

By: Senator(s) Clarke, Dearing

To: Appropriations

SENATE BILL NO. 2001

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 OR PROJECT FEES ARE INVOLVED; TO AMEND  
5 SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
6 CERTAIN SPECIAL FUNDS SHALL BE EXEMPT FROM THE REQUIREMENT THAT  
7 ALL SPECIAL FUNDS ARE TO BE DEPOSITED INTO THE STATE GENERAL FUND;  
8 TO AMEND SECTIONS 7-3-59, 23-15-169.7, 23-15-5 AND 79-29-1203,  
9 MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE END OF YEAR BALANCE  
10 OF THE HELP MISSISSIPPI VOTE FUND AND THE ELECTIONS SUPPORT FUND  
11 SHALL BE DEPOSITED INTO THE STATE GENERAL FUND AND THE PROGRAM  
12 SHALL BE ADMINISTERED FROM APPROPRIATIONS FROM THE STATE GENERAL  
13 FUND; TO AMEND SECTION 7-5-305, MISSISSIPPI CODE OF 1972, TO  
14 CLARIFY THAT THE EXPENSES OF THE INSURANCE INTEGRITY ENFORCEMENT  
15 FUND PROGRAM SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE  
16 GENERAL FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE  
17 DEPOSITED INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE  
18 FISCAL OFFICER; TO AMEND SECTIONS 9-11-35 AND 21-23-23,  
19 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI  
20 DEPARTMENT OF REVENUE SHALL ADMINISTER THE JUSTICE COURT  
21 COLLECTIONS PAYMENT PROGRAM AND THE MUNICIPAL COURT COLLECTIONS  
22 PAYMENT PROGRAM; TO DELETE THE JUSTICE COURT COLLECTIONS SPECIAL  
23 FUND; TO DELETE THE MUNICIPAL COURT COLLECTIONS SPECIAL FUND; TO  
24 AMEND SECTION 11-46-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
25 THE TORT CLAIMS BOARD SHALL BE EXEMPT FROM THE REQUIREMENT THAT  
26 SPECIAL FUNDS ARE TO BE DEPOSITED INTO THE STATE GENERAL FUND AND  
27 FROM THE PROHIBITION AGAINST CHARGING FEES; TO AMEND SECTIONS  
28 25-31-41 AND 99-19-72, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT  
29 THE DISTRICT ATTORNEYS OPERATION FUND SHALL BE DEPOSITED INTO THE  
30 STATE GENERAL FUND AND THE EXPENSES OF THE DISTRICT ATTORNEYS  
31 SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL FUND; TO  
32 AMEND SECTIONS 27-19-99 AND 27-19-155, MISSISSIPPI CODE OF 1972,  
33 TO PROVIDE THAT LICENSE PLATES AND DECAL FEES SHALL BE DEPOSITED  
34 INTO THE STATE GENERAL FUND; TO AMEND SECTION 27-19-179,



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



86 AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE STATE  
87 GENERAL FUND AS DETERMINED BY THE STATE FISCAL OFFICER; TO AMEND  
88 SECTION 27-103-303, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
89 INDIVIDUAL PROJECT CAP ON EXPENDITURES FROM THE CAPITAL EXPENSE  
90 FUND; TO AMEND SECTION 71-3-73, MISSISSIPPI CODE OF 1972, TO  
91 PROVIDE THAT THE ASSESSMENTS AUTHORIZED FOR THE SECOND INJURY  
92 TRUST FUND SHALL BE EXEMPT FROM THE REQUIREMENT THAT SPECIAL FUNDS  
93 ARE TO BE DEPOSITED INTO THE STATE GENERAL FUND; TO AMEND SECTIONS  
94 71-3-95, 71-3-97, 71-3-99 AND 71-3-100, MISSISSIPPI CODE OF 1972,  
95 TO CLARIFY THAT THE EXPENSES OF THE MISSISSIPPI WORKERS'  
96 COMPENSATION COMMISSION SHALL BE DEFRAID BY APPROPRIATION FROM  
97 THE STATE GENERAL FUND; TO AMEND SECTIONS 73-31-7, 73-75-11 AND  
98 73-75-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EFFECTIVE JULY  
99 1, 2018, THE MISSISSIPPI AUTISM BOARD BE ASSIGNED TO THE STATE  
100 BOARD OF PSYCHOLOGY FOR ADMINISTRATIVE SUPPORT, AND TO CLARIFY  
101 THAT THE EXPENSES OF THE BEHAVIOR ANALYST LICENSURE LAW SHALL  
102 CONTINUE TO BE DEFRAID FROM ASSESSMENTS DEPOSITED IN A SPECIAL  
103 FUND; TO AMEND SECTION 75-57-119, MISSISSIPPI CODE OF 1972, TO  
104 CLARIFY THAT THE PROPANE EDUCATION AND RESEARCH FUND SHALL BE  
105 EXEMPT FROM THE REQUIREMENT THAT SPECIAL FUNDS ARE TO BE DEPOSITED  
106 INTO THE STATE GENERAL FUND; TO AMEND SECTION 75-63-81,  
107 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PRENEED CONTRACTS  
108 LOSS RECOVERY FUND SHALL BE EXEMPT FROM THE REQUIREMENT THAT  
109 SPECIAL FUNDS BE DIVERTED INTO THE STATE GENERAL FUND AND TO  
110 PROVIDE THAT NO SUCH FUNDS MAY BE USED IN THE ADMINISTRATION OF  
111 THIS PROGRAM; TO AMEND SECTION 77-1-6, MISSISSIPPI CODE OF 1972,  
112 TO CLARIFY THAT THE PUBLIC SERVICE COMMISSION REGULATION FUND  
113 SHALL BE DEPOSITED INTO THE STATE GENERAL FUND AS DETERMINED BY  
114 THE STATE FISCAL OFFICER; TO AMEND SECTION 77-3-87, MISSISSIPPI  
115 CODE OF 1972, TO CLARIFY THAT THE AMOUNT OF THE PUBLIC UTILITIES  
116 REGULATORY ASSESSMENT SHALL NOT EXCEED THE TOTAL LEGISLATIVE  
117 APPROPRIATION AND THAT THE PROCEEDS OF SUCH ASSESSMENT SHALL BE  
118 DEPOSITED INTO THE STATE TREASURY FOR THE CREDIT OF THE GENERAL  
119 FUND; TO AMEND SECTION 77-3-721, MISSISSIPPI CODE OF 1972, TO  
120 CLARIFY THAT THE MISSISSIPPI TELEPHONE SOLICITATION REGULATION  
121 FUND SHALL BE DEPOSITED INTO THE STATE GENERAL FUND AS DETERMINED  
122 BY THE STATE FISCAL OFFICER; TO AMEND SECTION 93-21-31,  
123 MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE EXPENSES OF THE  
124 DOMESTIC VIOLENCE DIVISION OF THE OFFICE OF ATTORNEY GENERAL 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; TO  
128 AMEND SECTION 97-3-54.8, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT  
129 THE EXPENSES OF THE RELIEF FOR VICTIMS OF HUMAN TRAFFICKING FUND  
130 PROGRAM SHALL BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL  
131 FUND AND ALL FEES AUTHORIZED UNDER THIS PROGRAM SHALL BE DEPOSITED  
132 INTO THE STATE GENERAL FUND AS DETERMINED BY THE STATE FISCAL  
133 OFFICER; TO AMEND SECTIONS 97-33-51 AND 97-33-101, MISSISSIPPI  
134 CODE OF 1972, TO CLARIFY THAT THE CHARITABLE BINGO FUND SHALL BE  
135 DIVERTED INTO THE STATE GENERAL FUND AND THE CHARITABLE BINGO LAW  
136 SHALL BE ADMINISTERED BY APPROPRIATION FROM THE STATE GENERAL



137 FUND; TO AMEND SECTION 97-45-25, MISSISSIPPI CODE OF 1972, TO  
138 CLARIFY THAT THE EXPENSES OF THE ATTORNEY GENERAL'S CYBER CRIME  
139 CENTRAL SPECIAL FUND PROGRAM SHALL BE DEFRAID BY APPROPRIATION  
140 FROM THE STATE GENERAL FUND AND ALL FEES AUTHORIZED UNDER THIS  
141 PROGRAM SHALL BE DEPOSITED INTO THE STATE GENERAL FUND AS  
142 DETERMINED BY THE STATE FISCAL OFFICER; TO AMEND SECTION 99-41-29,  
143 MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE EXPENSES OF THE  
144 CRIME VICTIMS COMPENSATION FUND PROGRAM SHALL BE DEFRAID BY  
145 APPROPRIATION FROM THE STATE GENERAL FUND AND ALL FEES AUTHORIZED  
146 UNDER THIS PROGRAM SHALL BE DEPOSITED INTO THE STATE GENERAL FUND  
147 AS DETERMINED BY THE STATE FISCAL OFFICER; AND FOR RELATED  
148 PURPOSES.

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

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

152 27-104-203. From and after July 1, 2016, no state agency  
153 shall charge another state agency a fee, assessment, rent, audit  
154 fee, personnel fee or other charge for services or resources  
155 received. The provisions of this section shall not apply (a) to  
156 grants, contracts, pass-through funds, project fees or other  
157 charges for services between state agencies and the Board of  
158 Trustees of State Institutions of Higher Learning, any public  
159 university, the Mississippi Community College Board, any public  
160 community or junior college, and the State Department of  
161 Education, nor (b) to charges for services between the Board of  
162 Trustees of State Institutions of Higher Learning, any public  
163 university, the Mississippi Community College Board, any public  
164 community or junior college, and the State Department of  
165 Education, nor (c) to federal grants, pass-through funds, cost  
166 allocation charges, surplus property charges or project fees  
167 between state agencies as approved or determined by the State



168 Fiscal Officer. The Board of Trustees of State Institutions of  
169 Higher Learning, any public university, the Mississippi Community  
170 College Board, any public community or junior college, and the  
171 State Department of Education shall retain the authority to charge  
172 and be charged for expenditures that they deemed nonrecurring in  
173 nature by the State Fiscal Officer.

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

176 27-104-205. (1) From and after July 1, 2016, the expenses  
177 of the following enumerated state agencies shall be defrayed by  
178 appropriation of the Legislature from the State General Fund: the  
179 State Fire Marshal, the State Fire Academy, the Office of  
180 Secretary of State (not including the Preneed Contracts Loss  
181 Recovery Fund), the Mississippi Public Service Commission, the  
182 Mississippi Department of Information Technology Services, the  
183 State Personnel Board, the Mississippi Department of Insurance  
184 (not including the Municipal Fire Protection Fund, Section  
185 83-1-37, the County Volunteer Fire Department Fund, Section  
186 83-1-39, and the Mississippi Propane Education and Research Fund,  
187 Section 75-57-119), the Mississippi Law Enforcement Officers'  
188 Minimum Standards Board; \* \* \* the Mississippi Gaming Commission;  
189 the Mississippi Oil and Gas Board; the Mississippi Department of  
190 Revenue - License Tag; the Office of the State Public Defender;  
191 the Mississippi Workers' Compensation Commission (not including  
192 the Second Injury Trust Fund); the Office of Attorney General; and



193 the Mississippi Department of Finance and Administration (not  
194 including the Statewide Cost Allocation Plan, the Office of  
195 Surplus Property and the Office of Insurance). Beginning July 1,  
196 2016, any fees, assessments or other revenues charged for the  
197 support of the above-named state agencies shall be deposited into  
198 the State General Fund, and any special fund or depository  
199 established within the State Treasury for the deposit of such  
200 fees, assessments or revenues shall be abolished and the balance  
201 transferred to the State General Fund. Expenses heretofore drawn  
202 from such special funds or other depositories shall be drawn from  
203 the agencies General Fund Account.

204 (2) Beginning with the fiscal year ending June 30, 2016, the  
205 amount to be appropriated annually from the State General Fund for  
206 the support of each of the above-named state agencies shall not  
207 exceed the amount appropriated for such purpose in the preceding  
208 fiscal year, plus any increases in or additional fees, assessments  
209 or other charges authorized by act of the Legislature for the  
210 succeeding fiscal year.

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

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

216 (5) The provisions of this section shall not apply to any  
217 trust fund accounts maintained by the Public Employees' Retirement



218 System and protected under Section 272A of the Mississippi  
219 Constitution of 1890.

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

222 7-3-59. (1) Except as otherwise provided in this section,  
223 all fees collected by the Office of the Secretary of State under  
224 Section 75-9-525 shall be deposited in State Treasury Special Fund  
225 3111, and shall be used to operate the activities of the Office of  
226 the Secretary of State as necessary to administer the filing and  
227 research provisions of Revised Article 9 of the Uniform Commercial  
228 Code and to pay to each chancery clerk such amounts as that clerk  
229 shall be owed under subsection (2) of this section. The  
230 expenditure of the funds deposited in this fund shall be paid by  
231 the State Treasurer upon requisition signed by the Office of the  
232 Secretary of State.

233 (2) (a) Through September 30, 2007, for each filing and  
234 indexing of a financing statement under Part 5 (Filing) of Title  
235 75, Chapter 9 (Uniform Commercial Code Revised Article 9 - Secured  
236 Transactions), the Secretary of State shall remit the following  
237 fee to the chancery clerk of the Mississippi county, if any,  
238 indicated on the face of the financing statement as the domicile  
239 of the debtor, or, if no county is so indicated, the Mississippi  
240 county of the address of the debtor stated on the financing  
241 statement.



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

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

250 (b) From and after October 1, 2007, for each filing and  
251 indexing of a financing statement under Part 5 (Filing) of Title  
252 75, Chapter 9 (Uniform Commercial Code Revised Article 9 - Secured  
253 Transactions), the Secretary of State shall remit the following  
254 fee to the County Voting Systems Assistance Bond Sinking Fund  
255 created under Section 3 of House Bill No. 562, 2006 Regular  
256 Session, in such amounts as specified in Section 3 of House Bill  
257 No. 562, 2006 Regular Session, and shall distribute the remainder  
258 of the fees to the "Help Mississippi Vote Fund" created in Section  
259 23-15-169.7.

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





265 (ii) Five Dollars (\$5.00) if the financing  
266 statement is communicated by another medium authorized by  
267 filing-office rule.

268 (3) The Secretary of State shall remit to each chancery  
269 clerk not less than monthly the amount owed under subsection (2)  
270 of this section. Each payment shall be accompanied by a detailed  
271 accounting of the transactions represented by that payment.  
272 However, from and after October 1, 2007, the Secretary of State  
273 shall remit to the County Voting Systems Assistance Bond Sinking  
274 Fund and the "Help Mississippi Vote Fund" not less than monthly  
275 the amount provided under subsection (2) of this section. Each  
276 payment shall be accompanied by a detailed accounting of the  
277 transactions represented by that payment.

278 (4) From and after July 1, 2016, the expenses of \* \* \* the  
279 Office of Secretary of State shall be defrayed by appropriation  
280 from the State General Fund to the Office of Secretary of State  
281 and all user charges and fees authorized under this section shall  
282 be deposited into the State General Fund as authorized by law and  
283 as determined necessary by the State Fiscal Officer for the  
284 purpose of paying principal and interest on bond issues for county  
285 voting systems, and shall not be authorized for expenditure by the  
286 Secretary of State to reimburse or otherwise defray the expenses  
287 of any office administered by the Secretary of State.

288 (5) From and after July 1, 2016, no state agency shall  
289 charge another state agency a fee, assessment, rent or other



290 charge for services or resources received by authority of this  
291 section.

292         **SECTION 4.** Section 23-15-169.7, Mississippi Code of 1972, as  
293 amended by House Bill No. 467, 2017 Regular Session, is amended as  
294 follows:

295         23-15-169.7. (1) There is created in the State Treasury a  
296 special fund, to be designated the "Help Mississippi Vote Fund" to  
297 the credit of the Secretary of State, which shall be comprised of  
298 the monies required to be deposited into the fund under Section  
299 7-3-59, and any other funds that may be made available for the  
300 fund by the Legislature.

301         (2) Monies in the fund shall be expended by the Secretary of  
302 State to support the state's maintenance of efforts as required by  
303 the federal mandates of the Help America Vote Act of 2002 and for  
304 compensation paid to any certified poll manager under Section  
305 23-15-239.

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

310         (4) From and after July 1, 2016, the expenses of this agency  
311 shall be defrayed by line item appropriation from the State  
312 General Fund to the Office of Secretary of State and all user  
313 charges and fees authorized under this section shall be deposited  
314 into the State General Fund as authorized by law and as determined



315 by the State Fiscal Officer, and shall not be authorized for  
316 expenditure by the Secretary of State to reimburse or otherwise  
317 defray expenses of any office administered by the Secretary of  
318 State.

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

323 **SECTION 5.** Section 23-15-5, Mississippi Code of 1972, as  
324 amended by House Bill No. 467, 2017 Regular Session, is amended as  
325 follows:

326 23-15-5. (1) There is created in the State Treasury a  
327 special fund to be known as the Elections Support Fund. Monies  
328 derived from annual report fees imposed upon limited liability  
329 companies under Section 79-29-1203 shall be deposited into the  
330 Elections Support Fund. Unexpended amounts remaining in the fund  
331 at the end of the fiscal year shall not lapse into the State  
332 General Fund, and any interest earned or investment earnings on  
333 amounts in the fund shall be disbursed as provided in subsection  
334 (2) of this section. The expenditure of monies in the fund shall  
335 be under the direction of the Secretary of State as provided by  
336 subsection (2) of this section, and such funds shall be paid by  
337 the State Treasurer upon warrants issued by the Department of  
338 Finance and Administration.

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



340 (i) Fifty percent (50%) of the monies in the  
341 special fund shall be distributed annually to the counties, upon  
342 appropriation of the Legislature, based on the proportion that the  
343 population of a county bears to the total population in all  
344 counties of the state population according to the most recent  
345 information from the United States Census Bureau, and held in a  
346 separate fund solely for the purpose of acquiring, upgrading,  
347 maintaining or repairing voting equipment, systems and supplies,  
348 hiring temporary technical support, conducting elections using  
349 such voting equipment or systems, employing such personnel to  
350 conduct an election, and training election officials; and

351 (ii) The remaining fifty percent (50%) of the  
352 monies in the special fund shall be \* \* \* deposited in the State  
353 General Fund.

354 (b) The Secretary of State shall create standard  
355 training guidelines to assist counties in training election  
356 officials with the funds authorized under subsection (2)(a)(ii) of  
357 this section. Any criteria established by the Secretary of State  
358 for the purposes of this section shall be used in addition to any  
359 other training or coursework prescribed by the Secretary of State  
360 to train circuit clerks, poll managers and any other election  
361 officials participating in county elections.

362 (c) Notwithstanding any other provision of law, no  
363 monies from the Elections Support Fund shall be used by the  
364 Secretary of State or any person associated with the Office of the



365 Secretary of State to provide or otherwise support expert  
366 testimony in any manner for any hearing, trial or election  
367 contest.

368 (3) From and after July 1, \* \* \* 2017, \* \* \* none of the  
369 monies deposited in the Elections Support Fund may be used to  
370 reimburse or otherwise defray any costs that the Office of the  
371 Secretary of State may incur in administering the fund.

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

376 **SECTION 6.** Section 79-29-1203, Mississippi Code of 1972, is  
377 amended as follows:

378 79-29-1203. (1) No document required to be filed under this  
379 chapter shall be effective until the applicable fee required by  
380 this section is paid. The following fees shall be paid to and  
381 collected by the Secretary of State for the use of the State of  
382 Mississippi:

383 (a) Filing of Reservation of Limited Liability Company  
384 Name or Transfer or Cancellation of Reservation, Twenty-five  
385 Dollars (\$25.00).

386 (b) [Reserved]

387 (c) [Reserved]

388 (d) Filing of Certificate of Formation, Fifty Dollars  
389 (\$50.00).



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

392 (f) Filing of Certificate of Dissolution, Fifty Dollars  
393 (\$50.00).

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

400 (h) Filing of Certificate of Correction, Fifty Dollars  
401 (\$50.00).

402 (i) Filing of Certificate of Cancellation of  
403 Registration of Foreign Limited Liability Company, Fifty Dollars  
404 (\$50.00).

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

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

410 (l) Certificate of Administrative Dissolution, (no  
411 fee).

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



414 (n) Certificate of Administrative Revocation of  
415 Authority to Transact Business, (no fee).

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

418 (p) Certificate of Reinstatement Following  
419 Administrative Dissolution, (no fee).

420 (q) Certificate of Reinstatement Following  
421 Administrative Revocation of Authority to Transact Business, (no  
422 fee).

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

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

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

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

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

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

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

437 (4) The Secretary of State may promulgate rules to:



438 (a) Reduce the filing fees set forth in this section or  
439 provide for discounts of fees as set forth in this section to  
440 encourage online filing of documents or for other reasons as  
441 determined by the Secretary of State; and

442 (b) Provide for documents to be filed and accepted on  
443 an expedited basis upon the request of the applicant. The  
444 Secretary of State may promulgate rules to provide for an  
445 additional reasonable filing fee to be paid by the applicant and  
446 collected by the Secretary of State for the expedited filing  
447 services.

448 (5) From and after July 1, 2016, the expenses of the Office  
449 of Secretary of State shall be defrayed by line item appropriation  
450 from the State General Fund to the Office of Secretary of State  
451 and all user charges and fees authorized under this section shall  
452 be deposited into the State General Fund as authorized by law and  
453 as determined by the State Fiscal Officer, and shall not be  
454 authorized for expenditure by the Secretary of State to reimburse  
455 or otherwise defray the expenses of any office administered by the  
456 Secretary of State.

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

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





463           7-5-305. (1) To fund the Insurance Integrity Enforcement  
464 Bureau, the Workers' Compensation Commission may assess each  
465 workers' compensation carrier and self-insurer, in the manner  
466 provided in Section 71-3-99, an amount based upon the proportion  
467 that the total gross claims for compensation and medical services  
468 and supplies paid by such carrier or self-insurer during the  
469 preceding one-year period bore to the total gross claims for  
470 compensation and medical services and supplies paid by all  
471 carriers and self-insurers during such period. The total amount  
472 assessed and collected by the commission from all workers'  
473 compensation carriers and self-insurers used to fund the Insurance  
474 Integrity Enforcement Bureau during each fiscal year shall be  
475 based upon the recommendation of the Insurance Integrity  
476 Enforcement Bureau, but shall not exceed One Hundred Fifty  
477 Thousand Dollars (\$150,000.00). The funds received from the  
478 assessment in this subsection (1) shall be used primarily for the  
479 purpose of investigating and prosecuting workers' compensation  
480 fraud. Within thirty (30) days of receipt, the Workers'  
481 Compensation Commission shall transfer such assessment from the  
482 Administrative Expense Fund into a special fund of the Office of  
483 the Attorney General created in the State Treasury and designated  
484 as the "Insurance Integrity Enforcement Fund."

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



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

494 (3) The Insurance Integrity Enforcement Bureau may accept  
495 gifts, grants and appropriations of state and federal funds for  
496 deposit in the Insurance Integrity Enforcement Fund. The  
497 Insurance Integrity Enforcement Fund shall be used solely to  
498 defray the expenses of the Insurance Integrity Enforcement Bureau,  
499 and any interest earned on monies in such fund shall be credited  
500 to the fund. Expenditures from the Insurance Integrity  
501 Enforcement Fund shall be made upon requisition by the Attorney  
502 General and subject to appropriation by the Legislature.

503 (4) From and after July 1, 2016, the expenses of this agency  
504 shall be defrayed by appropriation from the State General Fund and  
505 all user charges and fees authorized under this section shall be  
506 deposited into the State General Fund as authorized by law and as  
507 determined by the State Fiscal Officer.

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



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

514           9-11-35. (1) \* \* \* The Department of Revenue shall  
515 administer the Justice Court Collections Payment Program. The  
516 purpose of the \* \* \* program shall be to provide support for  
517 salaries of justice court personnel, for the purchase, operation  
518 and maintenance of software and equipment, for facility planning  
519 and improvement, and for other expenses incurred for the purpose  
520 of collecting fines and assessments within the justice court  
521 system. Monies \* \* \* appropriated by the Legislature to the  
522 Department of Revenue for the purposes of funding the Justice  
523 Court Collections Payment Program shall be expended by the  
524 department \* \* \* to each participating county based upon that  
525 county's deposits in the Treasury of the monies received under the  
526 provisions of Section 99-19-73.

527           \* \* \*

528           (2) The Department of Revenue shall promulgate rules and  
529 procedures relating to \* \* \* the disbursement of monies \* \* \* to  
530 participating counties. The department \* \* \* shall promulgate  
531 rules and procedures to \* \* \* ensure that the justice court system  
532 of a participating county practices proper and effective  
533 collection procedures for the collection of fines and other  
534 assessments. The county may use monies \* \* \* received from the  
535 program to defray the costs associated with collection actions  
536 under Section 19-3-41(4) for collection of delinquent fines and



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

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

542 21-23-23. (1) \* \* \* The Department of Revenue shall  
543 administer the Municipal Court Collections Payment Program. The  
544 purpose of the \* \* \* program shall be to provide support for  
545 salaries of municipal court personnel, for the purchase, operation  
546 and maintenance of software and equipment, for facility planning  
547 and improvement, and for other expenses incurred for the purpose  
548 of collecting fines and assessments within the municipal court  
549 system. Monies \* \* \* appropriated by the Legislature to the  
550 Department of Revenue for the purposes of funding the Municipal  
551 Court Collections Payment Program shall be expended by the  
552 department \* \* \* to each participating municipality based upon  
553 that municipality's deposits in the Treasury of the monies  
554 received under the provisions of Section 99-19-73.

555 \* \* \*

556 (2) The Department of Revenue shall promulgate rules and  
557 procedures relating to \* \* \* the disbursement of monies \* \* \* to  
558 participating municipalities. The department \* \* \* shall  
559 promulgate rules and procedures to \* \* \* ensure that the municipal  
560 court system of a participating municipality practices proper and  
561 effective collection procedures for the collection of fines and



562 other assessments. If a municipality uses its own employees to  
563 collect delinquent fines and other assessments owed to the  
564 municipality, then it may use monies from the fund to defray the  
565 costs associated with these collection actions. In addition, the  
566 governing authority of a participating municipality shall contract  
567 with a private attorney or private collection agent or agency to  
568 collect delinquent criminal fines and other assessments as  
569 provided in Section 21-17-1(6) in order to qualify. \* \* \*

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

572 11-46-17. (1) There is hereby created in the State Treasury  
573 a special fund to be known as the "Tort Claims Fund."

574 All monies that the Department of Finance and Administration  
575 receives and collects under the provisions of subsection (2) of  
576 this section and all funds that the Legislature appropriates for  
577 use by the board in administering the provisions of this chapter  
578 shall be deposited in the fund. All monies in the fund may be  
579 expended by the board for any and all purposes for which the board  
580 is authorized to expend funds under the provisions of this  
581 chapter. All interest earned from the investment of monies in the  
582 fund shall be credited to the fund. Monies remaining in the fund  
583 at the end of a fiscal year shall not lapse into the State General  
584 Fund.

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



587 comprehensive plan of self-insurance or one or more policies of  
588 liability insurance or combination of the two (2), all to be  
589 administered by the Department of Finance and Administration. The  
590 plan shall provide coverage to each of such governmental entities  
591 for every risk for which the board determines the respective  
592 governmental entities to be liable in the event of a claim or suit  
593 for injuries under the provisions of this chapter, including  
594 claims or suits for injuries from the use or operation of motor  
595 vehicles; the board may allow the plan to contain any reasonable  
596 limitations or exclusions not contrary to Mississippi state  
597 statutes or case law as are normally included in commercial  
598 liability insurance policies generally available to governmental  
599 entities. The plan may also provide coverage for liabilities  
600 outside the provisions of this chapter, including, but not limited  
601 to, liabilities arising from Sections 1983 through 1987 of Title  
602 42 of the United States Code and liabilities from actions brought  
603 in foreign jurisdictions, and the board shall establish limits of  
604 coverage for such liabilities. Each governmental entity  
605 participating in the plan shall make payments to the board in such  
606 amounts, times and manner determined by the board as the board  
607 deems necessary to provide sufficient funds to be available for  
608 payment by the board of the costs it incurs in providing coverage  
609 for the governmental entity. Each governmental entity of the  
610 state other than the political subdivisions thereof participating  
611 in the plan procured by the board shall be issued by the board a



612 certificate of coverage whose form and content shall be determined  
613 by the board but which shall have the effect of certifying that,  
614 in the opinion of the board, each of such governmental entities is  
615 adequately insured.

616 Before July 1, 1993, the Board of Trustees of State  
617 Institutions of Higher Learning may provide liability coverage for  
618 each university, department, trustee, employee, volunteer,  
619 facility and activity as the board of trustees, in its discretion,  
620 shall determine advisable. If liability coverage, either through  
621 insurance policies or self-insurance retention is in effect,  
622 immunity from suit shall be waived only to the limit of liability  
623 established by the insurance or self-insurance program. From and  
624 after July 1, 1993, liability coverage established by the board of  
625 trustees must conform to the provisions of this section and must  
626 receive approval from the board. Should the board reject a plan,  
627 the board of trustees shall participate in the liability program  
628 for state agencies established by the board.

629 (3) All political subdivisions shall, from and after October  
630 1, 1993, obtain a policy or policies of insurance, establish  
631 self-insurance reserves, or provide a combination of insurance and  
632 reserves as necessary to cover all risks of claims and suits for  
633 which political subdivisions may be liable under this chapter; a  
634 political subdivision shall not be required to obtain pollution  
635 liability insurance. However, this shall not limit any cause of  
636 action against a political subdivision relative to limits of



637 liability under the Tort Claims Act. The policy or policies of  
638 insurance or self-insurance may contain any reasonable limitations  
639 or exclusions not contrary to Mississippi state statutes or case  
640 law as are normally included in commercial liability insurance  
641 policies generally available to political subdivisions. All the  
642 plans of insurance or reserves or combination of insurance and  
643 reserves shall be submitted for approval to the board. The board  
644 shall issue a certificate of coverage to each political  
645 subdivision whose plan it approves in the same manner as provided  
646 in subsection (2) of this section. Whenever any political  
647 subdivision fails to obtain the board's approval of its plan, the  
648 political subdivision shall act in accordance with the rules and  
649 regulations of the board and obtain a satisfactory plan of  
650 insurance or reserves or combination of insurance and reserves to  
651 be approved by the board.

652 (4) Any governmental entity may purchase liability insurance  
653 to cover claims in excess of the amounts provided for in Section  
654 11-46-15 and may be sued by anyone in excess of the amounts  
655 provided for in Section 11-46-15 to the extent of the excess  
656 insurance carried; however, the immunity from suit above the  
657 amounts provided for in Section 11-46-15 shall be waived only to  
658 the extent of excess liability insurance carried.

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





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

666 (6) The board shall have subrogation rights against a third  
667 party for amounts paid out of any plan of self-insurance  
668 administered by the board pursuant to this section on behalf of a  
669 governmental entity that is not a political subdivision as a  
670 result of damages caused under circumstances creating a cause of  
671 action in favor of such governmental entity against a third party.  
672 The board shall deposit in the Tort Claims Fund all monies  
673 received in connection with the settlement or payment of any  
674 claim, including proceeds from the sale of salvage.

675 (7) \* \* \* During fiscal year 2017, the board shall have full  
676 authority to assess agencies and governmental entities as per  
677 Section 11-46-19(1)(r).

678 \* \* \*

679 **SECTION 11.** Section 25-31-41, Mississippi Code of 1972, is  
680 amended as follows:

681 25-31-41. (1) There is created in the State Treasury a  
682 special fund designated as the District Attorneys Operation Fund.  
683 The funds shall be administered by the Attorney General. The fund  
684 shall consist of monies deposited therein as provided in Section  
685 99-19-72 and monies from any other source designated for deposit  
686 into the fund. The Attorney General may also accept monies from



687 any public or private source for deposit into the fund. Money  
688 remaining in the fund at the end of a fiscal year shall not lapse  
689 into the State General Fund, and any interest earned from the  
690 investment of monies in the fund shall be deposited to the credit  
691 of the fund.

692 (2) Monies in the fund shall be subject to appropriation by  
693 the Legislature and may only be used for the purpose of assisting  
694 district attorneys as determined necessary by the Attorney  
695 General. Monies in the fund used for the purposes described in  
696 this section shall be in addition to other funds available from  
697 any other source for such purposes.

698 (3) From and after July 1, 2016, the expenses of district  
699 attorneys shall be defrayed by appropriation from the State  
700 General Fund and all user charges and fees authorized by Section  
701 99-19-72(1) (a) and (b) shall be deposited into the State General  
702 Fund as authorized by law and as determined by the State Fiscal  
703 Officer, and charges and fees authorized by Section 99-19-72(1) (c)  
704 shall be retained by the circuit clerks for expenditures  
705 authorized by law.

706 **SECTION 12.** Section 99-19-72, Mississippi Code of 1972, is  
707 amended as follows:

708 99-19-72. (1) A filing fee of One Hundred Fifty Dollars  
709 (\$150.00) is hereby levied on each petition to expunge an offense  
710 under Section 99-19-71 to be collected by the circuit clerk and  
711 distributed as follows:



712 (a) One Hundred Dollars (\$100.00) to be deposited into  
713 the Judicial System Operation Fund;

714 (b) Forty Dollars (\$40.00) to be deposited into the  
715 District Attorneys Operation Fund; and

716 (c) Ten Dollars (\$10.00) to be retained by the circuit  
717 clerk collecting the fee for administration purposes.

718 (2) From and after July 1, 2016, the expenses of district  
719 attorneys shall be defrayed by appropriation from the State  
720 General Fund and all user charges and fees authorized by  
721 paragraphs (a) and (b) of subsection (1) of this section shall be  
722 deposited into the State General Fund as authorized by law and as  
723 determined by the State Fiscal Officer, and charges and fees  
724 authorized by paragraph (c) of subsection (1) of this section  
725 shall be retained by the circuit clerks for expenditures  
726 authorized by law.

727 **SECTION 13.** Section 27-19-99, Mississippi Code of 1972, is  
728 amended as follows:

729 27-19-99. (1) The Department of Revenue shall furnish the  
730 tax collector of each county a sufficient supply of license tags  
731 or plates and a sufficient supply of license receipts with which  
732 to make the collection of the taxes imposed by the provisions of  
733 this article, which such tax collectors are required to collect.  
734 The license tag receipts shall be on forms prescribed by the  
735 department. Upon the payment of the taxes and fees required by  
736 this article, the tax collector shall issue the license receipt in



737 the form prescribed by the department. The department shall keep  
738 account against the tax collector for the license taxes and fees  
739 collected. The tax collector shall keep a similar account.

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

745 (3) The tax collector shall keep a record of the information  
746 furnished by the owners of each motor vehicle registered. The  
747 record shall be made in numerical order by tag number or decal  
748 number, whichever is appropriate. At the end of each month, or  
749 within twenty (20) days thereafter, the tax collector shall submit  
750 to the department a copy of such record, together with the copy of  
751 each registration receipt, and shall, at the same time, remit to  
752 the department the registration fee for each license tag or decal  
753 sold by him during the preceding month. When the tax collector  
754 shall have complied with the provisions of this section and shall  
755 have forwarded to the department, within the time specified, all  
756 reports required of him hereunder, he shall then be entitled to  
757 retain five percent (5%) of the registration fees imposed in  
758 Section 27-19-43(3) (a) and (b), to be paid into the county general  
759 fund; otherwise the county's commission shall be forfeited. The  
760 five percent (5%) shall not apply to any additional registration  
761 fee imposed above the amounts imposed in Section 27-19-43(3) (a)



762 and (b). The department shall keep a record from the duplicates  
763 filed by the tax collectors of all registered vehicles.

764 (4) Counties that use their existing computer system to  
765 communicate all data regarding vehicle title and registration  
766 transactions to the state's central computer system shall be  
767 allotted Fifty Cents (50¢) for each registration fee collected by  
768 the county and remitted to the Department of Revenue. Such  
769 communication must successfully pass any edit features and  
770 successfully create or update title/registration records on the  
771 network system. This amount paid to the county shall be deposited  
772 into the county general fund to be expended only for costs  
773 incurred for the purchase of equipment, software, maintenance, or  
774 other costs directly related to the title/registration network  
775 system, and for education and training.

776 (5) All monies remitted to the department by tax collectors  
777 as registration or tag fees from the portion of the rate imposed  
778 in Section 27-19-43(3) (a) and (b), and all monies received by the  
779 department directly as registration or tag fees from the portion  
780 of the rate imposed in Section 27-19-43(3) (a) and (b) \* \* \* shall  
781 be paid by the department into the General Fund of the State  
782 Treasury on the first day of the month succeeding the month in  
783 which such fees are received by the department.

784 \* \* \*

785 ( \* \* \*6) Except as otherwise provided in Section 31-17-127,  
786 all monies remitted to the department by tax collectors as



787 registration or tag fees from the additional rate of Five Dollars  
788 (\$5.00) and all monies received by the department directly as  
789 registration or tag fees from the additional rate of Five Dollars  
790 (\$5.00) shall be paid into the State Treasury to the credit of the  
791 State Highway Fund for the construction or reconstruction of  
792 highways designated under the highway program created under  
793 Section 65-3-97.

794         **SECTION 14.** Section 27-19-155, Mississippi Code of 1972, is  
795 amended as follows:

796         27-19-155. The license or number tag herein provided for  
797 shall be purchased by the License Tag Commission, composed of the  
798 Governor, Commissioner of Revenue, Attorney General and the State  
799 Treasurer, upon competitive bids, after having given three (3)  
800 weeks' notice of the time and place of purchase, by publishing  
801 said notice in at least three (3) newspapers, at least one (1) of  
802 which shall be published in the State of Mississippi, for a period  
803 of three (3) weeks prior to the date of purchase. The successful  
804 bidder shall enter into a bond with some surety company,  
805 authorized to do business in the state, as surety thereon, payable  
806 to the State of Mississippi, in a sum equal to the amount of his  
807 contract, conditioned for the faithful and prompt carrying out of  
808 said bid, and, in the event of the failure to comply with the  
809 terms of said contract, the amount of said bond shall be forfeited  
810 as liquidated damages and may be recovered by the Attorney General  
811 in any appropriate action. The License Tag Commission is hereby



812 authorized and empowered to renegotiate any contract entered into  
813 for the purchase of license tags in order to obtain any other or  
814 additional tags necessitated by the passage of this article.

815 All monies received by the \* \* \* Department of Revenue as  
816 registration or tag fees, either from the tax collectors, or from  
817 licenses issued by the \* \* \* Department of Revenue, shall be paid  
818 into the State Treasury on the same day in which such funds are  
819 collected by the \* \* \* Department of Revenue. \* \* \*

820 **SECTION 15.** Section 27-19-179, Mississippi Code of 1972, is  
821 amended as follows:

822 27-19-179. (1) There is created in the State Treasury a  
823 special fund to be designated as the "Department of Revenue  
824 License Tag Acquisition Fund." The special fund shall consist of  
825 monies deposited therein under Sections 27-19-99 and 27-19-155 and  
826 monies from any other source designated for deposit into the fund.  
827 Unexpended amounts remaining in the special fund at the end of a  
828 fiscal year shall not lapse into the State General Fund, and any  
829 interest earned or investment earnings on amounts in the fund  
830 shall be deposited to the credit of the fund.

831 (2) From and after July 1, 2010, monies in the special fund  
832 may be used by the Department of Revenue for the purpose of paying  
833 the costs incurred for purchasing license tags and decals and  
834 associated freight costs under Section 27-19-1 et seq. The  
835 department may escalate its budget and expend monies from the  
836 special fund in accordance with rules and regulations of the



837 Department of Finance and Administration in a manner consistent  
838 with the escalation of federal funds.

839 (3) From and after July 1, 2016, the expenses of \* \* \* the  
840 Department of Revenue License Tag Acquisition Fund Program shall  
841 be defrayed by appropriation from the State General Fund and all  
842 user charges and fees authorized under this section shall be  
843 deposited into the State General Fund as authorized by law and as  
844 determined by the State Fiscal Officer.

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

849 **SECTION 16.** Section 27-104-21, Mississippi Code of 1972, is  
850 amended as follows:

851 27-104-21. (1) All general and special fund agencies shall,  
852 upon making application for federal funds, forward a summary of  
853 such applications to the Legislative Budget Office. The  
854 Legislative Budget Office shall have an opportunity to review such  
855 applications and make its comments thereon to the Executive  
856 Director of the Department of Finance and Administration and the  
857 state agency making application. Unless otherwise specified in  
858 the appropriation bill, the Executive Director of the Department  
859 of Finance and Administration shall have the authority to approve  
860 escalations in a budget using one hundred percent (100%) federal  
861 money.





862           (2) New employee positions funded one hundred percent (100%)  
863 by or from federal funds may be authorized by the Executive  
864 Director of the Department of Finance and Administration subject  
865 to the rules and regulations of the State Personnel Board. No  
866 federal funds may be expended for programs or activities other  
867 than those which have been authorized by act of the Legislature or  
868 which are encompassed by a state agency's program structure as  
869 provided by law. The Executive Director of the Department of  
870 Finance and Administration shall immediately send notice of the  
871 approval of such budget escalation to the Legislative Budget  
872 Office. The Executive Director of the Department of Finance and  
873 Administration shall ensure that the Legislative Budget Office  
874 receives timely, detailed and accurate information about the  
875 amount and use of federal funds by state agencies.

876           (3) The Department of Finance and Administration shall  
877 require, by rule and regulation, that each agency receiving  
878 federal funds shall apply for federal reimbursement for state  
879 central services costs in accordance with Office of Management and  
880 Budget Circular A-21 or A-87, which reimbursement shall be  
881 deposited directly into the Statewide Cost Allocation Fund, which  
882 is hereby established within the State Treasury. An agency's  
883 failure to timely apply for such reimbursement shall be condition  
884 sufficient to authorize the Department of Finance and  
885 Administration to transfer an amount equal to not less than fifty  
886 percent (50%) nor more than one hundred percent (100%) of the



887 total amount designated to such agency in the applicable fixed  
888 cost agreement of the state central service cost allocation plan.  
889 These funds shall be transferred from any available funds within  
890 such agency into the Statewide Cost Allocation Fund upon execution  
891 of a requisition for issuance of warrant by the Executive Director  
892 of the Department of Finance and Administration. Any funds on  
893 hand in said Statewide Cost Allocation Fund at the end of the  
894 fiscal year shall lapse into the State General Fund. From and  
895 after July 1, 2016, any revenue generated from this fund shall be  
896 used only for the maintenance, upkeep and utility costs of  
897 state-owned property, and any amount on hand at the end of the  
898 fiscal year that is not necessary to defray the cost of such  
899 maintenance, upkeep and utility costs shall, after August 15 of  
900 each year, be transferred to the State General Fund as authorized  
901 by law and as determined by the State Fiscal Officer.

902 **SECTION 17.** Section 29-1-95, Mississippi Code of 1972, is  
903 amended as follows:

904 29-1-95. (1) All taxes due the county, municipality, public  
905 school district, drainage district or levee board on lands sold to  
906 the state for taxes and listed into the Secretary of State's  
907 office shall remain in abeyance until the land be sold, and  
908 thereafter such taxes shall be paid out of the purchase money; but  
909 state, county, municipality, public school district, drainage  
910 district or levee board taxes shall not accrue on such lands after  
911 the fiscal year in which it was certified to the state. Upon the



912 payment of the purchase money of any tax land into the Treasury,  
913 the Secretary of State shall certify to the Department of Finance  
914 and Administration and to the Treasurer the amount of fees and  
915 costs allowed to the county tax collector and chancery clerk, as  
916 in cases of the redemption of lands from tax sales, under the  
917 provisions of Section 25-7-21; and the Department of Finance and  
918 Administration shall issue warrants in favor of such county tax  
919 collector and chancery clerk for the amount of such fees. The  
920 Secretary of State shall also certify to the Department of Finance  
921 and Administration and the Treasurer the amount of the county,  
922 municipality, public school district, drainage district and levee  
923 board taxes for which said land was sold to the state, and all  
924 taxes accruing on said land until the year in which it was  
925 certified to the state; and the Department of Finance and  
926 Administration shall issue warrants in favor of the proper county,  
927 municipality, public school district, drainage district, and levee  
928 board for the said four (4) years' taxes. The balance of the  
929 purchase money shall be deposited into a special fund to be known  
930 as the "Land Records Maintenance Fund," that is hereby created in  
931 the State Treasury \* \* \*. The fund shall be administered by the  
932 Secretary of State. Any amount on hand in said Land Records  
933 Maintenance Fund at the end of the fiscal year \* \* \* that is not  
934 necessary to pay any obligations to local governmental units set  
935 out in this subsection shall, after June 30 of each year, be  
936 transferred to the General Fund, and shall not be authorized for



937 expenditure by the Secretary of State to reimburse or otherwise  
938 defray the expenses of any office administered by the Secretary of  
939 State.

940 (2) If, after the payment of the fees and costs allowed to  
941 the county tax collector and the chancery clerk, as aforesaid, the  
942 balance of the purchase money of any tax land paid into the  
943 Treasury shall be insufficient to cover the amount of the state,  
944 county, municipality, public school district, drainage district or  
945 levee board taxes due thereon, or if the records of the Secretary  
946 of State fail to show the amount of state, county, municipality,  
947 public school district, drainage district or levee board taxes  
948 accruing for the years until said land was certified to the state,  
949 on lands sold by the Secretary of State, he shall apportion the  
950 balance of the purchase money derived from the sale of such lands  
951 between the state, county, municipality, public school district,  
952 drainage district and levee board upon the basis of the amount of  
953 taxes due the state, county, municipality, public school district,  
954 drainage district and levee board, respectively, at the time said  
955 land was struck off to the state for delinquent taxes by the  
956 sheriff and tax collector, and for which said lands were struck  
957 off to the state.

958 (3) All funds derived from the sale of properties under the  
959 provisions of Sections 7-11-15, 29-1-27, 29-1-29, 29-1-35,  
960 29-1-37, 29-1-53 through 29-1-57, 29-1-73 and 29-1-81 through



961 29-1-87 shall be handled in the manner provided herein for funds  
962 derived from the sale of lands.

963 (4) From and after July 1, 2016, the expenses of this agency  
964 shall be defrayed by appropriation from the State General Fund and  
965 all user charges and fees authorized under this section shall be  
966 deposited into the State General Fund as authorized by law. The  
967 requirements of this subsection (4) shall not apply to  
968 disbursements made to local governmental units from the Land  
969 Records Maintenance Fund, and to any funds which by law are to be  
970 collected and deposited to the Land Records Maintenance Fund.

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

977 **SECTION 18.** Section 37-26-3, Mississippi Code of 1972, is  
978 amended as follows:

979 37-26-3. (1) In addition to any other fees or costs now or  
980 as may hereafter be provided by law, there is hereby charged in  
981 all civil cases in the chancery, circuit, county, justice and  
982 municipal courts of this state a court education and training cost  
983 in the amount of Two Dollars (\$2.00), except in justice court  
984 cases where the amount sued for is less than Fifteen Dollars  
985 (\$15.00). Such cost shall be collected by the clerk or judicial



986 officer from the party bringing the civil action at the time of  
987 filing and taxed as costs.

988 (2) From and after July 1, 2017, the expenses of this agency  
989 shall be defrayed by appropriation from the State General Fund and  
990 all user charges and fees authorized under this section shall be  
991 deposited into the State General Fund as authorized by law and as  
992 determined by the State Fiscal Officer.

993 (3) From and after July 1, 2017, no state agency shall  
994 charge another state agency a fee, assessment, rent or other  
995 charge for services or resources received by authority of this  
996 section.

997 **SECTION 19.** Section 37-26-9, Mississippi Code of 1972, is  
998 amended as follows:

999 37-26-9. (1) It shall be the duty of the clerk of any court  
1000 to promptly collect the costs imposed pursuant to the provisions  
1001 of Section 37-26-3. In all cases the clerk shall monthly deposit  
1002 all such costs so collected with the State Treasurer either  
1003 directly or by other appropriate procedures. All such deposits  
1004 shall be clearly marked for the State Court Education Fund and the  
1005 State Prosecutor Education Fund. Upon receipt of such deposits,  
1006 the State Treasurer shall credit seventy-five percent (75%) of any  
1007 amounts so deposited to the State Court Education Fund created  
1008 pursuant to subsection (2) of this section, and shall credit the  
1009 remaining twenty-five percent (25%) of any amounts so deposited to



1010 the State Prosecutor Education Fund created pursuant to subsection  
1011 (3) of this section.

1012 (2) Such assessments as are collected under Section 99-19-73  
1013 shall be deposited in a special fund hereby created in the State  
1014 Treasury and designated the "State Court Education Fund." Monies  
1015 deposited in such fund shall be expended by the Board of Trustees  
1016 of State Institutions of Higher Learning as authorized and  
1017 appropriated by the Legislature to defray the cost of providing:  
1018 (i) education and training for the courts of Mississippi and  
1019 related personnel; (ii) technical assistance for the courts of  
1020 Mississippi and related personnel; and (iii) current and accurate  
1021 information for the Mississippi Legislature pertaining to the  
1022 needs of the courts of Mississippi and related personnel.

1023 (3) Such assessments as are collected under Section 99-19-73  
1024 shall be deposited in a special fund hereby created in the State  
1025 Treasury and designated the "State Prosecutor Education Fund."  
1026 Monies deposited in such fund shall be expended by the Attorney  
1027 General of the State of Mississippi as authorized and appropriated  
1028 by the Legislature to defray the cost of providing: (i) education  
1029 and training for district attorneys, county prosecuting attorneys  
1030 and municipal prosecuting attorneys; (ii) technical assistance for  
1031 district attorneys, county prosecuting attorneys and municipal  
1032 prosecuting attorneys; and (iii) current and accurate information  
1033 for the Mississippi Legislature pertaining to the needs of



1034 district attorneys, county prosecuting attorneys and municipal  
1035 prosecuting attorneys.

1036 (4) A supplemental fund is hereby created in the State  
1037 Treasury and designated the State Court Constituents Fund. Monies  
1038 deposited in such fund shall be for the education and training of  
1039 judges and related court personnel other than those specified in  
1040 Section 37-26-1(b). In addition to any other fees or costs now or  
1041 as may hereafter be provided by law, there is hereby charged in  
1042 all civil cases in the chancery, circuit, county, justice and  
1043 municipal courts of this state a supplemental court education and  
1044 training cost in the amount of Fifty Cents (50¢), except in  
1045 justice court cases where the amount sued for is less than Fifteen  
1046 Dollars (\$15.00); and in all criminal cases in the circuit,  
1047 county, justice and municipal courts of this state, except in  
1048 cases where the fine is less than Ten Dollars (\$10.00). Such  
1049 costs shall be charged and collected as provided by Sections  
1050 37-26-3 and 37-26-5.

1051 After the transfer to the State Prosecutor Education Fund of  
1052 twenty-five percent (25%) of the money provided for in subsection  
1053 (1) of this section, there shall then be transferred into the  
1054 State Court Education Fund the money on deposit in the State Court  
1055 Constituents Fund.

1056 (5) A special fund is created in the State Treasury and  
1057 designated the "State Court Security Systems Fund." Monies  
1058 deposited in such fund shall be expended for general courtroom





1059 security as well as the maintenance and operation of security  
1060 surveillance and detection devices for the courtrooms of each  
1061 court of the State of Mississippi specified in Section 37-26-1(2).  
1062 The Administrative Office of Courts shall conduct a study to  
1063 assess and determine the security needs of the courts and is  
1064 authorized to expend monies in the fund for the purposes of the  
1065 fund as authorized and appropriated by the Legislature.

1066 (6) From and after July 1, 2017, the expenses of the State  
1067 Court Education Fund, the State Prosecutors Education Fund, the  
1068 State Court Constituents Fund and the State Court Security Systems  
1069 Fund shall be defrayed by appropriation from the State General  
1070 Fund and all user charges and fees authorized under this section  
1071 shall be deposited into the State General Fund as authorized by  
1072 law and as determined by the State Fiscal Officer.

1073 (7) From and after July 1, 2016, no state agency shall  
1074 charge another state agency a fee, assessment, rent or other  
1075 charge for services or resources received by authority of this  
1076 section.

1077 **SECTION 20.** Section 37-26-11, Mississippi Code of 1972, is  
1078 amended as follows:

1079 37-26-11. (1) There is created in the State Treasury a  
1080 special fund to be known as the Children's Advocacy Centers Fund,  
1081 which shall be administered by the Office of the Attorney General.  
1082 The purpose of the fund shall be for training forensic  
1083 interviewers in child abuse and child sexual abuse cases, training



1084 law enforcement officers and prosecutors about child abuse cases,  
1085 expanding the number of Children's Advocacy Centers of Mississippi  
1086 to underserved areas, and other related purposes. Monies in the  
1087 fund shall be expended by the Attorney General, upon appropriation  
1088 by the Legislature. The fund shall be a continuing fund, not  
1089 subject to fiscal-year limitations, and shall consist of:

1090 (a) Monies appropriated by the Legislature for the  
1091 purposes of funding the Children's Advocacy Centers of  
1092 Mississippi;

1093 (b) The interest accruing to the fund;

1094 (c) Monies received under the provisions of Section  
1095 99-19-73;

1096 (d) Monies received from the federal government;

1097 (e) Donations; and

1098 (f) Monies received from such other sources as may be  
1099 provided by law.

1100 (2) From and after July 1, 2016, the expenses of the  
1101 Children's Advocacy Centers Fund Program shall be defrayed by  
1102 appropriation from the State General Fund and all user charges and  
1103 fees authorized under this section shall be deposited into the  
1104 State General Fund as authorized by law and as determined by the  
1105 State Fiscal Officer.

1106 (3) From and after July 1, 2016, no state agency shall  
1107 charge another state agency a fee, assessment, rent or other



1108 charge for services or resources received by authority of this  
1109 section.

1110 **SECTION 21.** Section 43-19-61, Mississippi Code of 1972, is  
1111 amended as follows:

1112 43-19-61. (1) There is created in the State Treasury a  
1113 special \* \* \* fund to be designated as the "Child Support  
1114 Prosecution \* \* \* Fund." The fund shall be used by the Office of  
1115 the Attorney General for the prosecution of delinquent child  
1116 support cases and may also be used to draw down the sixty-six  
1117 percent (66%) federal reimbursement IV-D funds for support of the  
1118 Legal Division of the Child Support Unit of the Mississippi  
1119 Department of Human Services.

1120 (2) From and after July 1, 2016, the expenses of the legal  
1121 division of the Child Support Unit shall be defrayed by  
1122 appropriation from the State General Fund and all user charges and  
1123 fees authorized under this section shall be deposited into the  
1124 State General Fund as authorized by law and as determined by the  
1125 State Fiscal Officer.

1126 (3) From and after July 1, 2016, no state agency shall  
1127 charge another state agency a fee, assessment, rent or other  
1128 charge for services or resources received by authority of this  
1129 section.

1130 **SECTION 22.** Section 43-47-39, Mississippi Code of 1972, is  
1131 amended as follows:



1132 43-47-39. (1) There is created in the State Treasury a  
1133 special fund to be known as the Vulnerable Persons Training,  
1134 Investigation and Prosecution \* \* \* Fund. The purpose of the fund  
1135 shall be to provide funding for the Vulnerable Persons Unit in the  
1136 Office of the Attorney General to assist in the training of law  
1137 enforcement officers, judges, district attorneys, state agencies  
1138 and investigators at the Department of Human Services with regard  
1139 to issues arising under the Vulnerable Persons Act, and to provide  
1140 funding for the Vulnerable Persons Unit in the Office of the  
1141 Attorney General to assist in the investigation and prosecution of  
1142 statewide offenders who abuse, neglect or exploit vulnerable  
1143 persons. The fund shall be a continuing fund, not subject to  
1144 fiscal-year limitations.

1145 (2) Funding shall be provided by assessments collected from  
1146 violations set out in Section 99-19-73.

1147 (3) From and after July 1, 2016, the expenses of the  
1148 Vulnerable Persons Unit shall be defrayed by appropriation from  
1149 the State General Fund and all user charges and fees authorized  
1150 under this section shall be deposited into the State General Fund  
1151 as authorized by law and as determined by the State Fiscal  
1152 Officer.

1153 (4) From and after July 1, 2016, no state agency shall  
1154 charge another state agency a fee, assessment, rent or other  
1155 charge for services or resources received by authority of this  
1156 section.



1157           **SECTION 23.** Section 45-2-21, Mississippi Code of 1972, is  
1158 amended as follows:

1159           45-2-21. (1) Whenever used in this section, the term:

1160                   (a) "Covered individual" means a law enforcement  
1161 officer or firefighter, including volunteer firefighters, as  
1162 defined in this section while actively engaged in protecting the  
1163 lives and property of the citizens of this state when employed by  
1164 an employer as defined in this section; it does not include  
1165 employees of independent contractors.

1166                   (b) "Employer" means a state board, commission,  
1167 department, division, bureau, or agency, or a county, municipality  
1168 or other political subdivision of the state, which employs,  
1169 appoints or otherwise engages the services of covered individuals.

1170                   (c) "Firefighter" means an individual who is trained  
1171 for the prevention and control of loss of life and property from  
1172 fire or other emergencies, who is assigned to firefighting  
1173 activity, and is required to respond to alarms and perform  
1174 emergency actions at the location of a fire, hazardous materials  
1175 or other emergency incident.

1176                   (d) "Law enforcement officer" means any lawfully sworn  
1177 officer or employee of the state or any political subdivision of  
1178 the state whose duties require the officer or employee to  
1179 investigate, pursue, apprehend, arrest, transport or maintain  
1180 custody of persons who are charged with, suspected of committing,  
1181 or convicted of a crime.



1182           (2)   (a)   The Attorney General's office shall make a monthly  
1183 disability benefit payment equal to thirty-four percent (34%) of  
1184 the covered individual's regular base salary at the time of injury  
1185 when a covered individual, while engaged in the performance of the  
1186 individual's official duties, is accidentally or intentionally  
1187 injured in the line of duty as a direct result of a single  
1188 incident. The benefit shall be payable for the period of time the  
1189 covered individual is physically unable to perform the duties of  
1190 the covered individual's employment, not to exceed twelve (12)  
1191 total payments for any one (1) injury. Chronic or repetitive  
1192 injury is not covered. Benefits made available under this section  
1193 shall be in addition to any workers' compensation benefits and  
1194 shall be limited to the difference between the amount of workers'  
1195 compensation benefits and the amount of the covered individual's  
1196 regular base salary. Compensation under this section shall not be  
1197 awarded where a penal violation committed by the covered  
1198 individual contributed to the disability or the injury was  
1199 intentionally self-inflicted.

1200           (b)   Payments made under this subsection are exempt from  
1201 the claims and demands of creditors of the covered individual.

1202           (3)   (a)   There is established in the State Treasury a  
1203 special fund to be known as the Law Enforcement Officers and Fire  
1204 Fighters Disability Benefits \* \* \* Fund. The \* \* \* fund shall be  
1205 funded by any funds made available by the Legislature or by  
1206 donation, contribution, gift or any other source.



1207 (b) The State Treasurer shall invest the monies of  
1208 the \* \* \* fund in any of the investments authorized for the funds  
1209 of the Public Employees' Retirement System under Section  
1210 25-11-121, and those investments shall be subject to the  
1211 limitations prescribed by Section 25-11-121.

1212 (c) Unexpended amounts remaining in the \* \* \* fund at  
1213 the end of the state fiscal year shall not lapse into the State  
1214 General Fund, and any income earned on amounts in the \* \* \* fund  
1215 shall be deposited to the credit of the \* \* \* fund.

1216 (4) The Attorney General's office shall be responsible for  
1217 the management of the \* \* \* fund and the disbursement of  
1218 disability benefits authorized under this section. The Attorney  
1219 General shall adopt rules and regulations necessary to implement  
1220 and standardize the payment of disability benefits under this  
1221 section, to administer the \* \* \* fund created by this section and  
1222 to carry out the purposes of this section. The Attorney General's  
1223 office may expend up to ten percent (10%) of the monies in  
1224 the \* \* \* fund for the administration and management of the \* \* \*  
1225 fund and carrying out the purposes of this section.

1226 (5) From and after July 1, 2016, the expenses of the Law  
1227 Enforcement Officers and Fire Fighters Disability Benefits Fund  
1228 shall be defrayed by appropriation from the State General Fund and  
1229 all user charges and fees authorized under this section shall be  
1230 deposited into the State General Fund as authorized by law and as  
1231 determined by the State Fiscal Officer.



1232       (6) From and after July 1, 2016, no state agency shall  
1233 charge another state agency a fee, assessment, rent or other  
1234 charge for services or resources received by authority of this  
1235 section.

1236       **SECTION 24.** Section 45-6-21, Mississippi Code of 1972, is  
1237 amended as follows:

1238       45-6-21. (1) There is created in the State Treasury a  
1239 special fund to be known as the Motorcycle Officers Training  
1240 Program Fund, which shall be administered by the Office of the  
1241 Attorney General. The purpose of the fund shall be to provide  
1242 funding for the training of state and local law enforcement  
1243 officers, including, but not limited to, motorcycle officers  
1244 training. All courses provided under the Motorcycle Officers  
1245 Training Program shall be administered and approved by the  
1246 Mississippi Law Enforcement Officers Association. Monies in the  
1247 fund shall be expended by the Attorney General, upon appropriation  
1248 by the Legislature. The fund shall be a continuing fund, not  
1249 subject to fiscal-year limitations, and shall consist of:

- 1250           (a) Monies appropriated by the Legislature for the  
1251 purposes of funding the Motorcycle Officers Training Program;  
1252           (b) The interest accruing to the fund;  
1253           (c) Monies received under the provisions of Section  
1254 99-19-73;  
1255           (d) Monies received from the federal government;  
1256           (e) Donations; and





1257 (f) Monies received from such other sources as may be  
1258 provided by law.

1259 (2) From and after July 1, 2016, the expenses of the  
1260 Motorcycle Officers Training Program shall be defrayed by  
1261 appropriation from the State General Fund and all user charges and  
1262 fees authorized under this section shall be deposited into the  
1263 State General Fund as authorized by law and as determined by the  
1264 State Fiscal Officer.

1265 (3) From and after July 1, 2016, no state agency shall  
1266 charge another state agency a fee, assessment, rent or other  
1267 charge for services or resources received by authority of this  
1268 section.

1269 **SECTION 25.** Section 53-1-77, Mississippi Code of 1972, is  
1270 amended as follows:

1271 53-1-77. (1) The State Oil and Gas Supervisor, as ex  
1272 officio secretary of such board, shall remit to the State  
1273 Treasurer all monies collected by reason of the assessments made  
1274 and fixed under the provisions of Section 53-1-73, and the State  
1275 Treasurer shall deposit all such monies in a special fund known as  
1276 the "Oil and Gas Conservation Fund," which is hereby continued in  
1277 effect.

1278 (2) All monies on deposit in the Oil and Gas Conservation  
1279 Fund on April 10, 1948, and all monies hereafter deposited in such  
1280 fund, shall be \* \* \* for the use of the board to pay the expenses  
1281 and costs incurred in connection with the administration and



1282 enforcement of the oil and gas conservation laws of the State of  
1283 Mississippi and the rules, regulations and orders of the State Oil  
1284 and Gas Board issued thereunder. Disbursements shall be made from  
1285 such fund only upon requisition of the State Oil and Gas  
1286 Supervisor, as approved and allowed by the board, and which  
1287 requisitions shall be supported by itemized statements thereto  
1288 attached showing the purpose or purposes of such expenditures.  
1289 Such requisitions shall be drawn upon the State Auditor, who shall  
1290 issue a warrant upon said fund. Such warrants so issued shall be  
1291 paid by the State Treasurer upon presentation.

1292 (3) The State Oil and Gas Supervisor, as ex officio  
1293 secretary of the Oil and Gas Board, shall submit, within ten (10)  
1294 days, after the convening of each session of the Legislature, to  
1295 the Legislature a detailed report of all receipts, expenditures  
1296 and balance on hand, of funds coming to the Oil and Gas Board from  
1297 any source whatsoever.

1298 (4) In the event that at any particular time, the Oil and  
1299 Gas Conservation Fund contains an amount greater than Two Hundred  
1300 Thousand Dollars (\$200,000.00) more than the current fiscal year's  
1301 estimated budget, the amount of the excess may be used by the  
1302 board and at the board's discretion, to plug any oil or gas well,  
1303 including any Class II well, in the state which has been  
1304 determined by the board to represent an imminent threat to the  
1305 environment and which has been determined by the board to be an  
1306 "orphan" well.



1307 (5) The board shall have the authority, in its discretion,  
1308 to use whatever legal means available to it to attempt to collect  
1309 any amounts so expended from any responsible party. Any amounts  
1310 so collected shall be returned to the Oil and Gas Board's  
1311 Emergency Plugging Fund created herein.

1312 (6) Amounts of surplus in the Oil and Gas Conservation Fund  
1313 of over Two Hundred Thousand Dollars (\$200,000.00) shall be  
1314 transferred to a separate special fund of the Oil and Gas Board to  
1315 be known as the Emergency Plugging Fund, for the proper plugging  
1316 of wells pursuant to this section. The supervisor shall have the  
1317 authority, and it shall be his duty to transfer any amounts in the  
1318 Emergency Plugging Fund back to the Oil and Gas Conservation Fund  
1319 in the event and to the extent to which the Oil and Gas  
1320 Conservation Fund should at any time contain less than a Two  
1321 Hundred Thousand Dollars (\$200,000.00) surplus.

1322 (7) For purposes of this section, orphan well means any oil  
1323 or gas well in the state, including Class II wells, which has not  
1324 been properly plugged according to the requirements of the  
1325 statutes, rules and regulations governing same and for which a  
1326 responsible party such as an owner or operator cannot be located  
1327 or for which, for whatever reason, there is no other party which  
1328 can be forced to plug the well.

1329 (8) From and after July 1, 2016, the expenses of this  
1330 agency, except for emergency plugging of orphaned wells which  
1331 shall be paid from the Capital Expense Fund, shall be defrayed by



1332 appropriation from the State General Fund and all user charges and  
1333 fees authorized under this section shall be deposited into the  
1334 State General Fund as authorized by law and as determined by the  
1335 State Fiscal Officer.

1336 (9) From and after July 1, 2016, no state agency shall  
1337 charge another state agency a fee, assessment, rent or other  
1338 charge for services or resources received by authority of this  
1339 section.

1340 **SECTION 26.** Section 27-103-303, Mississippi Code of 1972, is  
1341 amended as follows:

1342 27-103-303. (1) There is created in the State Treasury a  
1343 special fund, separate and apart from any other fund, to be  
1344 designated the Capital Expense Fund.

1345 (2) The Capital Expense Fund shall not be considered as a  
1346 surplus or available funds when adopting a balanced budget as  
1347 required by law. The State Treasurer shall invest all sums in the  
1348 Capital Expense Fund not needed for the purposes provided for in  
1349 this section in certificates of deposit, repurchase agreements and  
1350 other securities as authorized in Section 27-105-33(d) or Section  
1351 7-9-103, as the State Treasurer may determine to yield the highest  
1352 market rate available. Interest earned on this fund shall be  
1353 deposited by the State Treasurer into the State General Fund.

1354 (3) The Capital Expense Fund shall be used for capital  
1355 expense needs, repair and renovation of state-owned properties and  
1356 specific \* \* \* expenditures authorized by the Legislature. The



1357 Legislature shall designate those capital expense projects, repair  
1358 and renovation projects and other authorized projects in an  
1359 appropriation act passed by the Legislature, which shall direct  
1360 the Director of the Department of Finance and Administration to  
1361 administer the projects.

1362 (4) In addition to the purposes specified in subsection (3)  
1363 of this section, the Capital Expense Fund shall be used to provide  
1364 funds for emergency repairs on state-owned buildings and the  
1365 emergency plugging of orphaned wells identified by the Oil and Gas  
1366 Board, upon requisition of the Director of the Department of  
1367 Finance and Administration. Whenever the director determines that  
1368 funds are immediately needed for emergency repairs on state-owned  
1369 buildings or the Oil and Gas Board has requested funds for the  
1370 emergency plugging of orphaned wells identified by the board, he  
1371 shall requisition the funds needed from the Capital Expense Fund,  
1372 which shall be subject to the limitations set forth in this  
1373 subsection. At the same time he makes the requisition, the  
1374 director shall notify the Lieutenant Governor, the Speaker of the  
1375 House of Representatives, the respective Chairmen of the Senate  
1376 Appropriations Committee, the Senate Finance Committee, the House  
1377 Appropriations Committee and the House Ways and Means Committee  
1378 and the Legislative Budget Office of his determination of the need  
1379 for the funds, the amount that he has requisitioned and where the  
1380 funds will be used. If the amount requisitioned is available in  
1381 the Capital Expense Fund, is not allocated for any specific



1382 projects as authorized in subsection (3) of this section and is  
1383 within the limitations set forth below in this subsection, then  
1384 the director may escalate the budget of the Bureau of Building,  
1385 Grounds and Real Property Management or the Oil and Gas Board to  
1386 use the full amount of the requisitioned funds for the emergency  
1387 repairs or plugging of orphaned wells, and transfer that amount to  
1388 the bureau or board for that purpose. If the amount requisitioned  
1389 is more than the amount available in the Capital Expense Fund or  
1390 above the limitations set forth below in this subsection, then the  
1391 director may escalate the budget of the bureau or board to use the  
1392 amount that is available within the limitations for the emergency  
1393 repairs or plugging of orphaned wells, and transfer that amount to  
1394 the bureau or board for that purpose. The maximum amount that may  
1395 be transferred from the Capital Expense Fund to the bureau or  
1396 board for any single emergency shall be \* \* \* One Million Dollars  
1397 (\$1,000,000.00), and the maximum amount that may be transferred to  
1398 the bureau or board for all emergencies during any fiscal year  
1399 shall be \* \* \* Five Million Dollars (\$5,000,000.00).

1400 (5) Funds deposited in the Capital Expense Fund shall be  
1401 used only for the purposes specified in this section, and as long  
1402 as the provisions of this section remain in effect, no other  
1403 expenditure, appropriation or transfer of funds in the Capital  
1404 Expense Fund shall be made except by act of the Legislature making  
1405 specific reference to the Capital Expense Fund as the source of  
1406 those funds.



1407           (6) Unexpended funds in the Capital Expense Fund at the end  
1408 of a fiscal year shall not lapse into the State General Fund but  
1409 shall remain in the fund for use under this section. Any funds  
1410 appropriated from the Capital Expense Fund that are unexpended at  
1411 the end of a fiscal year shall lapse into the Capital Expense  
1412 Fund.

1413           **SECTION 27.** Section 71-3-73, Mississippi Code of 1972, is  
1414 amended as follows:

1415           71-3-73. (1) If an employee who has previously lost, or  
1416 lost the use of, one (1) hand, one (1) arm, one (1) foot, one (1)  
1417 leg, or one (1) eye, becomes permanently and totally incapacitated  
1418 through the loss, or loss of use, of another member or organ, the  
1419 employer shall be liable only for the compensation payable for  
1420 such second injury. In addition to such compensation and after  
1421 the completion of the payment therefor, the employee shall be paid  
1422 the remainder of the compensation that would be due for permanent  
1423 total incapacity, out of a special fund known as the "Second  
1424 Injury Trust Fund," and created for such purpose in the following  
1425 manner:

1426           In every case of compensable death of an employee under this  
1427 chapter, the employer or, if insured, his insurance carrier shall  
1428 pay to the commission the sum of Three Hundred Dollars (\$300.00)  
1429 except in cases where there is no dependency, then there shall be  
1430 paid to the commission the sum of Five Hundred Dollars (\$500.00)  
1431 to be deposited with the State Treasurer for the benefit of said



1432 fund. A suspension of said payments of Three Hundred Dollars  
1433 (\$300.00) per death shall be made when the total amount of all  
1434 such payments, together with the accumulated interest thereon,  
1435 equals or exceeds Three Hundred Fifty Thousand Dollars  
1436 (\$350,000.00), and no further contributions to said fund shall be  
1437 made except in cases where there is no dependency. Whenever,  
1438 thereafter, the amount of such sum shall be reduced below One  
1439 Hundred Fifty Thousand Dollars (\$150,000.00) by reason of payments  
1440 made pursuant to this section, then such contributions of Three  
1441 Hundred Dollars (\$300.00) per death shall be resumed forthwith and  
1442 shall continue until such sum, together with accumulated interest  
1443 thereon, shall again amount to Three Hundred Fifty Thousand  
1444 Dollars (\$350,000.00); and the commission shall direct the  
1445 distribution thereof.

1446 (2) During fiscal year 2017 and thereafter, the Workers'  
1447 Compensation Commission shall have full authority to assess  
1448 employers or insurers the amounts provided in this section for  
1449 deposit into the Second Injury Trust Fund, however, such funds  
1450 shall not be used for the support of the agency.

1451 **SECTION 28.** Section 71-3-95, Mississippi Code of 1972, is  
1452 amended as follows:

1453 71-3-95. (1) The commission shall make such expenditures as  
1454 may be necessary for the adequate administration of this chapter,  
1455 including salaries and traveling expense, the cost of personal  
1456 services, office rent at the seat of government and elsewhere, the





1457 purchase of books, periodicals, office equipment and supplies,  
1458 printing and binding reports, the cost of membership in official  
1459 organizations, and other purposes. All expenditures of the  
1460 commission in the administration of this chapter shall be allowed  
1461 and paid out of the \* \* \* State General Fund as provided in  
1462 Section 71-3- \* \* \* 100, upon the presentation of itemized vouchers  
1463 therefor approved by the chairman of the commission.

1464 (2) The commission is authorized, in its discretion, to  
1465 transfer a sum or sums not to exceed Two Hundred Thousand Dollars  
1466 (\$200,000.00) \* \* \* to the Second Injury Fund. The commission is  
1467 further authorized, in its discretion, to replace any funds so  
1468 transferred in the event that funds become available.

1469 **SECTION 29.** Section 71-3-97, Mississippi Code of 1972, is  
1470 amended as follows:

1471 71-3-97. \* \* \* All civil penalties provided in this chapter,  
1472 if not voluntarily paid, may be collected by civil suit brought by  
1473 the commission, and shall be paid into \* \* \* the State General  
1474 Fund.

1475 **SECTION 30.** Section 71-3-99, Mississippi Code of 1972, is  
1476 amended as follows:

1477 71-3-99. (1) The commission shall estimate annually in  
1478 advance the amounts necessary for the administration of this  
1479 chapter, in the following manner:

1480 (a) The commission shall, as soon as practicable after  
1481 the first day of January in each year, determine the expense of



1482 administration of this chapter for the one-year period preceding  
1483 the first day of January. The expense of administration for such  
1484 period shall be used as the basis for determining the amount to be  
1485 assessed against each carrier and self-insurer in order to provide  
1486 for the expenses of the administration of this chapter for the  
1487 one-year period.

1488           (b) Each carrier and self-insurer shall be assessed Two  
1489 Hundred Fifty Dollars (\$250.00). The proceeds of such assessment  
1490 shall be deducted from the estimate of total expenses and the  
1491 remaining expenses of administration shall be prorated among the  
1492 carriers writing compensation insurance in the state and  
1493 self-insurers. The gross claims for compensation and medical  
1494 services and supplies paid by the insurance carriers and  
1495 self-insurers is the basis for computing the amount to be  
1496 assessed, in the proportion that the total gross claims for  
1497 compensation and medical services and supplies paid by such  
1498 carrier or self-insurer during the preceding one-year period bore  
1499 to the total gross claims for compensation and medical supplies  
1500 and services paid by all carriers and self-insurers during such  
1501 period. This amount may be assessed as a specific amount or as a  
1502 percentage of gross claims for compensation and medical supplies  
1503 and services paid by the insurance carriers and self-insurers as  
1504 the commission may direct, and shall be such amount as shall be  
1505 reasonably necessary to defray the necessary expense of such  
1506 administration.



1507           (2) The commission shall provide by regulation for the  
1508 collection of the amounts assessed against each carrier and  
1509 self-insurer. Such amounts shall be paid within thirty (30) days  
1510 from the date that notice is served upon such carrier. If such  
1511 amounts are not paid within such period, there may be assessed,  
1512 for each thirty (30) days the amount so assessed remains unpaid, a  
1513 civil penalty equal to ten percent (10%) of the amount so unpaid,  
1514 which shall be collected at the same time and as a part of the  
1515 amount assessed.

1516           (3) If any carrier or self-insurer fails to pay the amounts  
1517 assessed against it under the provisions of this section within  
1518 sixty (60) days from the time such notice is served, the  
1519 commission may suspend or revoke the authorization to insure  
1520 compensation or to be self-insured.

1521           (4) All amounts collected under the provisions of this  
1522 section shall be paid into the \* \* \* State General Fund as  
1523 provided in Section 71-3-100.

1524           (5) The commission may require from each carrier and  
1525 self-insurer, at such time and in accordance with regulations as  
1526 the commission may prescribe, reports in respect to all payments  
1527 of compensation and medical supplies and services by such carriers  
1528 or self-insurers during each prior period, and may determine the  
1529 amounts paid by each carrier and self-insurer and the amounts paid  
1530 by all carriers and self-insurers during such period.



1531           (6) Every carrier and self-insurer shall file with the  
1532 commission on or before the first day of March of each year, a  
1533 statement on the prescribed forms showing the gross claims for  
1534 compensation and medical services and supplies paid by such  
1535 carrier or self-insurer during the preceding one-year period  
1536 ending on the thirty-first day of December. Any carrier or  
1537 self-insurer which neglects to make and file its annual written  
1538 statement within the time provided in this chapter shall pay to  
1539 the commission Twenty Dollars (\$20.00) for each day's neglect.

1540           **SECTION 31.** Section 71-3-100, Mississippi Code of 1972, is  
1541 amended as follows:

1542           71-3-100. All funds received by the Workers' Compensation  
1543 Commission, as established by Section 71-3-85 et seq., shall be  
1544 paid to the State Treasurer, who shall issue receipts therefor and  
1545 who shall deposit such funds into the State General Fund in the  
1546 State Treasury \* \* \*. \* \* \*

1547           From and after July 1, 2016, the expenses of \* \* \* the  
1548 Workers' Compensation Commission shall be defrayed by  
1549 appropriation from the State General Fund and all user charges and  
1550 fees authorized \* \* \* by Section 71-3-85 et seq. shall be  
1551 deposited into the State General Fund as authorized by law.

1552           From and after July 1, 2016, \* \* \* the Workers' Compensation  
1553 Commission shall not charge another state agency a fee,  
1554 assessment, rent or other charge for services or resources  
1555 received by authority of \* \* \* Section 71-3-85 et seq.



1556           **SECTION 32.** Section 73-31-7, Mississippi Code of 1972, is  
1557 amended as follows:

1558           73-31-7. (1) The board shall annually elect from its  
1559 membership a chairman and executive secretary at a meeting held  
1560 during the last two (2) quarters of the fiscal year. The board  
1561 shall meet at any other times as it deems necessary or advisable,  
1562 or as deemed necessary and advisable by the chairman or a majority  
1563 of its members or the Governor. Reasonable notice of all meetings  
1564 shall be given in the manner prescribed by the board. A majority  
1565 of the board shall constitute a quorum at any meeting or hearing;  
1566 except that when only four (4) members are present, decisions not  
1567 gaining unanimous support shall be decided by mail ballot to all  
1568 board members within fifteen (15) days succeeding the board  
1569 meeting. Any meeting at which the chairman is not present shall  
1570 be chaired by his designee.

1571           (2) The board is authorized and empowered to:

1572                   (a) Adopt and, from time to time, revise any rules and  
1573 regulations not inconsistent with, and as may be necessary to  
1574 carry into effect the provisions of this chapter.

1575                   (b) Within the funds available, employ and/or contract  
1576 with a stenographer and other personnel, and contract for  
1577 services, as are necessary for the proper performance of its work  
1578 under this chapter.

1579                   (c) Adopt a seal, and the executive secretary or board  
1580 administrator shall have the care and custody thereof.



1581 (d) Examine, license, and renew the license of duly  
1582 qualified applicants.

1583 (e) Conduct hearings upon complaints concerning the  
1584 disciplining or licensing of applicants and psychologists.

1585 (f) Deny, approve, withhold, revoke, suspend and/or  
1586 otherwise discipline applicants and licensed psychologists.

1587 (g) Issue an educational letter to a licensee in order  
1588 to assist that individual in his or her practice as a  
1589 psychologist. Such a letter will not be considered to be  
1590 disciplinary action.

1591 (h) Cause the prosecution and enjoinder of all persons  
1592 violating this chapter, and incur necessary expenses therefor.

1593 (i) Charge a fee of not more than Seven Hundred Dollars  
1594 (\$700.00) to a qualified psychologist as determined by the board  
1595 who is applying for certification by the board to conduct  
1596 examinations in civil commitment proceedings.

1597 (j) Purchase general liability insurance coverage,  
1598 including errors and omissions insurance, to cover the official  
1599 actions of the board members and contract personnel and suits  
1600 against them in their individual capacity. That coverage shall be  
1601 in an amount determined by the board to be adequate, and the costs  
1602 of the insurance shall be paid out of any funds available to the  
1603 board.

1604 (k) As additional responsibilities, effective July 1,  
1605 2018, the board shall administer and support the function of the



1606 Mississippi Autism Board under Sections 73-75-1 through 73-75-25,  
1607 relating to the licensure of licensed behavior analysts and  
1608 licensed assistant behavior analysts.

1609 (3) Within thirty (30) days after the close of each fiscal  
1610 year ending June 30, the board shall submit an official report,  
1611 reviewed and signed by all board members, to the Governor  
1612 concerning the work of the board during the preceding fiscal year.  
1613 The report shall include the names of all psychologists to whom  
1614 licenses have been granted; any cases heard and decisions rendered  
1615 in relation to the work of the board; the names, remuneration and  
1616 duties of any employees of the board; and an account of all monies  
1617 received and expended by the board.

1618 **SECTION 33.** Section 73-75-11, Mississippi Code of 1972, is  
1619 amended as follows:

1620 73-75-11. (1) The administration of the provisions of this  
1621 chapter shall be financed from income accruing from fees, licenses  
1622 and other charges assessed and collected by the board and from  
1623 such other funds available to the board. From and after July 1,  
1624 2018, the fees and assessments shall be collected by the State  
1625 Board of Psychology.

1626 (2) The board shall receive and account for all funds  
1627 received and shall keep such funds in a separate fund. Funds  
1628 collected under the provisions of this chapter shall be used  
1629 solely for the expenses of the board and to administer the  
1630 provisions of this chapter, which may include full or partial



1631 financing of continuing education programs promulgated by the  
1632 board under this chapter. Such funds shall be subject to audit by  
1633 the Auditor of the State of Mississippi.

1634 (3) The Mississippi Autism Board shall be assigned to the  
1635 Mississippi Office of the Secretary of State for administrative  
1636 and ministerial purposes; and from and after July 1, 2018, the  
1637 Mississippi Autism Board shall be assigned to the State Board of  
1638 Psychology for administrative and ministerial purposes.

1639 **SECTION 34.** Section 73-75-27, Mississippi Code of 1972, is  
1640 amended as follows:

1641 73-75-27. All fees collected by the board under this chapter  
1642 and any penalties collected by the board for violations of this  
1643 chapter shall be deposited in a special fund hereby created in the  
1644 State Treasury and shall be used for the implementation and  
1645 administration of this chapter when appropriated by the  
1646 Legislature for such purpose. From and after July 1, 2018, the  
1647 fees and penalties shall be collected by the State Board of  
1648 Psychology and used for the implementation and administration of  
1649 this chapter.

1650 **SECTION 35.** Section 75-57-119, Mississippi Code of 1972, is  
1651 amended as follows:

1652 75-57-119. (1) There is established a propane education and  
1653 research program to be administered by the Department of Insurance  
1654 through the State Liquefied Compressed Gas Board, created in  
1655 Section 75-57-101, Mississippi Code of 1972, for the purpose of





1656 promoting the growth and development of the propane industry in  
1657 Mississippi.

1658 (2) There is created in the State Treasury a special fund to  
1659 be designated as the "Mississippi Propane Education and Research  
1660 Fund."

1661 (3) (a) There is imposed and levied an assessment of  
1662 One-tenth Cent (1/10¢) per gallon on compressed gas except for  
1663 compressed natural gas or liquefied natural gas. The assessment  
1664 may be increased by not more than One-tenth Cent (1/10¢) per  
1665 gallon per year and the total assessment shall not exceed One-half  
1666 Cent (1/2¢) per gallon.

1667 (b) The assessment shall accrue at the same time and in  
1668 the same manner as the tax levied on compressed gas under the  
1669 provisions of Section 27-59-11(1), Mississippi Code of 1972. On  
1670 or before the fifteenth day of each month the funds collected by  
1671 the State Tax Commission during the previous month, less three and  
1672 one-half percent (3-1/2%) of the gross amount collected, shall be  
1673 deposited into the special fund created in subsection (2) of this  
1674 section. The State Tax Commission may retain three and one-half  
1675 percent (3-1/2%) of the funds collected under this section as  
1676 administrative fees.

1677 (c) Disbursements from the special fund created in  
1678 subsection (2) of this section shall be made upon warrants issued  
1679 by the State Fiscal Officer upon requisitions signed by the  
1680 Commissioner of Insurance, or his designee, in the manner provided



1681 by law. Any interest earned by investing the proceeds in such  
1682 special fund shall be credited to such special fund and shall not  
1683 be deposited in the State General Fund. The State Fiscal Officer  
1684 may issue warrants for the payment of monies from the special  
1685 fund, upon requisition by the Commissioner of Insurance, or his  
1686 designee, for refunds to dealers as provided in subsection (4) of  
1687 this section.

1688 (4) Any propane dealer may request and receive a refund of  
1689 the amount of assessment remitted from the sale of propane if he  
1690 makes a written application with the Department of Insurance by  
1691 the end of each quarter in which the sales were made, supported by  
1692 bona fide copies of tax reports. The application forms shall be  
1693 prepared by the Department of Insurance and shall be available to  
1694 all retailers. All such applications shall be processed and  
1695 refunds paid by the Department of Insurance within sixty (60) days  
1696 after the funds have been received by the department.

1697 (5) At the end of each quarter, the Department of Insurance  
1698 shall make available to the State Liquefied Compressed Gas Board  
1699 all unencumbered funds collected under the provisions of this  
1700 section. The Department of Insurance may retain an amount not to  
1701 exceed three and one-half percent (3-1/2%) of the funds collected  
1702 under the provisions of this section as administrative fees.

1703 (6) (a) Any person liable for the assessment shall be  
1704 subject to the same requirements and penalties set forth for



1705 distributors under the provisions of Section 27-59-1 et seq.,  
1706 Mississippi Code of 1972.

1707 (b) The State Tax Commission is hereby authorized and  
1708 empowered to promulgate all rules and regulations necessary for  
1709 the collection of the assessment.

1710 (7) The State Liquefied Compressed Gas Board shall  
1711 establish, with the approval of the Commissioner of Insurance,  
1712 rules and regulations necessary to carry out the provisions of  
1713 this section.

1714 (8) The State Liquefied Compressed Gas Board may expend the  
1715 proceeds collected under this section only on research and  
1716 development of more cost effective uses of propane and on  
1717 educational programs, safety programs and market development of  
1718 propane.

1719 (9) This section shall not be implemented until such time as  
1720 the State Liquefied Compressed Gas Board conducts an election by  
1721 all licensed propane dealers in this state. Each license holder  
1722 shall have one (1) vote in such election. A ballot shall be sent  
1723 to each license holder by certified mail. A majority of those  
1724 ballots returned within thirty (30) days after the ballots are  
1725 received by the propane dealers must be in the affirmative before  
1726 this section is effective. An additional election may be held by  
1727 the State Liquefied Compressed Gas Board at such time as approved  
1728 by the Commissioner of Insurance.



1729 (10) The State Liquefied Compressed Gas Board shall notify  
1730 the State Tax Commission in writing of the imposition of the  
1731 assessment and of any increase of the assessment. The imposition  
1732 of the assessment and any increase of the assessment shall become  
1733 effective on the first day of the second month succeeding the  
1734 month in which the notice to impose or increase the assessment was  
1735 given.

1736 (11) The State Liquefied Compressed Gas Board shall notify  
1737 the State Tax Commission in writing of the abatement or reduction  
1738 of the assessment. The abatement or reduction of the assessment  
1739 shall become effective on the last day of the month succeeding the  
1740 month in which such notice was given.

1741 (12) From and after July 1, 2017, none of the monies  
1742 deposited in the Mississippi Propane Education and Research Fund  
1743 may be used to reimburse or otherwise defray any costs that the  
1744 Department of Insurance may incur in administering the fund.

1745 **SECTION 36.** Section 75-63-81, Mississippi Code of 1972, is  
1746 amended as follows:

1747 75-63-81. (1) There is established a Preneed Contracts Loss  
1748 Recovery Fund, hereinafter referred to as the "fund," to be  
1749 administered by directors of the Preneed Contracts Loss Recovery  
1750 Association, hereinafter referred to as the "association."  
1751 Directors are to be appointed by the Secretary of State. The  
1752 purpose of the fund is to reimburse the estates, or in the absence  
1753 of an estate filing, the purchaser or applicant with payment



1754 jointly to the funeral home providing services or merchandise, or  
1755 both, of beneficiaries of preneed funeral contracts who have  
1756 suffered financial loss as a result of the misfeasance, fraud,  
1757 default, failure or insolvency of a registered Mississippi preneed  
1758 provider.

1759         (2) The fund shall be funded from a charge not to exceed Ten  
1760 Dollars (\$10.00) to be added to the cost of every preneed contract  
1761 sold from and after July 1, 2009; however, if the preneed contract  
1762 is funded solely with insurance that is protected by the  
1763 Mississippi Life and Health Insurance Guaranty Association, then  
1764 that fee shall not be charged. The association may reduce,  
1765 suspend or resume collection of the fee at any time and for any  
1766 period to ensure that a sufficient amount is available to meet  
1767 anticipated disbursements and to maintain an adequate reserve  
1768 consistent with actuarial guidance.

1769         The per-contract fees shall be remitted quarterly to the  
1770 association for each quarter of the calendar year with a quarterly  
1771 fee form as prescribed by the Secretary of State. The  
1772 per-contract fee is not subject to the trusting requirements of  
1773 Section 75-63-59. The fees shall be remitted to the association  
1774 no later than fifteen (15) days after each quarter. Absent the  
1775 Secretary of State's approval of an extension for good cause  
1776 shown, preneed providers failing to timely report and remit the  
1777 per-contract fee to the association may be subject to a penalty of



1778 One Hundred Dollars (\$100.00) per day for each day of delinquency,  
1779 payable to the fund.

1780 (3) All sums received by the association shall be held in a  
1781 separate account maintained by the State Treasurer to be used  
1782 solely as provided in this article. Warrants to the fund may only  
1783 be issued by the Department of Finance and Administration upon  
1784 request by a majority vote of the directors of the Preneed  
1785 Contracts Loss Recovery Association. All interest or other income  
1786 earned on the fund shall be retained by the fund.

1787 (4) Reimbursements from the fund must not exceed the total  
1788 payment made for preneed funeral services or merchandise, cemetery  
1789 services or merchandise, or both. No current insurance benefits  
1790 or future graduated insurance benefits may be reimbursed,  
1791 including any current or future graduated insurance benefits in  
1792 any insurance company insolvency guaranty fund association. Upon  
1793 the death of the beneficiary and the applicant's compliance with  
1794 all applicable rules of the association, reimbursement from the  
1795 fund may be made to the estate of the beneficiary, the purchaser  
1796 or applicant with payment jointly to the funeral home or cemetery  
1797 providing services or merchandise, or both, only to the extent to  
1798 which losses are not bonded or otherwise covered. If the  
1799 association makes payments from the fund under this section, the  
1800 association is subrogated in the reimbursed amount and may bring  
1801 an action against any person or entity, including a preneed  
1802 provider. The association may enforce claims it may have for



1803 restitution or otherwise and may employ and compensate from the  
1804 fund consultants, legal counsel, accountants and other persons it  
1805 considers appropriate to assure compliance with this section.

1806 (5) The association shall investigate all applications made  
1807 and may reject or allow claims, in whole or in part. Payment may  
1808 be made only to the extent that monies are available in the fund,  
1809 and payments may be prorated among claimants. Reimbursements for  
1810 completed claims must be processed subject to availability of  
1811 monies in the fund. The association has complete discretion to  
1812 determine the order and manner of payment of approved  
1813 applications. The association may approve one (1) application, in  
1814 whole or in part, that includes more than one (1) reparation claim  
1815 for the benefit of purchasers of prepaid contracts of an insolvent  
1816 registrant as part of a plan to arrange for another registrant to  
1817 assume the obligations of the licensee being liquidated if the  
1818 association finds that the plan is reasonable and is in the best  
1819 interests of the contract beneficiaries. All payments are a  
1820 matter of privilege and not a right, and no person has a right in  
1821 the fund as a third-party beneficiary or otherwise.

1822 (6) The association shall develop a form of application for  
1823 reimbursement.

1824 (7) This fund and all interest earned may be used only as  
1825 prescribed in this section and may not be used for any other  
1826 purposes to the extent losses are not bonded, insured, or  
1827 otherwise covered, protected or reimbursed. Further, all monies



1828 deposited into the fund shall not be subject to any deduction,  
1829 tax, judgment lien, levy, or any other type of assessment except  
1830 as may be provided in this article. The association may expend  
1831 monies from the fund to:

1832 (a) Make reimbursements on approved applications;

1833 (b) Purchase insurance to cover losses and association  
1834 liability as considered appropriate by the directors and not  
1835 inconsistent with the purpose of the fund;

1836 (c) Invest portions of the fund as are not currently  
1837 needed to reimburse losses and maintain adequate reserves, as are  
1838 permitted to be made by fiduciaries under state law;

1839 (d) Pay the expenses of the association for  
1840 administering the fund, including employment of legal counsel,  
1841 accountants, consultants and other persons the board considers  
1842 necessary to assure compliance with this section \* \* \*;

1843 (e) Effective upon passage of this act, no monies  
1844 deposited to the fund may be used to reimburse, or otherwise  
1845 defray any costs that the Office of the Secretary of State may  
1846 incur in administering this fund, or in support of the  
1847 association.

1848 (8) No person may make, publish, disseminate, circulate or  
1849 place before the public, or cause, directly or indirectly, to be  
1850 made, published, disseminated, circulated, or placed before the  
1851 public, in a newspaper, magazine or other publication, or in the  
1852 form of a notice, circular, pamphlet, letter, poster or over any





1853 radio station or television station, or in any other way, any  
1854 advertisement, announcement, or statement that uses the existence  
1855 of the fund for the purpose of sales, solicitation or inducement  
1856 to purchase any form of preneed contract covered under this  
1857 article.

1858 (9) The Secretary of State may establish rules and  
1859 regulations necessary to implement the purposes of \* \* \* this  
1860 section including, but not limited to, rules governing the  
1861 association's operations, claim procedures, determination of  
1862 solvency or insolvency of a preneed provider, claimant eligibility  
1863 and determination of appropriate loss payee.

1864 (10) No purchaser or representative of a purchaser is  
1865 provided in this section with any administrative right or legal or  
1866 equitable right to any funds collected for this association to  
1867 satisfy any judgment or economic loss of the purchaser from a  
1868 prepaid funeral or cemetery organization except for the purposes  
1869 of this section. This fund is established for the discretionary  
1870 relief of purchasers and their representatives of prepaid funeral  
1871 or cemetery contracts from insolvent prepaid funeral or cemetery  
1872 organizations or prepaid funeral businesses with severe trust fund  
1873 account shortages as determined by the directors. Coverage is  
1874 limited to the claimant's actual contract payments made. There  
1875 shall be no fund coverage for additional economic damages,  
1876 attorney's fees, recovery costs, interest, other equitable relief  
1877 or noneconomic damages.



1878 Further, no claimant shall be eligible for compensation from  
1879 the fund unless the contract purchaser for whom a claim is  
1880 asserted paid to the preneed provider the loss recovery fee  
1881 required by subsection (2) of this section. The fund shall have  
1882 no liability for preneed contracts sold or claims that occurred or  
1883 accrued before July 1, 2009.

1884 (11) There shall be no liability on the part of and no cause  
1885 of action of any nature shall arise against any director of the  
1886 association, the Secretary of State, his representatives, agents  
1887 or employees for any act or omission by them in the performance of  
1888 their powers and duties under this article, or in its  
1889 administration, dispensation, handling or collection of funds for  
1890 the program.

1891 (12) Directors of the association shall be appointed by the  
1892 Secretary of State and shall consist of no fewer than five (5),  
1893 one (1) from each of the Mississippi Supreme Court Districts and  
1894 two (2) from the state at large. In making director appointments  
1895 the Secretary of State shall consider, among other things, whether  
1896 all association members are fairly represented. At least three  
1897 (3) of the directors must possess five (5) years' or more  
1898 experience in the preneed funeral service and merchandise business  
1899 as an owner or manager. All directors shall be appointed for  
1900 staggered six-year terms, with the exception of the initial terms  
1901 of service for the original five (5) directors. The Secretary of  
1902 State may appoint any director to a successive six-year term. The



1903 initial term of service for all directors shall begin on October  
1904 1, 2009, with the initial term of two (2) directors to be  
1905 determined by the Secretary of State at appointment expiring on  
1906 September 30, 2011, and two (2) directors to be determined by the  
1907 Secretary of State at appointment expiring on September 30, 2013.  
1908 The initial term for the remaining director to be determined by  
1909 the Secretary of State at appointment shall expire on September  
1910 30, 2015.

1911 (13) \* \* \* [Deleted]

1912 (14) The association and its directors shall assist the  
1913 Secretary of State and be subject to the applicable provisions of  
1914 the laws of this state. The association shall be subject to  
1915 examination and regulation by the Secretary of State. The  
1916 association by its directors shall prepare and submit to the  
1917 Secretary of State each year, not later than March 1 of each year,  
1918 a financial report in a form approved by the Secretary of State  
1919 and a report of activities during the preceding calendar year.

1920 (15) Appeal rights for claim decisions issued by the  
1921 association directors exist in the chancery court in this state in  
1922 which an estate has been open for probate by the representative of  
1923 the claimant; the chancery court in the county in which the  
1924 preneed contract was purchased; or the chancery court in this  
1925 state of the claimant's or decedent's home county. A notice of  
1926 appeal must be filed within thirty (30) days of the association's  
1927 written order denying the claim, in whole or in part, and appeal



1928 to the chancery court is limited to a review of the record made  
1929 before the association's directors on a substantial evidence  
1930 evidentiary standard.

1931 **SECTION 37.** Section 77-1-6, Mississippi Code of 1972, is  
1932 amended as follows:

1933 77-1-6. There is hereby established in the State Treasury a  
1934 special fund to be known as the "Public Service Commission  
1935 Regulation Fund." Such fund shall be the sole fund of the  
1936 commission for all monies collected and deposited to the credit of  
1937 or appropriated to the commission. The fund shall be administered  
1938 as provided in this title and shall be audited annually by the  
1939 State Auditor.

1940 From and after July 1, 2016, the expenses of this agency  
1941 shall be defrayed by appropriation from the State General Fund and  
1942 all user charges and fees authorized under this section shall be  
1943 deposited into the State General Fund as authorized by law and as  
1944 determined by the State Fiscal Officer.

1945 From and after July 1, 2016, no state agency shall charge  
1946 another state agency a fee, assessment, rent or other charge for  
1947 services or resources received by authority of this section.

1948 **SECTION 38.** Section 77-3-87, Mississippi Code of 1972, is  
1949 amended as follows:

1950 77-3-87. All reasonable and necessary expenses of the  
1951 administration of the duties imposed on the public utilities staff  
1952 and on the commission by Title 77, Mississippi Code of 1972,



1953 excluding the reasonable and necessary expenses of the  
1954 administration and enforcement by the commission of the laws of  
1955 this state pursuant to Chapters 7 and 9, Title 77, Mississippi  
1956 Code of 1972, shall be provided as follows: There is hereby  
1957 levied a tax upon (a) all utilities, the rates of which are  
1958 subject to regulation by the provisions of this chapter and upon  
1959 (b) all utilities not subject to such rate regulation which  
1960 furnish to the ultimate consumer utility services of the type  
1961 described by subparagraph (i) of paragraph (d) of Section 77-3-3  
1962 and otherwise subject to regulation by the provisions of this  
1963 chapter, such levy to be effective on the first day of each year  
1964 and to be calculated as follows: The rate of the tax shall be one  
1965 hundred sixty-four thousandths of one percent (164/1000 of 1%) per  
1966 year, of the gross revenues from the intrastate operations of the  
1967 utilities taxed under this section. The rate of the tax for  
1968 electric power associations and rural electrification authorities  
1969 shall be ninety thousandths of one percent (90/1000 of 1%) per  
1970 year of the gross revenues from the intrastate operations of  
1971 electric power associations and rural electrification authorities  
1972 taxed under this section. Effective July 1, 2017, the sum of all  
1973 taxes levied by this section shall not exceed the total  
1974 legislative appropriation of monies \* \* \* for the Public Utilities  
1975 staff and the Public Service Commission for the ensuing fiscal  
1976 year. The commission and the executive director of the public  
1977 utilities staff shall certify to the Department of Revenue the



1978 amount of legislative appropriations of monies for the regulation  
1979 of utilities. The Department of Revenue shall adjust the tax  
1980 rates on a pro rata basis to generate the necessary revenues  
1981 established by such legislative appropriations. Each utility  
1982 which is subject to the tax levied by this section shall file a  
1983 statement of its gross revenue by April 1 of each year showing the  
1984 gross revenue for the preceding year's operation. These  
1985 statements of gross revenue shall be filed with the Department of  
1986 Revenue on forms prescribed and furnished by the Department of  
1987 Revenue. The Department of Revenue shall file a copy of these  
1988 statements of gross revenue with the public utilities staff and  
1989 the commission. The Department of Revenue shall calculate the  
1990 amount of tax to be paid by each of the utilities and shall submit  
1991 a statement thereof to the respective utilities, and the amount  
1992 shown due in the statements to the utilities shall be paid by them  
1993 within thirty (30) days thereafter to the Department of Revenue.  
1994 The Department of Revenue shall furnish the public utilities staff  
1995 and the commission with an itemized list showing gross and net  
1996 revenues, assessments, tax collections and other related  
1997 information for the respective utilities. \* \* \* The Department of  
1998 Revenue shall deposit these funds into the General Fund of the  
1999 State Treasury on the same day collected.

2000 All administrative provisions of the Mississippi Sales Tax  
2001 Law, including those which fix damages, penalties and interest for  
2002 nonpayment of taxes and for noncompliance with the provisions of



2003 such chapter, and all other duties and requirements imposed upon  
2004 taxpayers, shall apply to all persons liable for taxes under the  
2005 provisions of this chapter, and the Commissioner of Revenue shall  
2006 exercise all the power and authority and perform all the duties  
2007 with respect to taxpayers under this chapter as are provided in  
2008 the Mississippi Sales Tax Law except where there is a conflict,  
2009 then the provisions of this chapter shall control. The term  
2010 "gross revenue" as used in this section is the total amount of all  
2011 revenue derived by each of the utilities from its intrastate  
2012 operations, which are subject to rate regulation under the  
2013 provisions of this chapter or which constitute utility services of  
2014 the type described by subparagraph (i) of paragraph (d) of Section  
2015 77-3-3 and which are regulated by this chapter and furnished to  
2016 ultimate consumers. The Department of Revenue is hereby  
2017 authorized to use all tax returns of any utilities available to it  
2018 and to make audits as may be deemed necessary of all records of  
2019 utilities in order to correctly determine the amount of such gross  
2020 revenue.

2021 All proceeds of the above-mentioned tax are hereby allocated  
2022 to the public utilities staff and to the commission in the manner  
2023 provided in this section for the purpose of this chapter.

2024 Each utility subject to the provisions of this section shall  
2025 be allowed to recover, through the use of a rate adjustment clause  
2026 or rider, the total amount of taxes paid by the utility pursuant



2027 to this section for the reasonable and necessary expenses of the  
2028 commission and the public utilities staff.

2029 From and after July 1, 2016, the expenses of this agency  
2030 shall be defrayed by appropriation from the State General Fund and  
2031 all user charges and fees authorized under this section shall be  
2032 deposited into the State General Fund as authorized by law.

2033 From and after July 1, 2016, no state agency shall charge  
2034 another state agency a fee, assessment, rent or other charge for  
2035 services or resources received by authority of this section.

2036 **SECTION 39.** Section 77-3-721, Mississippi Code of 1972, as  
2037 reenacted by Senate Bill No. 2165, 2017 Regular Session, is  
2038 amended as follows:

2039 77-3-721. All fees collected under the provisions of this  
2040 article shall be deposited into a special fund which is created in  
2041 the State Treasury to be expended by the commission for the  
2042 implementation and administration of this article. \* \* \* From and  
2043 after July 1, 2016, the expenses of this agency shall be defrayed  
2044 by appropriation from the State General Fund and all user charges  
2045 and fees authorized under this section shall be deposited into the  
2046 State General Fund as authorized by law and as determined by the  
2047 State Fiscal Officer.

2048 This section shall stand repealed July 1, 2020.

2049 **SECTION 40.** Section 93-21-31, Mississippi Code of 1972, is  
2050 amended as follows:





2051 93-21-31. (1) There is hereby created in the State Treasury  
2052 a special fund designated as the Domestic Violence Training Fund.  
2053 The fund shall be administered by the Attorney General. Money  
2054 remaining in the fund at the end of a fiscal year shall not lapse  
2055 into the State General Fund and any interest earned from the  
2056 investment of monies in the fund shall be deposited to the credit  
2057 of the fund. Monies appropriated to the fund shall be used by the  
2058 Attorney General for the general administration and expenses of  
2059 the Domestic Violence Division which provides training to law  
2060 enforcement, prosecutors, judges, court clerks and other  
2061 professionals in the field of domestic violence awareness,  
2062 prevention and enforcement.

2063 (2) The clerks of the various courts shall remit the  
2064 proceeds generated by Chapter 434, Laws of 2009, to the Department  
2065 of Finance and Administration as is done generally for other fees  
2066 collected by the clerks.

2067 (3) From and after July 1, 2016, the expenses of the  
2068 Domestic Violence Division of the Office of Attorney General shall  
2069 be defrayed by appropriation from the State General Fund and all  
2070 user charges and fees authorized under this section shall be  
2071 deposited into the State General Fund as authorized by law and as  
2072 determined by the State Fiscal Officer.

2073 (4) From and after July 1, 2016, no state agency shall  
2074 charge another state agency a fee, assessment, rent or other



2075 charge for services or resources received by authority of this  
2076 section.

2077 **SECTION 41.** Section 97-3-54.8, Mississippi Code of 1972, is  
2078 amended as follows:

2079 97-3-54.8. **Relief for Victims of Human Trafficking Fund.**

2080 (1) There is hereby created in the State Treasury a special fund  
2081 to be known as the "Relief for Victims of Human Trafficking Fund."  
2082 The fund shall be a continuing fund, not subject to fiscal\_year  
2083 limitations, and shall consist of:

- 2084 (a) Monies appropriated by the Legislature;
- 2085 (b) The interest accruing to the fund;
- 2086 (c) Donations or grant funds received; and
- 2087 (d) Monies received from such other sources as may be  
2088 provided by law.

2089 (2) The monies in the Relief for Victims of Human  
2090 Trafficking Fund shall be used by the Mississippi Attorney  
2091 General's office solely for the administration of programs  
2092 designed to assist victims of human trafficking, to conduct  
2093 training on human trafficking to law enforcement, court personnel,  
2094 attorneys, and nongovernmental service providers, and to support  
2095 the duties of the statewide human trafficking coordinator as set  
2096 forth in this act.

2097 (3) From and after July 1, 2016, the expenses of the Relief  
2098 for Victims of Human Trafficking Fund program shall be defrayed by  
2099 appropriation from the State General Fund and all user charges and



2100 fees authorized under this section shall be deposited into the  
2101 State General Fund as authorized by law and as determined by the  
2102 State Fiscal Officer.

2103 (4) From and after July 1, 2016, no state agency shall  
2104 charge another state agency a fee, assessment, rent or other  
2105 charge for services or resources received by authority of this  
2106 section.

2107 **SECTION 42.** Section 97-33-51, Mississippi Code of 1972, is  
2108 amended as follows:

2109 97-33-51. (1) The provisions of Sections 97-33-1 through  
2110 97-33-49 shall not apply to any raffle wherein a ticket is sold  
2111 and a prize is offered when such raffle is being held by and for  
2112 the benefit of any nonprofit civic, educational, wildlife  
2113 conservation or religious organization with all proceeds going to  
2114 said organization.

2115 (2) The provisions of Sections 97-33-1 through 97-33-49  
2116 shall not apply to any bingo game wherein a prize is offered when  
2117 such bingo game is being held in accordance with the provisions of  
2118 the Charitable Bingo Law.

2119 (3) A bingo game or a raffle held pursuant to the provisions  
2120 of the Charitable Bingo Law shall not be considered a game or  
2121 gambling game for the purposes of Section 75-76-1 et seq.

2122 (4) From and after July 1, 2016, the expenses of the  
2123 Charitable Bingo Law shall be defrayed by appropriation from the  
2124 State General Fund and all user charges and fees authorized under



2125 this section shall be deposited into the State General Fund as  
2126 authorized by law and as determined by the State Fiscal Officer.

2127 (5) From and after July 1, 2016, no state agency shall  
2128 charge another state agency a fee, assessment, rent or other  
2129 charge for services or resources received by authority of this  
2130 section.

2131 **SECTION 43.** Section 97-33-101, Mississippi Code of 1972, is  
2132 amended as follows:

2133 97-33-101. \* \* \* From and after July 1, 2016, the expenses  
2134 of the Charitable Bingo Law shall be defrayed by appropriation  
2135 from the State General Fund and all user charges and fees  
2136 authorized under this section shall be deposited into the State  
2137 General Fund as authorized by law and as determined by the State  
2138 Fiscal Officer.

2139 **SECTION 44.** Section 97-45-25, Mississippi Code of 1972, is  
2140 amended as follows:

2141 97-45-25. (1) In a proceeding for violations under Title  
2142 97, Chapter 45, Section 97-5-33 or Section 97-19-85, the court, in  
2143 addition to the criminal penalties imposed under this chapter,  
2144 shall assess against the defendant convicted of such violation  
2145 double those reasonable costs that are expended by the Office of  
2146 Attorney General, the district attorney's office, the sheriff's  
2147 office or police department involved in the investigation of such  
2148 case, including, but not limited to, the cost of investigators,  
2149 software and equipment utilized in the investigation, together



2150 with costs associated with process service, court reporters and  
2151 expert witnesses. The Attorney General or district attorney may  
2152 institute and maintain proceedings in his name for enforcement of  
2153 payment in the circuit court of the county of residence of the  
2154 defendant and, if the defendant is a nonresident, such proceedings  
2155 shall be in the Circuit Court of the First Judicial District of  
2156 Hinds County, Mississippi. The Attorney General or district  
2157 attorney shall distribute the property or interest assessed under  
2158 this section as follows:

2159           (a) Fifty percent (50%) shall be distributed to the  
2160 unit of state or local government whose officers or employees  
2161 conducted the investigation into computer fraud, identity theft or  
2162 child exploitation which resulted in the arrest or arrests and  
2163 prosecution. Amounts distributed to units of local government  
2164 shall be used for training or enforcement purposes relating to  
2165 detection, investigation or prosecution of computer and financial  
2166 crimes, including computer fraud or child exploitation.

2167           (b) Where the prosecution was maintained by the  
2168 district attorney, fifty percent (50%) shall be distributed to the  
2169 county in which the prosecution was instituted by the district  
2170 attorney and appropriated to the district attorney for use in  
2171 training or enforcement purposes relating to detection,  
2172 investigation or prosecution of computer and financial crimes,  
2173 including computer fraud or child exploitation. Where a  
2174 prosecution was maintained by the Attorney General, fifty percent



2175 (50%) of the proceeds shall be paid or distributed into the  
2176 Attorney General's Cyber Crime Central or the Attorney General's  
2177 special fund to be used for consumer fraud education and  
2178 investigative and enforcement operations of the Office of Consumer  
2179 Protection. Where the Attorney General and the district attorney  
2180 have participated jointly in any part of the proceedings,  
2181 twenty-five percent (25%) of the property forfeited shall be paid  
2182 to the county in which the prosecution occurred, and twenty-five  
2183 percent (25%) shall be paid to the Attorney General's Cyber Crime  
2184 Central or the Attorney General's special fund to be used for the  
2185 purposes as stated in this paragraph.

2186 (2) From and after July 1, 2016, the expenses of the  
2187 Attorney General's Cyber Crime Central or Attorney General's  
2188 special fund program shall be defrayed by appropriation from the  
2189 State General Fund and all user charges and fees authorized under  
2190 this section shall be deposited into the State General Fund as  
2191 authorized by law and as determined by the State Fiscal Officer.

2192 (3) From and after July 1, 2016, no state agency shall  
2193 charge another state agency a fee, assessment, rent or other  
2194 charge for services or resources received by authority of this  
2195 section.

2196 **SECTION 45.** Section 99-41-29, Mississippi Code of 1972, is  
2197 amended as follows:

2198 99-41-29. (1) From and after July 1, 1990, there is hereby  
2199 created in the State Treasury a special interest-bearing fund to



2200 be known as the Crime Victims' Compensation Fund. The monies  
2201 contained in the fund shall be \* \* \* used for the sole purpose of  
2202 payment of awards of compensation to victims and claimants  
2203 pursuant to this chapter, the payment of all necessary and proper  
2204 expenses incurred by the division in the administration of this  
2205 chapter, payment of sexual assault examinations pursuant to  
2206 Section 99-37-25, payment of Address Confidentiality Program  
2207 administrative expenses pursuant to Section 99-47-1(7) and payment  
2208 of other expenses in furtherance of providing assistance to  
2209 victims of crime through information referrals, advocacy outreach  
2210 programs and victim-related services. Expenditures from the fund  
2211 shall be paid by the State Treasurer upon warrants issued by the  
2212 Department of Finance and Administration, and upon requisitions  
2213 signed by the Attorney General or his duly designated  
2214 representative in the manner provided by law. The fund shall be a  
2215 continuing fund, not subject to fiscal-year limitations, and shall  
2216 consist of: (a) monies appropriated by the Legislature for the  
2217 purposes of compensating the victims of crime and other claimants  
2218 under this chapter; (b) the interest accruing to the fund; (c)  
2219 monies recovered by the director under the provisions of Section  
2220 99-41-21; (d) monies received from the federal government; and (e)  
2221 monies received from such other sources as may be provided by law.  
2222 (2) No compensation payments shall be made which exceed the  
2223 amount of money in the fund. The state shall not be liable for a  
2224 written order to pay compensation, except to the extent that



2225 monies are available in the fund on the date the award is ordered.  
2226 The Attorney General shall establish such rules and regulations as  
2227 shall be necessary to adjust awards and payments so that the total  
2228 amount awarded does not exceed the amount of money on deposit in  
2229 the fund. Such rules and regulations may include, but shall not  
2230 be limited to, the authority to provide for suspension of payments  
2231 and proportioned reduction of benefits to all claimants; provided,  
2232 however, no such reductions as provided for shall entitle  
2233 claimants to future retroactive reimbursements in future years.

2234 (3) From and after July 1, 2016, the expenses of the Crime  
2235 Victims Compensation Fund program (including the Crime Victims  
2236 Compensation Administration Fund) shall be defrayed by  
2237 appropriation from the State General Fund and all user charges and  
2238 fees authorized under this section shall be deposited into the  
2239 State General Fund as authorized by law and as determined by the  
2240 State Fiscal Officer.

2241 (4) From and after July 1, 2016, no state agency shall  
2242 charge another state agency a fee, assessment, rent or other  
2243 charge for services or resources received by authority of this  
2244 section.

2245 **SECTION 46.** This act shall take effect and be in force from  
2246 and after its passage.

