

By: Representatives Read, Dixon

To: Appropriations

HOUSE BILL NO. 322

1 AN ACT TO AMEND SECTION 99-41-29, MISSISSIPPI CODE OF 1972,
 2 TO DELETE THE LANGUAGE PROVIDING THAT THE EXPENSES OF THE CRIME
 3 VICTIMS' COMPENSATION FUND SHALL BE DEFRAIDED BY APPROPRIATION FROM
 4 THE STATE GENERAL FUND AND THE LANGUAGE PROHIBITING STATE AGENCIES
 5 FROM CHARGING FEES AND ASSESSMENTS TO OTHER STATE AGENCIES FOR
 6 SERVICES OR RESOURCES RECEIVED UNDER THIS SECTION; AND FOR RELATED
 7 PURPOSES.

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

9 **SECTION 1.** Section 99-41-29, Mississippi Code of 1972, is
 10 amended as follows:

11 99-41-29. (1) From and after July 1, 1990, there is hereby
 12 created in the State Treasury a special interest-bearing fund to
 13 be known as the Crime Victims' Compensation Fund. The monies
 14 contained in the fund shall be used for the sole purpose of
 15 payment of awards of compensation to victims and claimants
 16 pursuant to this chapter, the payment of all necessary and proper
 17 expenses incurred by the division in the administration of this
 18 chapter, payment of sexual assault examinations pursuant to
 19 Section 99-37-25, payment of Address Confidentiality Program
 20 administrative expenses pursuant to Section 99-47-1(7) and payment



21 of other expenses in furtherance of providing assistance to
22 victims of crime through information referrals, advocacy outreach
23 programs and victim-related services. Expenditures from the fund
24 shall be paid by the State Treasurer upon warrants issued by the
25 Department of Finance and Administration, and upon requisitions
26 signed by the Attorney General or his duly designated
27 representative in the manner provided by law. The fund shall be a
28 continuing fund, not subject to fiscal-year limitations, and shall
29 consist of: (a) monies appropriated by the Legislature for the
30 purposes of compensating the victims of crime and other claimants
31 under this chapter; (b) the interest accruing to the fund; (c)
32 monies recovered by the director under the provisions of Section
33 99-41-21; (d) monies received from the federal government; and (e)
34 monies received from such other sources as may be provided by law.

35 (2) No compensation payments shall be made which exceed the
36 amount of money in the fund. The state shall not be liable for a
37 written order to pay compensation, except to the extent that
38 monies are available in the fund on the date the award is ordered.
39 The Attorney General shall establish such rules and regulations as
40 shall be necessary to adjust awards and payments so that the total
41 amount awarded does not exceed the amount of money on deposit in
42 the fund. Such rules and regulations may include, but shall not
43 be limited to, the authority to provide for suspension of payments
44 and proportioned reduction of benefits to all claimants; provided,



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

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48 **SECTION 2.** This act shall take effect and be in force from
49 and after July 1, 2018.

