including
558 claims or suits for injuries from the use or operation of motor
559 vehicles; the board may allow the plan to contain any reasonable
560 limitations or exclusions not contrary to Mississippi state
561 statutes or case law as are normally included in commercial
562 liability insurance policies generally available to governmental
563 entities. The plan may also provide coverage for liabilities
564 outside the provisions of this chapter, including, but not limited
565 to, liabilities arising from Sections 1983 through 1987 of Title
566 42 of the United States Code and liabilities from actions brought
567 in foreign jurisdictions, and the board shall establish limits of
568 coverage for such liabilities. Each governmental entity
569 participating in the plan shall make payments to the board in such
570 amounts, times and manner determined by the board as the board
571 deems necessary to provide sufficient funds to be available for
572 payment by the board of the costs it incurs in providing coverage
573 for the governmental entity. Each governmental entity of the
574 state other than the political subdivisions thereof participating
575 in the plan procured by the board shall be issued by the board a



576 certificate of coverage whose form and content shall be determined
577 by the board but which shall have the effect of certifying that,
578 in the opinion of the board, each of such governmental entities is
579 adequately insured.

580 Before July 1, 1993, the Board of Trustees of State
581 Institutions of Higher Learning may provide liability coverage for
582 each university, department, trustee, employee, volunteer,
583 facility and activity as the board of trustees, in its discretion,
584 shall determine advisable. If liability coverage, either through
585 insurance policies or self-insurance retention is in effect,
586 immunity from suit shall be waived only to the limit of liability
587 established by the insurance or self-insurance program. From and
588 after July 1, 1993, liability coverage established by the board of
589 trustees must conform to the provisions of this section and must
590 receive approval from the board. Should the board reject a plan,
591 the board of trustees shall participate in the liability program
592 for state agencies established by the board.

593 (3) All political subdivisions shall, from and after October
594 1, 1993, obtain a policy or policies of insurance, establish
595 self-insurance reserves, or provide a combination of insurance and
596 reserves as necessary to cover all risks of claims and suits for
597 which political subdivisions may be liable under this chapter; a
598 political subdivision shall not be required to obtain pollution
599 liability insurance. However, this shall not limit any cause of
600 action against a political subdivision relative to limits of



601 liability under the Tort Claims Act. The policy or policies of
602 insurance or self-insurance may contain any reasonable limitations
603 or exclusions not contrary to Mississippi state statutes or case
604 law as are normally included in commercial liability insurance
605 policies generally available to political subdivisions. All the
606 plans of insurance or reserves or combination of insurance and
607 reserves shall be submitted for approval to the board. The board
608 shall issue a certificate of coverage to each political
609 subdivision whose plan it approves in the same manner as provided
610 in subsection (2) of this section. Whenever any political
611 subdivision fails to obtain the board's approval of its plan, the
612 political subdivision shall act in accordance with the rules and
613 regulations of the board and obtain a satisfactory plan of
614 insurance or reserves or combination of insurance and reserves to
615 be approved by the board.

616 (4) Any governmental entity may purchase liability insurance
617 to cover claims in excess of the amounts provided for in Section
618 11-46-15 and may be sued by anyone in excess of the amounts
619 provided for in Section 11-46-15 to the extent of the excess
620 insurance carried; however, the immunity from suit above the
621 amounts provided for in Section 11-46-15 shall be waived only to
622 the extent of excess liability insurance carried.

623 (5) Any two (2) or more political subdivisions may contract
624 to pool their liabilities as a group under this chapter. The
625 pooling agreements and contracts may provide for the purchase of



626 one or more policies of liability insurance or the establishment
627 of self-insurance reserves or a combination of insurance and
628 reserves and shall be subject to approval by the board in the
629 manner provided in subsections (2) and (3) of this section.

630 (6) The board shall have subrogation rights against a third
631 party for amounts paid out of any plan of self-insurance
632 administered by the board pursuant to this section on behalf of a
633 governmental entity that is not a political subdivision as a
634 result of damages caused under circumstances creating a cause of
635 action in favor of such governmental entity against a third party.
636 The board shall deposit in the Tort Claims Fund all monies
637 received in connection with the settlement or payment of any
638 claim, including proceeds from the sale of salvage.

639 * * *

640 (7) During fiscal year 2017, the board shall have full
641 authority to assess premiums to governmental entities as provided
642 in Section 11-46-19(1)(r).

643 **SECTION 11.** Section 27-19-99, Mississippi Code of 1972, is
644 amended as follows:

645 27-19-99. (1) The Department of Revenue shall furnish the
646 tax collector of each county a sufficient supply of license tags
647 or plates and a sufficient supply of license receipts with which
648 to make the collection of the taxes imposed by the provisions of
649 this article, which such tax collectors are required to collect.
650 The license tag receipts shall be on forms prescribed by the



651 department. Upon the payment of the taxes and fees required by
652 this article, the tax collector shall issue the license receipt in
653 the form prescribed by the department. The department shall keep
654 account against the tax collector for the license taxes and fees
655 collected. The tax collector shall keep a similar account.

656 (2) The tax collector shall, at the end of each month or
657 within twenty (20) days thereafter, pay into the county road fund
658 all privilege taxes collected by him during the preceding month
659 upon motor vehicle privilege licenses which he is entitled to
660 issue, less the county's commission.

661 (3) The tax collector shall keep a record of the information
662 furnished by the owners of each motor vehicle registered. The
663 record shall be made in numerical order by tag number or decal
664 number, whichever is appropriate. At the end of each month, or
665 within twenty (20) days thereafter, the tax collector shall submit
666 to the department a copy of such record, together with the copy of
667 each registration receipt, and shall, at the same time, remit to
668 the department the registration fee for each license tag or decal
669 sold by him during the preceding month. When the tax collector
670 shall have complied with the provisions of this section and shall
671 have forwarded to the department, within the time specified, all
672 reports required of him hereunder, he shall then be entitled to
673 retain five percent (5%) of the registration fees imposed in
674 Section 27-19-43(3) (a) and (b), to be paid into the county general
675 fund; otherwise the county's commission shall be forfeited. The



676 five percent (5%) shall not apply to any additional registration
677 fee imposed above the amounts imposed in Section 27-19-43(3) (a)
678 and (b). The department shall keep a record from the duplicates
679 filed by the tax collectors of all registered vehicles.

680 (4) Counties that use their existing computer system to
681 communicate all data regarding vehicle title and registration
682 transactions to the state's central computer system shall be
683 allotted Fifty Cents (50¢) for each registration fee collected by
684 the county and remitted to the Department of Revenue. Such
685 communication must successfully pass any edit features and
686 successfully create or update title/registration records on the
687 network system. This amount paid to the county shall be deposited
688 into the county general fund to be expended only for costs
689 incurred for the purchase of equipment, software, maintenance, or
690 other costs directly related to the title/registration network
691 system, and for education and training.

692 (5) All monies remitted to the department by tax collectors
693 as registration or tag fees from the portion of the rate imposed
694 in Section 27-19-43(3) (a) and (b), and all monies received by the
695 department directly as registration or tag fees from the portion
696 of the rate imposed in Section 27-19-43(3) (a) and (b) * * * shall
697 be paid by the department into the General Fund of the State
698 Treasury on the first day of the month succeeding the month in
699 which such fees are received by the department.

700 * * *



701 (* * *6) Except as otherwise provided in Section 31-17-127,
702 all monies remitted to the department by tax collectors as
703 registration or tag fees from the additional rate of Five Dollars
704 (\$5.00) and all monies received by the department directly as
705 registration or tag fees from the additional rate of Five Dollars
706 (\$5.00) shall be paid into the State Treasury to the credit of the
707 State Highway Fund for the construction or reconstruction of
708 highways designated under the highway program created under
709 Section 65-3-97.

710 **SECTION 12.** Section 27-19-155, Mississippi Code of 1972, is
711 amended as follows:

712 27-19-155. The license or number tag herein provided for
713 shall be purchased by the License Tag Commission, composed of the
714 Governor, Commissioner of Revenue, Attorney General and the State
715 Treasurer, upon competitive bids, after having given three (3)
716 weeks' notice of the time and place of purchase, by publishing
717 said notice in at least three (3) newspapers, at least one (1) of
718 which shall be published in the State of Mississippi, for a period
719 of three (3) weeks prior to the date of purchase. The successful
720 bidder shall enter into a bond with some surety company,
721 authorized to do business in the state, as surety thereon, payable
722 to the State of Mississippi, in a sum equal to the amount of his
723 contract, conditioned for the faithful and prompt carrying out of
724 said bid, and, in the event of the failure to comply with the
725 terms of said contract, the amount of said bond shall be forfeited



726 as liquidated damages and may be recovered by the Attorney General
727 in any appropriate action. The License Tag Commission is hereby
728 authorized and empowered to renegotiate any contract entered into
729 for the purchase of license tags in order to obtain any other or
730 additional tags necessitated by the passage of this article.

731 All monies received by the * * * Department of Revenue as
732 registration or tag fees, either from the tax collectors, or from
733 licenses issued by the * * * Department of Revenue, shall be paid
734 into the State Treasury on the same day in which such funds are
735 collected by the * * * Department of Revenue. * * *

736 **SECTION 13.** Section 27-19-179, Mississippi Code of 1972, is
737 amended as follows:

738 27-19-179. (1) There is created in the State Treasury a
739 special fund to be designated as the " Department of Revenue
740 License Tag Acquisition Fund." The special fund shall consist of
741 monies deposited therein under Sections 27-19-99 and 27-19-155 and
742 monies from any other source designated for deposit into the fund.
743 Unexpended amounts remaining in the special fund at the end of a
744 fiscal year shall not lapse into the State General Fund, and any
745 interest earned or investment earnings on amounts in the fund
746 shall be deposited to the credit of the fund.

747 (2) From and after July 1, 2010, monies in the special fund
748 may be used by the Department of Revenue for the purpose of paying
749 the costs incurred for purchasing license tags and decals and
750 associated freight costs under Section 27-19-1 et seq. The



751 department may escalate its budget and expend monies from the
752 special fund in accordance with rules and regulations of the
753 Department of Finance and Administration in a manner consistent
754 with the escalation of federal funds.

755 (3) From and after July 1, 2016, the expenses of * * * the
756 Department of Revenue License Tag Acquisition Fund Program shall
757 be defrayed by appropriation from the State General Fund and all
758 user charges and fees authorized under this section shall be
759 deposited into the State General Fund as authorized by law and as
760 determined by the State Fiscal Officer.

761 (4) From and after July 1, 2016, no state agency shall
762 charge another state agency a fee, assessment, rent or other
763 charge for services or resources received by authority of this
764 section.

765 **SECTION 14.** Section 27-104-21, Mississippi Code of 1972, is
766 amended as follows:

767 27-104-21. (1) All general and special fund agencies shall,
768 upon making application for federal funds, forward a summary of
769 such applications to the Legislative Budget Office. The
770 Legislative Budget Office shall have an opportunity to review such
771 applications and make its comments thereon to the Executive
772 Director of the Department of Finance and Administration and the
773 state agency making application. Unless otherwise specified in
774 the appropriation bill, the Executive Director of the Department
775 of Finance and Administration shall have the authority to approve



776 escalations in a budget using one hundred percent (100%) federal
777 money.

778 (2) New employee positions funded one hundred percent (100%)
779 by or from federal funds may be authorized by the Executive
780 Director of the Department of Finance and Administration subject
781 to the rules and regulations of the State Personnel Board. No
782 federal funds may be expended for programs or activities other
783 than those which have been authorized by act of the Legislature or
784 which are encompassed by a state agency's program structure as
785 provided by law. The Executive Director of the Department of
786 Finance and Administration shall immediately send notice of the
787 approval of such budget escalation to the Legislative Budget
788 Office. The Executive Director of the Department of Finance and
789 Administration shall ensure that the Legislative Budget Office
790 receives timely, detailed and accurate information about the
791 amount and use of federal funds by state agencies.

792 (3) The Department of Finance and Administration shall
793 require, by rule and regulation, that each agency receiving
794 federal funds shall apply for federal reimbursement for state
795 central services costs in accordance with Office of Management and
796 Budget Circular A-21 or A-87, which reimbursement shall be
797 deposited directly into the Statewide Cost Allocation Fund, which
798 is hereby established within the State Treasury. An agency's
799 failure to timely apply for such reimbursement shall be condition
800 sufficient to authorize the Department of Finance and



801 Administration to transfer an amount equal to not less than fifty
802 percent (50%) nor more than one hundred percent (100%) of the
803 total amount designated to such agency in the applicable fixed
804 cost agreement of the state central service cost allocation plan.
805 These funds shall be transferred from any available funds within
806 such agency into the Statewide Cost Allocation Fund upon execution
807 of a requisition for issuance of warrant by the Executive Director
808 of the Department of Finance and Administration. Any funds on
809 hand in said Statewide Cost Allocation Fund at the end of the
810 fiscal year shall lapse into the State General Fund. From and
811 after July 1, 2016, any revenue generated from this fund shall be
812 used only for the maintenance, upkeep and utility costs of
813 state-owned property, and any amount on hand at the end of the
814 fiscal year that is not necessary to defray the cost of such
815 maintenance, upkeep and utility costs shall, after August 15 of
816 each year, be transferred to the State General Fund as authorized
817 by law and as determined by the State Fiscal Officer.

818 **SECTION 15.** Section 29-1-95, Mississippi Code of 1972, is
819 amended as follows:

820 29-1-95. (1) All taxes due the county, municipality, public
821 school district, drainage district or levee board on lands sold to
822 the state for taxes and listed into the Secretary of State's
823 office shall remain in abeyance until the land be sold, and
824 thereafter such taxes shall be paid out of the purchase money; but
825 state, county, municipality, public school district, drainage



826 district or levee board taxes shall not accrue on such lands after
827 the fiscal year in which it was certified to the state. Upon the
828 payment of the purchase money of any tax land into the Treasury,
829 the Secretary of State shall certify to the Department of Finance
830 and Administration and to the Treasurer the amount of fees and
831 costs allowed to the county tax collector and chancery clerk, as
832 in cases of the redemption of lands from tax sales, under the
833 provisions of Section 25-7-21; and the Department of Finance and
834 Administration shall issue warrants in favor of such county tax
835 collector and chancery clerk for the amount of such fees. The
836 Secretary of State shall also certify to the Department of Finance
837 and Administration and the Treasurer the amount of the county,
838 municipality, public school district, drainage district and levee
839 board taxes for which said land was sold to the state, and all
840 taxes accruing on said land until the year in which it was
841 certified to the state; and the Department of Finance and
842 Administration shall issue warrants in favor of the proper county,
843 municipality, public school district, drainage district, and levee
844 board for the said four (4) years' taxes. The balance of the
845 purchase money shall be deposited into a special fund to be known
846 as the "Land Records Maintenance Fund," that is hereby created in
847 the State Treasury * * *. The fund shall be administered by the
848 Secretary of State. Any amount on hand in said Land Records
849 Maintenance Fund at the end of the fiscal year * * * that is not
850 necessary to pay any obligations to local governmental units set



851 out in this subsection shall, after June 30 of each year, be
852 transferred to the General Fund, and shall not be authorized for
853 expenditure by the Secretary of State to reimburse or otherwise
854 defray the expenses of any office administered by the Secretary of
855 State.

856 (2) If, after the payment of the fees and costs allowed to
857 the county tax collector and the chancery clerk, as aforesaid, the
858 balance of the purchase money of any tax land paid into the
859 Treasury shall be insufficient to cover the amount of the state,
860 county, municipality, public school district, drainage district or
861 levee board taxes due thereon, or if the records of the Secretary
862 of State fail to show the amount of state, county, municipality,
863 public school district, drainage district or levee board taxes
864 accruing for the years until said land was certified to the state,
865 on lands sold by the Secretary of State, he shall apportion the
866 balance of the purchase money derived from the sale of such lands
867 between the state, county, municipality, public school district,
868 drainage district and levee board upon the basis of the amount of
869 taxes due the state, county, municipality, public school district,
870 drainage district and levee board, respectively, at the time said
871 land was struck off to the state for delinquent taxes by the
872 sheriff and tax collector, and for which said lands were struck
873 off to the state.

874 (3) All funds derived from the sale of properties under the
875 provisions of Sections 7-11-15, 29-1-27, 29-1-29, 29-1-35,



876 29-1-37, 29-1-53 through 29-1-57, 29-1-73 and 29-1-81 through
877 29-1-87 shall be handled in the manner provided herein for funds
878 derived from the sale of lands.

879 (4) From and after July 1, 2016, the expenses of this agency
880 shall be defrayed by appropriation from the State General Fund and
881 all user charges and fees authorized under this section shall be
882 deposited into the State General Fund as authorized by law. The
883 requirements of this subsection (4) shall not apply to
884 disbursements made to local governmental units from the Land
885 Records Maintenance Fund, and to any funds which by law are to be
886 collected and deposited to the Land Records Maintenance Fund.

887 (5) From and after July 1, 2016, no state agency shall
888 charge another state agency a fee, assessment, rent or other
889 charge for services or resources received by authority of this
890 section. This prohibition shall not apply to payments made from
891 the Land Records Maintenance Fund provided for in subsection (1)
892 of this section.

893 **SECTION 16.** Section 37-26-3, Mississippi Code of 1972, is
894 amended as follows:

895 37-26-3. (1) In addition to any other fees or costs now or
896 as may hereafter be provided by law, there is hereby charged in
897 all civil cases in the chancery, circuit, county, justice and
898 municipal courts of this state a court education and training cost
899 in the amount of Two Dollars (\$2.00), except in justice court
900 cases where the amount sued for is less than Fifteen Dollars



901 (\$15.00). Such cost shall be collected by the clerk or judicial
902 officer from the party bringing the civil action at the time of
903 filing and taxed as costs.

904 (2) From and after July 1, 2017, the expenses of this agency
905 shall be defrayed by appropriation from the State General Fund and
906 all user charges and fees authorized under this section shall be
907 deposited into the State General Fund as authorized by law and as
908 determined by the State Fiscal Officer.

909 (3) From and after July 1, 2016, no state agency shall
910 charge another state agency a fee, assessment, rent or other
911 charge for services or resources received by authority of this
912 section.

913 **SECTION 17.** Section 37-26-9, Mississippi Code of 1972, is
914 amended as follows:

915 37-26-9. (1) It shall be the duty of the clerk of any court
916 to promptly collect the costs imposed pursuant to the provisions
917 of Section 37-26-3. In all cases the clerk shall monthly deposit
918 all such costs so collected with the State Treasurer either
919 directly or by other appropriate procedures. All such deposits
920 shall be clearly marked for the State Court Education Fund and the
921 State Prosecutor Education Fund. Upon receipt of such deposits,
922 the State Treasurer shall credit seventy-five percent (75%) of any
923 amounts so deposited to the State Court Education Fund created
924 pursuant to subsection (2) of this section, and shall credit the
925 remaining twenty-five percent (25%) of any amounts so deposited to



926 the State Prosecutor Education Fund created pursuant to subsection
927 (3) of this section.

928 (2) Such assessments as are collected under Section 99-19-73
929 shall be deposited in a special fund hereby created in the State
930 Treasury and designated the "State Court Education Fund." Monies
931 deposited in such fund shall be expended by the Board of Trustees
932 of State Institutions of Higher Learning as authorized and
933 appropriated by the Legislature to defray the cost of providing:
934 (i) education and training for the courts of Mississippi and
935 related personnel; (ii) technical assistance for the courts of
936 Mississippi and related personnel; and (iii) current and accurate
937 information for the Mississippi Legislature pertaining to the
938 needs of the courts of Mississippi and related personnel.

939 (3) Such assessments as are collected under Section 99-19-73
940 shall be deposited in a special fund hereby created in the State
941 Treasury and designated the "State Prosecutor Education Fund."
942 Monies deposited in such fund shall be expended by the Attorney
943 General of the State of Mississippi as authorized and appropriated
944 by the Legislature to defray the cost of providing: (i) education
945 and training for district attorneys, county prosecuting attorneys
946 and municipal prosecuting attorneys; (ii) technical assistance for
947 district attorneys, county prosecuting attorneys and municipal
948 prosecuting attorneys; and (iii) current and accurate information
949 for the Mississippi Legislature pertaining to the needs of



950 district attorneys, county prosecuting attorneys and municipal
951 prosecuting attorneys.

952 (4) A supplemental fund is hereby created in the State
953 Treasury and designated the State Court Constituents Fund. Monies
954 deposited in such fund shall be for the education and training of
955 judges and related court personnel other than those specified in
956 Section 37-26-1(b). In addition to any other fees or costs now or
957 as may hereafter be provided by law, there is hereby charged in
958 all civil cases in the chancery, circuit, county, justice and
959 municipal courts of this state a supplemental court education and
960 training cost in the amount of Fifty Cents (50¢), except in
961 justice court cases where the amount sued for is less than Fifteen
962 Dollars (\$15.00); and in all criminal cases in the circuit,
963 county, justice and municipal courts of this state, except in
964 cases where the fine is less than Ten Dollars (\$10.00). Such
965 costs shall be charged and collected as provided by Sections
966 37-26-3 and 37-26-5.

967 After the transfer to the State Prosecutor Education Fund of
968 twenty-five percent (25%) of the money provided for in subsection
969 (1) of this section, there shall then be transferred into the
970 State Court Education Fund the money on deposit in the State Court
971 Constituents Fund.

972 (5) A special fund is created in the State Treasury and
973 designated the "State Court Security Systems Fund." Monies
974 deposited in such fund shall be expended for general courtroom



975 security as well as the maintenance and operation of security
976 surveillance and detection devices for the courtrooms of each
977 court of the State of Mississippi specified in Section 37-26-1(2).
978 The Administrative Office of Courts shall conduct a study to
979 assess and determine the security needs of the courts and is
980 authorized to expend monies in the fund for the purposes of the
981 fund as authorized and appropriated by the Legislature.

982 (6) From and after July 1, 2017, the expenses of the State
983 Court Education Fund, the State Prosecutors Education Fund, the
984 State Court Constituents Fund and the State Court Security Systems
985 Fund shall be defrayed by appropriation from the State General
986 Fund and all user charges and fees authorized under this section
987 shall be deposited into the State General Fund as authorized by
988 law and as determined by the State Fiscal Officer.

989 (7) From and after July 1, 2016, no state agency shall
990 charge another state agency a fee, assessment, rent or other
991 charge for services or resources received by authority of this
992 section.

993 **SECTION 18.** Section 37-26-11, Mississippi Code of 1972, is
994 amended as follows:

995 37-26-11. (1) There is created in the State Treasury a
996 special fund to be known as the Children's Advocacy Centers Fund,
997 which shall be administered by the Office of the Attorney General.
998 The purpose of the fund shall be for training forensic
999 interviewers in child abuse and child sexual abuse cases, training



1000 law enforcement officers and prosecutors about child abuse cases,
1001 expanding the number of Children's Advocacy Centers of Mississippi
1002 to underserved areas, and other related purposes. Monies in the
1003 fund shall be expended by the Attorney General, upon appropriation
1004 by the Legislature. The fund shall be a continuing fund, not
1005 subject to fiscal-year limitations, and shall consist of:

1006 (a) Monies appropriated by the Legislature for the
1007 purposes of funding the Children's Advocacy Centers of
1008 Mississippi;

1009 (b) The interest accruing to the fund;

1010 (c) Monies received under the provisions of Section
1011 99-19-73;

1012 (d) Monies received from the federal government;

1013 (e) Donations; and

1014 (f) Monies received from such other sources as may be
1015 provided by law.

1016 (2) From and after July 1, 2016, the expenses of the
1017 Children's Advocacy Centers Fund Program shall be defrayed by
1018 appropriation from the State General Fund and all user charges and
1019 fees authorized under this section shall be deposited into the
1020 State General Fund as authorized by law and as determined by the
1021 State Fiscal Officer.

1022 (3) From and after July 1, 2016, no state agency shall
1023 charge another state agency a fee, assessment, rent or other



1024 charge for services or resources received by authority of this
1025 section.

1026 **SECTION 19.** Section 43-19-61, Mississippi Code of 1972, is
1027 amended as follows:

1028 43-19-61. (1) There is created in the State Treasury a
1029 special * * * fund to be designated as the "Child Support
1030 Prosecution * * * Fund." The fund shall be used by the Office of
1031 the Attorney General for the prosecution of delinquent child
1032 support cases and may also be used to draw down the sixty-six
1033 percent (66%) federal reimbursement IV-D funds for support of the
1034 Legal Division of the Child Support Unit of the Mississippi
1035 Department of Human Services.

1036 (2) From and after July 1, 2016, the expenses of the legal
1037 division of the Child Support Unit shall be defrayed by
1038 appropriation from the State General Fund and all user charges and
1039 fees authorized under this section shall be deposited into the
1040 State General Fund as authorized by law and as determined by the
1041 State Fiscal Officer.

1042 (3) From and after July 1, 2016, no state agency shall
1043 charge another state agency a fee, assessment, rent or other
1044 charge for services or resources received by authority of this
1045 section.

1046 **SECTION 20.** Section 43-47-39, Mississippi Code of 1972, is
1047 amended as follows:



1048 43-47-39. (1) There is created in the State Treasury a
1049 special fund to be known as the Vulnerable Persons Training,
1050 Investigation and Prosecution * * * Fund. The purpose of the fund
1051 shall be to provide funding for the Vulnerable Persons Unit in the
1052 Office of the Attorney General to assist in the training of law
1053 enforcement officers, judges, district attorneys, state agencies
1054 and investigators at the Department of Human Services with regard
1055 to issues arising under the Vulnerable Persons Act, and to provide
1056 funding for the Vulnerable Persons Unit in the Office of the
1057 Attorney General to assist in the investigation and prosecution of
1058 statewide offenders who abuse, neglect or exploit vulnerable
1059 persons. The fund shall be a continuing fund, not subject to
1060 fiscal-year limitations.

1061 (2) Funding shall be provided by assessments collected from
1062 violations set out in Section 99-19-73.

1063 (3) From and after July 1, 2016, the expenses of the
1064 Vulnerable Persons Unit shall be defrayed by appropriation from
1065 the State General Fund and all user charges and fees authorized
1066 under this section shall be deposited into the State General Fund
1067 as authorized by law and as determined by the State Fiscal
1068 Officer.

1069 (4) From and after July 1, 2016, no state agency shall
1070 charge another state agency a fee, assessment, rent or other
1071 charge for services or resources received by authority of this
1072 section.



1073 **SECTION 21.** Section 45-2-21, Mississippi Code of 1972, is
1074 amended as follows:

1075 45-2-21. (1) Whenever used in this section, the term:

1076 (a) "Covered individual" means a law enforcement
1077 officer or firefighter, including volunteer firefighters, as
1078 defined in this section while actively engaged in protecting the
1079 lives and property of the citizens of this state when employed by
1080 an employer as defined in this section; it does not include
1081 employees of independent contractors.

1082 (b) "Employer" means a state board, commission,
1083 department, division, bureau, or agency, or a county, municipality
1084 or other political subdivision of the state, which employs,
1085 appoints or otherwise engages the services of covered individuals.

1086 (c) "Firefighter" means an individual who is trained
1087 for the prevention and control of loss of life and property from
1088 fire or other emergencies, who is assigned to firefighting
1089 activity, and is required to respond to alarms and perform
1090 emergency actions at the location of a fire, hazardous materials
1091 or other emergency incident.

1092 (d) "Law enforcement officer" means any lawfully sworn
1093 officer or employee of the state or any political subdivision of
1094 the state whose duties require the officer or employee to
1095 investigate, pursue, apprehend, arrest, transport or maintain
1096 custody of persons who are charged with, suspected of committing,
1097 or convicted of a crime.



1098 (2) (a) The Attorney General's office shall make a monthly
1099 disability benefit payment equal to thirty-four percent (34%) of
1100 the covered individual's regular base salary at the time of injury
1101 when a covered individual, while engaged in the performance of the
1102 individual's official duties, is accidentally or intentionally
1103 injured in the line of duty as a direct result of a single
1104 incident. The benefit shall be payable for the period of time the
1105 covered individual is physically unable to perform the duties of
1106 the covered individual's employment, not to exceed twelve (12)
1107 total payments for any one (1) injury. Chronic or repetitive
1108 injury is not covered. Benefits made available under this section
1109 shall be in addition to any workers' compensation benefits and
1110 shall be limited to the difference between the amount of workers'
1111 compensation benefits and the amount of the covered individual's
1112 regular base salary. Compensation under this section shall not be
1113 awarded where a penal violation committed by the covered
1114 individual contributed to the disability or the injury was
1115 intentionally self-inflicted.

1116 (b) Payments made under this subsection are exempt from
1117 the claims and demands of creditors of the covered individual.

1118 (3) (a) There is established in the State Treasury a
1119 special fund to be known as the Law Enforcement Officers and Fire
1120 Fighters Disability Benefits * * * Fund. The * * * fund shall be
1121 funded by any funds made available by the Legislature or by
1122 donation, contribution, gift or any other source.



1123 (b) The State Treasurer shall invest the monies of
1124 the * * * fund in any of the investments authorized for the funds
1125 of the Public Employees' Retirement System under Section
1126 25-11-121, and those investments shall be subject to the
1127 limitations prescribed by Section 25-11-121.

1128 (c) Unexpended amounts remaining in the * * * fund at
1129 the end of the state fiscal year shall not lapse into the State
1130 General Fund, and any income earned on amounts in the * * * fund
1131 shall be deposited to the credit of the * * * fund.

1132 (4) The Attorney General's office shall be responsible for
1133 the management of the * * * fund and the disbursement of
1134 disability benefits authorized under this section. The Attorney
1135 General shall adopt rules and regulations necessary to implement
1136 and standardize the payment of disability benefits under this
1137 section, to administer the * * * fund created by this section and
1138 to carry out the purposes of this section. The Attorney General's
1139 office may expend up to ten percent (10%) of the monies in
1140 the * * * fund for the administration and management of the * * *
1141 fund and carrying out the purposes of this section.

1142 (5) From and after July 1, 2016, the expenses of the Law
1143 Enforcement Officers and Fire Fighters Disability Benefits Fund
1144 shall be defrayed by appropriation from the State General Fund and
1145 all user charges and fees authorized under this section shall be
1146 deposited into the State General Fund as authorized by law and as
1147 determined by the State Fiscal Officer.



1148 (6) From and after July 1, 2016, no state agency shall
1149 charge another state agency a fee, assessment, rent or other
1150 charge for services or resources received by authority of this
1151 section.

1152 **SECTION 22.** Section 45-6-21, Mississippi Code of 1972, is
1153 amended as follows:

1154 45-6-21. (1) There is created in the State Treasury a
1155 special fund to be known as the Motorcycle Officers Training
1156 Program Fund, which shall be administered by the Office of the
1157 Attorney General. The purpose of the fund shall be to provide
1158 funding for the training of state and local law enforcement
1159 officers, including, but not limited to, motorcycle officers
1160 training. All courses provided under the Motorcycle Officers
1161 Training Program shall be administered and approved by the
1162 Mississippi Law Enforcement Officers Association. Monies in the
1163 fund shall be expended by the Attorney General, upon appropriation
1164 by the Legislature. The fund shall be a continuing fund, not
1165 subject to fiscal-year limitations, and shall consist of:

- 1166 (a) Monies appropriated by the Legislature for the
1167 purposes of funding the Motorcycle Officers Training Program;
1168 (b) The interest accruing to the fund;
1169 (c) Monies received under the provisions of Section
1170 99-19-73;
1171 (d) Monies received from the federal government;
1172 (e) Donations; and



1173 (f) Monies received from such other sources as may be
1174 provided by law.

1175 (2) From and after July 1, 2016, the expenses of the
1176 Motorcycle Officers Training Program shall be defrayed by
1177 appropriation from the State General Fund and all user charges and
1178 fees authorized under this section shall be deposited into the
1179 State General Fund as authorized by law and as determined by the
1180 State Fiscal Officer.

1181 (3) From and after July 1, 2016, no state agency shall
1182 charge another state agency a fee, assessment, rent or other
1183 charge for services or resources received by authority of this
1184 section.

1185 **SECTION 23.** Section 53-1-77, Mississippi Code of 1972, is
1186 amended as follows:

1187 53-1-77. (1) The State Oil and Gas Supervisor, as ex
1188 officio secretary of such board, shall remit to the State
1189 Treasurer all monies collected by reason of the assessments made
1190 and fixed under the provisions of Section 53-1-73, and the State
1191 Treasurer shall deposit all such monies in a special fund known as
1192 the "Oil and Gas Conservation Fund," which is hereby continued in
1193 effect.

1194 (2) All monies on deposit in the Oil and Gas Conservation
1195 Fund on April 10, 1948, and all monies hereafter deposited in such
1196 fund, shall be held in trust for the use of the board to pay the
1197 expenses and costs incurred in connection with the administration



1198 and enforcement of the oil and gas conservation laws of the State
1199 of Mississippi and the rules, regulations and orders of the State
1200 Oil and Gas Board issued thereunder. Disbursements shall be made
1201 from such fund only upon requisition of the State Oil and Gas
1202 Supervisor, as approved and allowed by the board, and which
1203 requisitions shall be supported by itemized statements thereto
1204 attached showing the purpose or purposes of such expenditures.
1205 Such requisitions shall be drawn upon the State Auditor, who shall
1206 issue a warrant upon said fund. Such warrants so issued shall be
1207 paid by the State Treasurer upon presentation.

1208 (3) The State Oil and Gas Supervisor, as ex officio
1209 secretary of the Oil and Gas Board, shall submit, within ten (10)
1210 days, after the convening of each session of the Legislature, to
1211 the Legislature a detailed report of all receipts, expenditures
1212 and balance on hand, of funds coming to the Oil and Gas Board from
1213 any source whatsoever.

1214 (4) In the event that at any particular time, the Oil and
1215 Gas Conservation Fund contains an amount greater than Two Hundred
1216 Thousand Dollars (\$200,000.00) more than the current fiscal year's
1217 estimated budget, the amount of the excess may be used by the
1218 board and at the board's discretion, to plug any oil or gas well,
1219 including any Class II well, in the state which has been
1220 determined by the board to represent an imminent threat to the
1221 environment and which has been determined by the board to be an
1222 "orphan" well.



1223 (5) The board shall have the authority, in its discretion,
1224 to use whatever legal means available to it to attempt to collect
1225 any amounts so expended from any responsible party. Any amounts
1226 so collected shall be returned to the Oil and Gas Board's
1227 Emergency Plugging Fund created herein.

1228 (6) Amounts of surplus in the Oil and Gas Conservation Fund
1229 of over Two Hundred Thousand Dollars (\$200,000.00) shall be
1230 transferred to a separate special fund of the Oil and Gas Board to
1231 be known as the Emergency Plugging Fund, for the proper plugging
1232 of wells pursuant to this section. The supervisor shall have the
1233 authority, and it shall be his duty to transfer any amounts in the
1234 Emergency Plugging Fund back to the Oil and Gas Conservation Fund
1235 in the event and to the extent to which the Oil and Gas
1236 Conservation Fund should at any time contain less than a Two
1237 Hundred Thousand Dollars (\$200,000.00) surplus.

1238 (7) For purposes of this section, orphan well means any oil
1239 or gas well in the state, including Class II wells, which has not
1240 been properly plugged according to the requirements of the
1241 statutes, rules and regulations governing same and for which a
1242 responsible party such as an owner or operator cannot be located
1243 or for which, for whatever reason, there is no other party which
1244 can be forced to plug the well.

1245 * * *

1246 (* * *8) From and after July 1, 2016, no state agency shall
1247 charge another state agency a fee, assessment, rent or other



1248 charge for services or resources received by authority of this
1249 section.

1250 **SECTION 24.** Section 71-3-73, Mississippi Code of 1972, is
1251 amended as follows:

1252 71-3-73. (1) If an employee who has previously lost, or
1253 lost the use of, one (1) hand, one (1) arm, one (1) foot, one (1)
1254 leg, or one (1) eye, becomes permanently and totally incapacitated
1255 through the loss, or loss of use, of another member or organ, the
1256 employer shall be liable only for the compensation payable for
1257 such second injury. In addition to such compensation and after
1258 the completion of the payment therefor, the employee shall be paid
1259 the remainder of the compensation that would be due for permanent
1260 total incapacity, out of a special fund known as the "Second
1261 Injury Fund," and created for such purpose in the following
1262 manner:

1263 In every case of compensable death of an employee under this
1264 chapter, the employer or, if insured, his insurance carrier shall
1265 pay to the commission the sum of Three Hundred Dollars (\$300.00)
1266 except in cases where there is no dependency, then there shall be
1267 paid to the commission the sum of Five Hundred Dollars (\$500.00)
1268 to be deposited with the State Treasurer for the benefit of said
1269 fund. A suspension of said payments of Three Hundred Dollars
1270 (\$300.00) per death shall be made when the total amount of all
1271 such payments, together with the accumulated interest thereon,
1272 equals or exceeds Three Hundred Fifty Thousand Dollars



1273 (\$350,000.00), and no further contributions to said fund shall be
1274 made except in cases where there is no dependency. Whenever,
1275 thereafter, the amount of such sum shall be reduced below One
1276 Hundred Fifty Thousand Dollars (\$150,000.00) by reason of payments
1277 made pursuant to this section, then such contributions of Three
1278 Hundred Dollars (\$300.00) per death shall be resumed forthwith and
1279 shall continue until such sum, together with accumulated interest
1280 thereon, shall again amount to Three Hundred Fifty Thousand
1281 Dollars (\$350,000.00); and the commission shall direct the
1282 distribution thereof.

1283 (2) From and after July 1, 2016, the expenses of this agency
1284 shall be defrayed by appropriation from the State General Fund and
1285 all user charges and fees and contributions authorized under this
1286 section and the outstanding balance of said fund on July 1, 2016,
1287 shall be deposited into the State General Fund as authorized by
1288 law and as determined by the State Fiscal Officer.

1289 (3) From and after July 1, 2016, no state agency shall
1290 charge another state agency a fee, assessment, rent or other
1291 charge for services or resources received by authority of this
1292 section.

1293 **SECTION 25.** Section 75-57-119, Mississippi Code of 1972, is
1294 amended as follows:

1295 75-57-119. (1) There is established a propane education and
1296 research program to be administered by the Department of Insurance
1297 through the State Liquefied Compressed Gas Board, created in



1298 Section 75-57-101, Mississippi Code of 1972, for the purpose of
1299 promoting the growth and development of the propane industry in
1300 Mississippi.

1301 (2) There is created in the State Treasury a special fund to
1302 be designated as the "Mississippi Propane Education and Research
1303 Fund."

1304 (3) (a) There is imposed and levied an assessment of
1305 One-tenth Cent (1/10¢) per gallon on compressed gas except for
1306 compressed natural gas or liquefied natural gas. The assessment
1307 may be increased by not more than One-tenth Cent (1/10¢) per
1308 gallon per year and the total assessment shall not exceed One-half
1309 Cent (1/2¢) per gallon.

1310 (b) The assessment shall accrue at the same time and in
1311 the same manner as the tax levied on compressed gas under the
1312 provisions of Section 27-59-11(1), Mississippi Code of 1972. On
1313 or before the fifteenth day of each month the funds collected by
1314 the * * * Department of Revenue during the previous month, less
1315 three and one-half percent (3-1/2%) of the gross amount collected,
1316 shall be deposited into the special fund created in subsection (2)
1317 of this section. The * * * Department of Revenue may retain three
1318 and one-half percent (3-1/2%) of the funds collected under this
1319 section as administrative fees.

1320 (c) Disbursements from the special fund created in
1321 subsection (2) of this section shall be made upon warrants issued
1322 by the State Fiscal Officer upon requisitions signed by the



1323 Commissioner of Insurance, or his designee, in the manner provided
1324 by law. Any interest earned by investing the proceeds in such
1325 special fund shall be credited to such special fund and shall not
1326 be deposited in the State General Fund. The State Fiscal Officer
1327 may issue warrants for the payment of monies from the special
1328 fund, upon requisition by the Commissioner of Insurance, or his
1329 designee, for refunds to dealers as provided in subsection (4) of
1330 this section.

1331 (4) Any propane dealer may request and receive a refund of
1332 the amount of assessment remitted from the sale of propane if he
1333 makes a written application with the Department of Insurance by
1334 the end of each quarter in which the sales were made, supported by
1335 bona fide copies of tax reports. The application forms shall be
1336 prepared by the Department of Insurance and shall be available to
1337 all retailers. All such applications shall be processed and
1338 refunds paid by the Department of Insurance within sixty (60) days
1339 after the funds have been received by the department.

1340 (5) At the end of each quarter, the Department of Insurance
1341 shall make available to the State Liquefied Compressed Gas Board
1342 all unencumbered funds collected under the provisions of this
1343 section. The Department of Insurance may retain an amount not to
1344 exceed three and one-half percent (3-1/2%) of the funds collected
1345 under the provisions of this section as administrative fees.

1346 (6) (a) Any person liable for the assessment shall be
1347 subject to the same requirements and penalties set forth for



1348 distributors under the provisions of Section 27-59-1 et seq.,
1349 Mississippi Code of 1972.

1350 (b) The * * * Department of Revenue is hereby
1351 authorized and empowered to promulgate all rules and regulations
1352 necessary for the collection of the assessment.

1353 (7) The State Liquefied Compressed Gas Board shall
1354 establish, with the approval of the Commissioner of Insurance,
1355 rules and regulations necessary to carry out the provisions of
1356 this section.

1357 (8) The State Liquefied Compressed Gas Board may expend the
1358 proceeds collected under this section only on research and
1359 development of more cost effective uses of propane and on
1360 educational programs, safety programs and market development of
1361 propane.

1362 (9) This section shall not be implemented until such time as
1363 the State Liquefied Compressed Gas Board conducts an election by
1364 all licensed propane dealers in this state. Each license holder
1365 shall have one (1) vote in such election. A ballot shall be sent
1366 to each license holder by certified mail. A majority of those
1367 ballots returned within thirty (30) days after the ballots are
1368 received by the propane dealers must be in the affirmative before
1369 this section is effective. An additional election may be held by
1370 the State Liquefied Compressed Gas Board at such time as approved
1371 by the Commissioner of Insurance.



1372 (10) The State Liquefied Compressed Gas Board shall notify
1373 the * * * Department of Revenue in writing of the imposition of
1374 the assessment and of any increase of the assessment. The
1375 imposition of the assessment and any increase of the assessment
1376 shall become effective on the first day of the second month
1377 succeeding the month in which the notice to impose or increase the
1378 assessment was given.

1379 (11) The State Liquefied Compressed Gas Board shall notify
1380 the * * * Department of Revenue in writing of the abatement or
1381 reduction of the assessment. The abatement or reduction of the
1382 assessment shall become effective on the last day of the month
1383 succeeding the month in which such notice was given.

1384 (12) From and after July 1, 2016, the expenses of this
1385 program shall be defrayed by appropriation from the State General
1386 Fund and all user charges and fees authorized under this section
1387 shall be deposited into the State General Fund as authorized by
1388 law and as determined by the State Fiscal Officer.

1389 (13) From and after July 1, 2016, no state agency shall
1390 charge another state agency a fee, assessment, rent or other
1391 charge for services or resources received by authority of this
1392 section.

1393 **SECTION 26.** Section 75-63-81, Mississippi Code of 1972, is
1394 amended as follows:

1395 75-63-81. (1) There is established a Preneed Contracts Loss
1396 Recovery Fund, hereinafter referred to as the "fund," to be



1397 administered by directors of the Preneed Contracts Loss Recovery
1398 Association, hereinafter referred to as the "association."
1399 Directors are to be appointed by the Secretary of State. The
1400 purpose of the fund is to reimburse the estates, or in the absence
1401 of an estate filing, the purchaser or applicant with payment
1402 jointly to the funeral home providing services or merchandise, or
1403 both, of beneficiaries of preneed funeral contracts who have
1404 suffered financial loss as a result of the misfeasance, fraud,
1405 default, failure or insolvency of a registered Mississippi preneed
1406 provider.

1407 (2) The fund shall be funded from a charge not to exceed Ten
1408 Dollars (\$10.00) to be added to the cost of every preneed contract
1409 sold from and after July 1, 2009; however, if the preneed contract
1410 is funded solely with insurance that is protected by the
1411 Mississippi Life and Health Insurance Guaranty Association, then
1412 that fee shall not be charged. The association may reduce,
1413 suspend or resume collection of the fee at any time and for any
1414 period to ensure that a sufficient amount is available to meet
1415 anticipated disbursements and to maintain an adequate reserve
1416 consistent with actuarial guidance.

1417 The per-contract fees shall be remitted quarterly to the
1418 association for each quarter of the calendar year with a quarterly
1419 fee form as prescribed by the Secretary of State. The
1420 per-contract fee is not subject to the trusting requirements of
1421 Section 75-63-59. The fees shall be remitted to the association



1422 no later than fifteen (15) days after each quarter. Absent the
1423 Secretary of State's approval of an extension for good cause
1424 shown, preneed providers failing to timely report and remit the
1425 per-contract fee to the association may be subject to a penalty of
1426 One Hundred Dollars (\$100.00) per day for each day of delinquency,
1427 payable to the fund.

1428 (3) All sums received by the association shall be held in a
1429 separate account maintained by the State Treasurer to be used
1430 solely as provided in this article. Warrants to the fund may only
1431 be issued by the Department of Finance and Administration upon
1432 request by a majority vote of the directors of the Preneed
1433 Contracts Loss Recovery Association. All interest or other income
1434 earned on the fund shall be retained by the fund.

1435 (4) Reimbursements from the fund must not exceed the total
1436 payment made for preneed funeral services or merchandise, cemetery
1437 services or merchandise, or both. No current insurance benefits
1438 or future graduated insurance benefits may be reimbursed,
1439 including any current or future graduated insurance benefits in
1440 any insurance company insolvency guaranty fund association. Upon
1441 the death of the beneficiary and the applicant's compliance with
1442 all applicable rules of the association, reimbursement from the
1443 fund may be made to the estate of the beneficiary, the purchaser
1444 or applicant with payment jointly to the funeral home or cemetery
1445 providing services or merchandise, or both, only to the extent to
1446 which losses are not bonded or otherwise covered. If the



1447 association makes payments from the fund under this section, the
1448 association is subrogated in the reimbursed amount and may bring
1449 an action against any person or entity, including a preneed
1450 provider. The association may enforce claims it may have for
1451 restitution or otherwise and may employ and compensate from the
1452 fund consultants, legal counsel, accountants and other persons it
1453 considers appropriate to assure compliance with this section.

1454 (5) The association shall investigate all applications made
1455 and may reject or allow claims, in whole or in part. Payment may
1456 be made only to the extent that monies are available in the fund,
1457 and payments may be prorated among claimants. Reimbursements for
1458 completed claims must be processed subject to availability of
1459 monies in the fund. The association has complete discretion to
1460 determine the order and manner of payment of approved
1461 applications. The association may approve one (1) application, in
1462 whole or in part, that includes more than one (1) reparation claim
1463 for the benefit of purchasers of prepaid contracts of an insolvent
1464 registrant as part of a plan to arrange for another registrant to
1465 assume the obligations of the licensee being liquidated if the
1466 association finds that the plan is reasonable and is in the best
1467 interests of the contract beneficiaries. All payments are a
1468 matter of privilege and not a right, and no person has a right in
1469 the fund as a third-party beneficiary or otherwise.

1470 (6) The association shall develop a form of application for
1471 reimbursement.



1472 (7) This fund and all interest earned may be used only as
1473 prescribed in this section and may not be used for any other
1474 purposes to the extent losses are not bonded, insured, or
1475 otherwise covered, protected or reimbursed. Further, all monies
1476 deposited into the fund shall not be subject to any deduction,
1477 tax, judgment lien, levy, or any other type of assessment except
1478 as may be provided in this article. The association may expend
1479 monies from the fund to:

1480 (a) Make reimbursements on approved applications;

1481 (b) Purchase insurance to cover losses and association
1482 liability as considered appropriate by the directors and not
1483 inconsistent with the purpose of the fund;

1484 (c) Invest portions of the fund as are not currently
1485 needed to reimburse losses and maintain adequate reserves, as are
1486 permitted to be made by fiduciaries under state law;

1487 (d) Pay the expenses of the association for
1488 administering the fund, including employment of legal counsel,
1489 accountants, consultants and other persons the board considers
1490 necessary to assure compliance with this section * * *;

1491 (e) Effective upon passage of this act, no monies
1492 deposited to the fund may be used to reimburse, or otherwise
1493 defray any costs that the Office of the Secretary of State may
1494 incur in administering this fund, or in support of the
1495 association.



1496 (8) No person may make, publish, disseminate, circulate or
1497 place before the public, or cause, directly or indirectly, to be
1498 made, published, disseminated, circulated, or placed before the
1499 public, in a newspaper, magazine or other publication, or in the
1500 form of a notice, circular, pamphlet, letter, poster or over any
1501 radio station or television station, or in any other way, any
1502 advertisement, announcement, or statement that uses the existence
1503 of the fund for the purpose of sales, solicitation or inducement
1504 to purchase any form of preneed contract covered under this
1505 article.

1506 (9) The Secretary of State may establish rules and
1507 regulations necessary to implement the purposes of * * * this
1508 section including, but not limited to, rules governing the
1509 association's operations, claim procedures, determination of
1510 solvency or insolvency of a preneed provider, claimant eligibility
1511 and determination of appropriate loss payee.

1512 (10) No purchaser or representative of a purchaser is
1513 provided in this section with any administrative right or legal or
1514 equitable right to any funds collected for this association to
1515 satisfy any judgment or economic loss of the purchaser from a
1516 prepaid funeral or cemetery organization except for the purposes
1517 of this section. This fund is established for the discretionary
1518 relief of purchasers and their representatives of prepaid funeral
1519 or cemetery contracts from insolvent prepaid funeral or cemetery
1520 organizations or prepaid funeral businesses with severe trust fund



1521 account shortages as determined by the directors. Coverage is
1522 limited to the claimant's actual contract payments made. There
1523 shall be no fund coverage for additional economic damages,
1524 attorney's fees, recovery costs, interest, other equitable relief
1525 or noneconomic damages.

1526 Further, no claimant shall be eligible for compensation from
1527 the fund unless the contract purchaser for whom a claim is
1528 asserted paid to the preneed provider the loss recovery fee
1529 required by subsection (2) of this section. The fund shall have
1530 no liability for preneed contracts sold or claims that occurred or
1531 accrued before July 1, 2009.

1532 (11) There shall be no liability on the part of and no cause
1533 of action of any nature shall arise against any director of the
1534 association, the Secretary of State, his representatives, agents
1535 or employees for any act or omission by them in the performance of
1536 their powers and duties under this article, or in its
1537 administration, dispensation, handling or collection of funds for
1538 the program.

1539 (12) Directors of the association shall be appointed by the
1540 Secretary of State and shall consist of no fewer than five (5),
1541 one (1) from each of the Mississippi Supreme Court Districts and
1542 two (2) from the state at large. In making director appointments
1543 the Secretary of State shall consider, among other things, whether
1544 all association members are fairly represented. At least three
1545 (3) of the directors must possess five (5) years or more



1546 experience in the preneed funeral service and merchandise business
1547 as an owner or manager. All directors shall be appointed for
1548 staggered six-year terms, with the exception of the initial terms
1549 of service for the original five (5) directors. The Secretary of
1550 State may appoint any director to a successive six-year term. The
1551 initial term of service for all directors shall begin on October
1552 1, 2009, with the initial term of two (2) directors to be
1553 determined by the Secretary of State at appointment expiring on
1554 September 30, 2011, and two (2) directors to be determined by the
1555 Secretary of State at appointment expiring on September 30, 2013.
1556 The initial term for the remaining director to be determined by
1557 the Secretary of State at appointment shall expire on September
1558 30, 2015.

1559 (13) * * * [Deleted]

1560 (14) The association and its directors shall assist the
1561 Secretary of State and be subject to the applicable provisions of
1562 the laws of this state. The association shall be subject to
1563 examination and regulation by the Secretary of State. The
1564 association by its directors shall prepare and submit to the
1565 Secretary of State each year, not later than March 1 of each year,
1566 a financial report in a form approved by the Secretary of State
1567 and a report of activities during the preceding calendar year.

1568 (15) Appeal rights for claim decisions issued by the
1569 association directors exist in the chancery court in this state in
1570 which an estate has been open for probate by the representative of



1571 the claimant; the chancery court in the county in which the
1572 preneed contract was purchased; or the chancery court in this
1573 state of the claimant's or decedent's home county. A notice of
1574 appeal must be filed within thirty (30) days of the association's
1575 written order denying the claim, in whole or in part, and appeal
1576 to the chancery court is limited to a review of the record made
1577 before the association's directors on a substantial evidence
1578 evidentiary standard.

1579 **SECTION 27.** Section 77-3-87, Mississippi Code of 1972, is
1580 amended as follows:

1581 77-3-87. All reasonable and necessary expenses of the
1582 administration of the duties imposed on the public utilities staff
1583 and on the commission by Title 77, Mississippi Code of 1972,
1584 excluding the reasonable and necessary expenses of the
1585 administration and enforcement by the commission of the laws of
1586 this state pursuant to Chapters 7 and 9, Title 77, Mississippi
1587 Code of 1972, shall be provided as follows: There is hereby
1588 levied a tax upon (a) all utilities, the rates of which are
1589 subject to regulation by the provisions of this chapter and upon
1590 (b) all utilities not subject to such rate regulation which
1591 furnish to the ultimate consumer utility services of the type
1592 described by subparagraph (i) of paragraph (d) of Section 77-3-3
1593 and otherwise subject to regulation by the provisions of this
1594 chapter, such levy to be effective on the first day of each year
1595 and to be calculated as follows: The rate of the tax shall be one



1596 hundred sixty-four thousandths of one percent (164/1000 of 1%) per
1597 year, of the gross revenues from the intrastate operations of the
1598 utilities taxed under this section. The rate of the tax for
1599 electric power associations and rural electrification authorities
1600 shall be ninety thousandths of one percent (90/1000 of 1%) per
1601 year of the gross revenues from the intrastate operations of
1602 electric power associations and rural electrification authorities
1603 taxed under this section. Effective July 1, 2017, the sum of all
1604 taxes levied by this section shall not exceed the total
1605 legislative appropriation of monies * * * for the Public Utilities
1606 staff and the Public Service Commission for the ensuing fiscal
1607 year. The commission and the executive director of the public
1608 utilities staff shall certify to the Department of Revenue the
1609 amount of legislative appropriations of monies for the regulation
1610 of utilities. The Department of Revenue shall adjust the tax
1611 rates on a pro rata basis to generate the necessary revenues
1612 established by such legislative appropriations. Each utility
1613 which is subject to the tax levied by this section shall file a
1614 statement of its gross revenue by April 1 of each year showing the
1615 gross revenue for the preceding year's operation. These
1616 statements of gross revenue shall be filed with the Department of
1617 Revenue on forms prescribed and furnished by the Department of
1618 Revenue. The Department of Revenue shall file a copy of these
1619 statements of gross revenue with the public utilities staff and
1620 the commission. The Department of Revenue shall calculate the



1621 amount of tax to be paid by each of the utilities and shall submit
1622 a statement thereof to the respective utilities, and the amount
1623 shown due in the statements to the utilities shall be paid by them
1624 within thirty (30) days thereafter to the Department of Revenue.
1625 The Department of Revenue shall furnish the public utilities staff
1626 and the commission with an itemized list showing gross and net
1627 revenues, assessments, tax collections and other related
1628 information for the respective utilities. * * * The Department of
1629 Revenue shall deposit these funds into the General Fund of the
1630 State Treasury on the same day collected.

1631 All administrative provisions of the Mississippi Sales Tax
1632 Law, including those which fix damages, penalties and interest for
1633 nonpayment of taxes and for noncompliance with the provisions of
1634 such chapter, and all other duties and requirements imposed upon
1635 taxpayers, shall apply to all persons liable for taxes under the
1636 provisions of this chapter, and the Commissioner of Revenue shall
1637 exercise all the power and authority and perform all the duties
1638 with respect to taxpayers under this chapter as are provided in
1639 the Mississippi Sales Tax Law except where there is a conflict,
1640 then the provisions of this chapter shall control. The term
1641 "gross revenue" as used in this section is the total amount of all
1642 revenue derived by each of the utilities from its intrastate
1643 operations, which are subject to rate regulation under the
1644 provisions of this chapter or which constitute utility services of
1645 the type described by subparagraph (i) of paragraph (d) of Section



1646 77-3-3 and which are regulated by this chapter and furnished to
1647 ultimate consumers. The Department of Revenue is hereby
1648 authorized to use all tax returns of any utilities available to it
1649 and to make audits as may be deemed necessary of all records of
1650 utilities in order to correctly determine the amount of such gross
1651 revenue.

1652 All proceeds of the above-mentioned tax are hereby allocated
1653 to the public utilities staff and to the commission in the manner
1654 provided in this section for the purpose of this chapter.

1655 Each utility subject to the provisions of this section shall
1656 be allowed to recover, through the use of a rate adjustment clause
1657 or rider, the total amount of taxes paid by the utility pursuant
1658 to this section for the reasonable and necessary expenses of the
1659 commission and the public utilities staff.

1660 From and after July 1, 2016, the expenses of this agency
1661 shall be defrayed by appropriation from the State General Fund and
1662 all user charges and fees authorized under this section shall be
1663 deposited into the State General Fund as authorized by law.

1664 From and after July 1, 2016, no state agency shall charge
1665 another state agency a fee, assessment, rent or other charge for
1666 services or resources received by authority of this section.

1667 **SECTION 28.** Section 93-21-31, Mississippi Code of 1972, is
1668 amended as follows:

1669 93-21-31. (1) There is hereby created in the State Treasury
1670 a special fund designated as the Domestic Violence Training Fund.



1671 The fund shall be administered by the Attorney General. Money
1672 remaining in the fund at the end of a fiscal year shall not lapse
1673 into the State General Fund and any interest earned from the
1674 investment of monies in the fund shall be deposited to the credit
1675 of the fund. Monies appropriated to the fund shall be used by the
1676 Attorney General for the general administration and expenses of
1677 the Domestic Violence Division which provides training to law
1678 enforcement, prosecutors, judges, court clerks and other
1679 professionals in the field of domestic violence awareness,
1680 prevention and enforcement.

1681 (2) The clerks of the various courts shall remit the
1682 proceeds generated by Chapter 434, Laws of 2009, to the Department
1683 of Finance and Administration as is done generally for other fees
1684 collected by the clerks.

1685 (3) From and after July 1, 2016, the expenses of the
1686 Domestic Violence Division of the Office of Attorney General shall
1687 be defrayed by appropriation from the State General Fund and all
1688 user charges and fees authorized under this section shall be
1689 deposited into the State General Fund as authorized by law and as
1690 determined by the State Fiscal Officer.

1691 (4) From and after July 1, 2016, no state agency shall
1692 charge another state agency a fee, assessment, rent or other
1693 charge for services or resources received by authority of this
1694 section.



1695 **SECTION 29.** Section 97-3-54.8, Mississippi Code of 1972, is
1696 amended as follows:

1697 97-3-54.8. **Relief for Victims of Human Trafficking Fund.**

1698 (1) There is hereby created in the State Treasury a special fund
1699 to be known as the "Relief for Victims of Human Trafficking Fund."
1700 The fund shall be a continuing fund, not subject to fiscal_year
1701 limitations, and shall consist of:

- 1702 (a) Monies appropriated by the Legislature;
- 1703 (b) The interest accruing to the fund;
- 1704 (c) Donations or grant funds received; and
- 1705 (d) Monies received from such other sources as may be
1706 provided by law.

1707 (2) The monies in the Relief for Victims of Human
1708 Trafficking Fund shall be used by the Mississippi Attorney
1709 General's office solely for the administration of programs
1710 designed to assist victims of human trafficking, to conduct
1711 training on human trafficking to law enforcement, court personnel,
1712 attorneys, and nongovernmental service providers, and to support
1713 the duties of the statewide human trafficking coordinator as set
1714 forth in this act.

1715 (3) From and after July 1, 2016, the expenses of the Relief
1716 for Victims of Human Trafficking Fund program shall be defrayed by
1717 appropriation from the State General Fund and all user charges and
1718 fees authorized under this section shall be deposited into the



1719 State General Fund as authorized by law and as determined by the
1720 State Fiscal Officer.

1721 (4) From and after July 1, 2016, no state agency shall
1722 charge another state agency a fee, assessment, rent or other
1723 charge for services or resources received by authority of this
1724 section.

1725 **SECTION 30.** Section 97-33-51, Mississippi Code of 1972, is
1726 amended as follows:

1727 97-33-51. (1) The provisions of Sections 97-33-1 through
1728 97-33-49 shall not apply to any raffle wherein a ticket is sold
1729 and a prize is offered when such raffle is being held by and for
1730 the benefit of any nonprofit civic, educational, wildlife
1731 conservation or religious organization with all proceeds going to
1732 said organization.

1733 (2) The provisions of Sections 97-33-1 through 97-33-49
1734 shall not apply to any bingo game wherein a prize is offered when
1735 such bingo game is being held in accordance with the provisions of
1736 the Charitable Bingo Law.

1737 (3) A bingo game or a raffle held pursuant to the provisions
1738 of the Charitable Bingo Law shall not be considered a game or
1739 gambling game for the purposes of Section 75-76-1 et seq.

1740 (4) From and after July 1, 2016, the expenses of this
1741 program shall be defrayed by appropriation from the State General
1742 Fund and all user charges and fees authorized under this section



1743 shall be deposited into the State General Fund as authorized by
1744 law and as determined by the State Fiscal Officer.

1745 (5) From and after July 1, 2016, no state agency shall
1746 charge another state agency a fee, assessment, rent or other
1747 charge for services or resources received by authority of this
1748 section.

1749 **SECTION 31.** Section 97-45-25, Mississippi Code of 1972, is
1750 amended as follows:

1751 97-45-25. (1) In a proceeding for violations under Title
1752 97, Chapter 45, Section 97-5-33 or Section 97-19-85, the court, in
1753 addition to the criminal penalties imposed under this chapter,
1754 shall assess against the defendant convicted of such violation
1755 double those reasonable costs that are expended by the Office of
1756 Attorney General, the district attorney's office, the sheriff's
1757 office or police department involved in the investigation of such
1758 case, including, but not limited to, the cost of investigators,
1759 software and equipment utilized in the investigation, together
1760 with costs associated with process service, court reporters and
1761 expert witnesses. The Attorney General or district attorney may
1762 institute and maintain proceedings in his name for enforcement of
1763 payment in the circuit court of the county of residence of the
1764 defendant and, if the defendant is a nonresident, such proceedings
1765 shall be in the Circuit Court of the First Judicial District of
1766 Hinds County, Mississippi. The Attorney General or district



1767 attorney shall distribute the property or interest assessed under
1768 this section as follows:

1769 (a) Fifty percent (50%) shall be distributed to the
1770 unit of state or local government whose officers or employees
1771 conducted the investigation into computer fraud, identity theft or
1772 child exploitation which resulted in the arrest or arrests and
1773 prosecution. Amounts distributed to units of local government
1774 shall be used for training or enforcement purposes relating to
1775 detection, investigation or prosecution of computer and financial
1776 crimes, including computer fraud or child exploitation.

1777 (b) Where the prosecution was maintained by the
1778 district attorney, fifty percent (50%) shall be distributed to the
1779 county in which the prosecution was instituted by the district
1780 attorney and appropriated to the district attorney for use in
1781 training or enforcement purposes relating to detection,
1782 investigation or prosecution of computer and financial crimes,
1783 including computer fraud or child exploitation. Where a
1784 prosecution was maintained by the Attorney General, fifty percent
1785 (50%) of the proceeds shall be paid or distributed into the
1786 Attorney General's Cyber Crime Central or the Attorney General's
1787 special fund to be used for consumer fraud education and
1788 investigative and enforcement operations of the Office of Consumer
1789 Protection. Where the Attorney General and the district attorney
1790 have participated jointly in any part of the proceedings,
1791 twenty-five percent (25%) of the property forfeited shall be paid



1792 to the county in which the prosecution occurred, and twenty-five
1793 percent (25%) shall be paid to the Attorney General's Cyber Crime
1794 Central or the Attorney General's special fund to be used for the
1795 purposes as stated in this paragraph.

1796 (2) From and after July 1, 2016, the expenses of the
1797 Attorney General's Cyber Crime Central or Attorney General's
1798 special fund program shall be defrayed by appropriation from the
1799 State General Fund and all user charges and fees authorized under
1800 this section shall be deposited into the State General Fund as
1801 authorized by law and as determined by the State Fiscal Officer.

1802 (3) From and after July 1, 2016, no state agency shall
1803 charge another state agency a fee, assessment, rent or other
1804 charge for services or resources received by authority of this
1805 section.

1806 **SECTION 32.** Section 99-41-29, Mississippi Code of 1972, is
1807 amended as follows:

1808 99-41-29. (1) From and after July 1, 1990, there is hereby
1809 created in the State Treasury a special interest-bearing fund to
1810 be known as the Crime Victims' Compensation Fund. The monies
1811 contained in the fund shall be * * * used for the sole purpose of
1812 payment of awards of compensation to victims and claimants
1813 pursuant to this chapter, the payment of all necessary and proper
1814 expenses incurred by the division in the administration of this
1815 chapter, payment of sexual assault examinations pursuant to
1816 Section 99-37-25, payment of Address Confidentiality Program



1817 administrative expenses pursuant to Section 99-47-1(7) and payment
1818 of other expenses in furtherance of providing assistance to
1819 victims of crime through information referrals, advocacy outreach
1820 programs and victim-related services. Expenditures from the fund
1821 shall be paid by the State Treasurer upon warrants issued by the
1822 Department of Finance and Administration, and upon requisitions
1823 signed by the Attorney General or his duly designated
1824 representative in the manner provided by law. The fund shall be a
1825 continuing fund, not subject to fiscal-year limitations, and shall
1826 consist of: (a) monies appropriated by the Legislature for the
1827 purposes of compensating the victims of crime and other claimants
1828 under this chapter; (b) the interest accruing to the fund; (c)
1829 monies recovered by the director under the provisions of Section
1830 99-41-21; (d) monies received from the federal government; and (e)
1831 monies received from such other sources as may be provided by law.

1832 (2) No compensation payments shall be made which exceed the
1833 amount of money in the fund. The state shall not be liable for a
1834 written order to pay compensation, except to the extent that
1835 monies are available in the fund on the date the award is ordered.
1836 The Attorney General shall establish such rules and regulations as
1837 shall be necessary to adjust awards and payments so that the total
1838 amount awarded does not exceed the amount of money on deposit in
1839 the fund. Such rules and regulations may include, but shall not
1840 be limited to, the authority to provide for suspension of payments
1841 and proportioned reduction of benefits to all claimants; provided,



1842 however, no such reductions as provided for shall entitle
1843 claimants to future retroactive reimbursements in future years.

1844 (3) From and after July 1, 2016, the expenses of the Crime
1845 Victims Compensation Fund Program (including the Crime Victims
1846 Compensation Administration Fund) shall be defrayed by
1847 appropriation from the State General Fund and all user charges and
1848 fees authorized under this section shall be deposited into the
1849 State General Fund as authorized by law and as determined by the
1850 State Fiscal Officer.

1851 (4) From and after July 1, 2016, no state agency shall
1852 charge another state agency a fee, assessment, rent or other
1853 charge for services or resources received by authority of this
1854 section.

1855 **SECTION 33.** This act shall take effect and be in force from
1856 and after July 1, 2017, and shall stand repealed on June 30, 2017.

