

By: Representative Willis

To: Drug Policy

HOUSE BILL NO. 1288

1 AN ACT TO AMEND SECTION 45-1-29, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE LIST OF PERSONS REQUIRED TO PAY LABORATORY ANALYSIS
3 FEES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 45-1-29, Mississippi Code of 1972, is
6 amended as follows:

7 45-1-29. (1) The Mississippi Forensics Laboratory shall be
8 funded separately from the Department of Public Safety. Any
9 appropriated funds shall be maintained in an account separate from
10 any funds of the Department of Public Safety and shall never be
11 commingled with any funds of the department. However, nothing in
12 this section shall be construed to prohibit the utilization of the
13 combined resources of the Mississippi Forensics Laboratory, the
14 Division of Support Services of the Department of Public Safety or
15 the Mississippi Justice Information Center to efficiently carry
16 out the mission of the Department of Public Safety.

17 (2) Grants and donations to the Forensics Laboratory may be
18 accepted from individuals, the federal government, firms,



19 corporations, foundations and other interested organizations and
20 societies.

21 (3) The Commissioner of Public Safety shall establish and
22 the Division of Support Services of the Department of Public
23 Safety shall collect for services rendered proper fees
24 commensurate with the services rendered by the Forensics
25 Laboratory. Those fees shall be deposited into a special fund in
26 the State Treasury to the credit of the Forensics Laboratory and
27 expended in accordance with applicable rules and regulations of
28 the Department of Finance and Administration. Those fees may be
29 used for any authorized expenditure of the Forensics Laboratory
30 except expenditures for salaries, wages and fringe benefits.

31 (4) Upon every individual convicted of a felony or
32 misdemeanor, every individual who is nonadjudicated on a felony or
33 misdemeanor case under Section 99-15-26 or 63-11-30(14), and every
34 individual who participates in a pretrial intervention program
35 established under Section 99-15-101 et seq., in a case where the
36 Forensics Laboratory provided forensic science or laboratory
37 services in connection with the case, the court shall impose and
38 collect a separate laboratory analysis fee of Three Hundred
39 Dollars (\$300.00), in addition to any other assessments and costs
40 imposed by statutory authority, unless the court finds that undue
41 hardship would result by imposing the fee. All fees collected
42 under this section shall be deposited into the special fund of the
43 Forensics Laboratory created in subsection (3) of this section.



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

