

By: Representatives Read, Snowden, Baker,  
Banks, Beckett, Bennett, Boyd, Clarke,  
Cockerham, Gipson, Watson, Sykes, Dixon

To: Appropriations

HOUSE BILL NO. 1586  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF  
3 THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2019.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is appropriated out of any money in the State General  
7 Fund not otherwise appropriated, for the purpose of defraying the  
8 expenses of the Office of Capital Post-Conviction Counsel, for the  
9 fiscal year beginning July 1, 2018, and ending June 30, 2019.....  
10 .....\$ 1,658,441.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of  
12 Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	9
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0



18 Any transfers or escalations shall be made in accordance with  
19 the terms, conditions, and procedures established by law.

20 No general funds authorized to be expended herein shall be  
21 used to replace federal funds and/or other special funds which are  
22 being used for salaries authorized under the provisions of this  
23 act and which are withdrawn and no longer available.

24 **SECTION 3.** It is the intention of the Legislature that the  
25 Office of Capital Post-Conviction Counsel shall maintain complete  
26 accounting and personnel records related to the expenditure of all  
27 funds appropriated under this act and that such records shall be  
28 in the same format and level of detail as maintained for Fiscal  
29 Year 2018. It is further the intention of the Legislature that  
30 the agency's budget request for Fiscal Year 2020 shall be  
31 submitted to the Joint Legislative Budget Committee in a format  
32 and level of detail comparable to the format and level of detail  
33 provided during the Fiscal Year 2019 budget request process.

34 **SECTION 4.** It is the intention of the Legislature that  
35 whenever two (2) or more bids are received by this agency for the  
36 purchase of commodities or equipment, and whenever all things  
37 stated in such received bids are equal with respect to price,  
38 quality and service, the Mississippi Industries for the Blind  
39 shall be given preference. A similar preference shall be given to  
40 the Mississippi Industries for the Blind whenever purchases are  
41 made without competitive bids.



42           **SECTION 5.** It is the intention of the Legislature that the  
43 funds herein appropriated shall be expended in compliance with  
44 Section 27-104-25, Mississippi Code of 1972, that no state agency  
45 shall incur obligations or indebtedness in excess of their  
46 appropriation and that the responsible officers, either personally  
47 or upon their official bonds, shall be held responsible for  
48 actions contrary to this provision.

49           **SECTION 6.** The following sum, or so much thereof as may be  
50 necessary, is reappropriated out of any money in the General Fund  
51 not otherwise appropriated, for the Office of Capital  
52 Post-Conviction Counsel for the purpose of reauthorizing the  
53 expenditure of General Funds for agency operations, as authorized  
54 in HB 1496, 2017 Regular Session, for the fiscal year beginning  
55 July 1, 2018, and ending June 30, 2019.....\$     100,000.00.

56           Notwithstanding the amount reappropriated under the  
57 provisions of this section, in no event shall the amount expended  
58 exceed the unexpended balance of June 30, 2018.

59           **SECTION 7.** The money herein appropriated shall be paid by  
60 the State Treasurer out of any money in the State Treasury to the  
61 credit of the proper fund or funds as set forth in this act, upon  
62 warrants issued by the State Fiscal Officer; and the State Fiscal  
63 Officer shall issue his warrants upon requisitions signed by the  
64 proper person, officer or officers, in the manner provided by law.

65           **SECTION 8.** This act shall take effect and be in force from  
66 and after July 1, 2018.

