

By: Representatives Kinkade, Sykes

To: Appropriations

HOUSE BILL NO. 82

1 AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF CAPITAL
2 POST-CONVICTION COUNSEL FOR THE PURPOSE OF DEFRAYING THE EXPENSES
3 OF THE OFFICE AND REPRESENTING ALL POST-CAPITAL CONVICTION APPEALS
4 FOR THE FISCAL YEAR 2019.

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

6 **SECTION 1.** The following sum, or so much of it as may be
7 necessary, is appropriated out of any money in the State General
8 Fund not otherwise appropriated, to the Office of Capital
9 Post-Conviction Counsel for the purposes specified in Section 3 of
10 this act for the fiscal year beginning July 1, 2018, and ending
11 June 30, 2019.....\$ 2,627,120.00.

12 **SECTION 2.** The following sum, or so much of it as may be
13 necessary, is appropriated out of any money in any special fund in
14 the State Treasury to the credit of the Office of Capital
15 Post-Conviction Counsel which is comprised of special source funds
16 collected by or otherwise available to the office, for the
17 purposes specified in Section 3 of this act for the fiscal year
18 beginning July 1, 2018, and ending June 30, 2019.....
19 \$ 1,035,000.00.



20 **SECTION 3.** The money appropriated by Sections 1 and 2 of
21 this act shall be used by the Office of Capital Post-Conviction
22 Counsel to (a) defray the expenses of the office, and (b)
23 represent all post-capital conviction appeals so that county
24 governments will not have to fund counsel and litigation expenses
25 for post-conviction proceedings challenging the convictions and
26 sentences of persons under the sentence of death.

27 **SECTION 4.** The money appropriated by this act shall be paid
28 by the State Treasurer out of any money in the State Treasury to
29 the credit of the proper fund or funds as set forth in this act,
30 upon warrants issued by the State Fiscal Officer; and the State
31 Fiscal Officer shall issue his warrants upon requisitions signed
32 by the proper person, officer or officers, in the manner provided
33 by law.

34 **SECTION 5.** This act shall take effect and be in force from
35 and after July 1, 2018.

