

By: Representative Hines

To: Judiciary B

HOUSE BILL NO. 5

1 AN ACT TO CREATE NEW SECTIONS 9-23-101, 9-23-103, 9-23-105,  
 2 9-23-107, 9-23-109, 9-23-111, 9-23-113 AND 9-23-115, MISSISSIPPI  
 3 CODE OF 1972, TO PROVIDE AUTHORITY FOR A CHANCERY OR COUNTY COURT  
 4 TO ESTABLISH A DOMESTIC ABUSE COURT AND TO PROVIDE AUTHORITY FOR  
 5 JUSTICE AND MUNICIPAL COURTS TO PARTICIPATE IN SUCH A COURT; TO  
 6 DEFINE CERTAIN TERMS; TO PROVIDE FOR THE ENACTMENT OF STANDARDS OF  
 7 OPERATION TO GOVERN THE OPERATION OF DOMESTIC ABUSE COURTS BY THE  
 8 ADMINISTRATIVE OFFICE OF COURTS; TO CREATE THE DOMESTIC ABUSE  
 9 COURT SPECIAL FUND; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF  
 10 1972, TO PROVIDE AN ASSESSMENT TO FUND DOMESTIC ABUSE COURTS; TO  
 11 REVISE CERTAIN ASSESSMENTS; TO AMEND SECTIONS 9-5-81 AND 9-9-21,  
 12 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** The Legislature finds that:

15 (a) Domestic violence is a serious issue that causes  
 16 substantial damage to victims and children as well as to the  
 17 community. Families experiencing domestic violence are often  
 18 involved in more than one (1) court proceeding including divorce  
 19 and custody cases, civil and criminal proceedings regarding  
 20 domestic violence, substance abuse and child protection.  
 21 Substantial state and county resources are required each year for  
 22 the incarceration, supervision and treatment of batterers.



23 (b) Domestic abuse courts hold offenders accountable,  
24 increase victim safety, provide greater judicial monitoring, and  
25 coordinate information to provide effective interaction and use of  
26 resources among the courts, justice system personnel and community  
27 agencies. Effective case management and coordination ensures that  
28 decisions in one (1) case do not conflict with existing orders in  
29 other civil and criminal cases and provide courts with the  
30 necessary information to protect victims and families.

31 (c) Domestic abuse courts have proven effective in  
32 reducing recidivism and increasing victim safety. It is in the  
33 best interests of the citizens of this state to authorize the  
34 establishment of domestic abuse courts.

35 **SECTION 2.** The following shall be codified as Section  
36 9-23-101, Mississippi Code of 1972:

37 9-23-101. (1) A domestic abuse court is a court focused on  
38 the safety of the victim and the accountability of the offender  
39 by:

40 (a) Bringing together criminal justice professionals,  
41 local social programs and intensive judicial monitoring;

42 (b) Linking victims to programs and services by  
43 effective collaboration with social service providers and other  
44 stakeholders to refer victims to appropriate and available  
45 community services based on risk and need;

46 (c) Linking eligible civil respondents to programs and  
47 services by effective collaboration with social service providers



48 and other stakeholders to refer such individuals to appropriate  
49 and available community services based on risk and need;

50 (d) Linking eligible criminal defendants to programs  
51 and services by effective collaboration with social service  
52 providers and other stakeholders to refer defendants to  
53 appropriate and available community services based on risk and  
54 need; and

55 (e) Providing centralized monitoring of participants to  
56 ensure compliance with any civil domestic abuse protection orders  
57 or with any treatment orders or other orders issued by the court.

58 (2) For the purposes of this act, "domestic abuse" and  
59 "domestic violence" shall have the meanings ascribed to "abuse" by  
60 Section 93-21-3 and to "misdemeanor which is an act of domestic  
61 violence" in Section 99-3-7.

62 **SECTION 3.** The following shall be codified as Section  
63 9-23-103, Mississippi Code of 1972:

64 9-23-103. Any chancery or county court may establish a  
65 domestic abuse court program. Any municipal and justice court is  
66 authorized to participate in a domestic abuse court program  
67 established in the county.

68 **SECTION 4.** The following shall be codified as Section  
69 9-23-105, Mississippi Code of 1972:

70 9-23-105. (1) A domestic abuse court and accompanying  
71 services of the domestic abuse court shall be available only to  
72 individuals over whom the court has established jurisdiction.



73           (2) A domestic abuse court that does not have felony  
74 jurisdiction may assume jurisdiction over an individual convicted  
75 of a felony from another court within the county upon entry of an  
76 appropriate order by the criminal court referring that individual  
77 to the domestic abuse court for the purpose of participation in  
78 the domestic abuse court program.

79           **SECTION 5.** The following shall be codified as Section  
80 9-23-107, Mississippi Code of 1972:

81           9-23-107. (1) The Administrative Office of Courts shall  
82 develop uniform standards for operation of a domestic abuse court.  
83 Any domestic abuse court shall operate pursuant to those  
84 standards. Such standards shall, at a minimum, include provisions  
85 for:

86                   (a) Establishment and coordination of the domestic  
87 abuse court;

88                   (b) Funding for the domestic abuse court;

89                   (c) Procedural matters;

90                   (d) Referral protocols;

91                   (e) Participant eligibility;

92                   (f) Services to be made available to participants  
93 referred to the court; and

94                   (g) Roles and duties of the court, which shall include,  
95 but not be limited to, assessment, referral, case management,  
96 supervision and evaluation.



97           (2) Any court wishing to adopt local rules for the  
98 coordination of services and to address court procedures that may  
99 vary from those established by the Administrative Office of Courts  
100 shall submit those rules to the Administrative Office of Courts  
101 for approval prior to implementation.

102           **SECTION 6.** The following shall be codified as Section  
103 9-23-109, Mississippi Code of 1972:

104           9-23-109. A domestic abuse court may hire employees  
105 necessary to carry out the functions of the court, including, but  
106 not limited to, an administrator, case manager, counselor or  
107 clerical staff.

108           **SECTION 7.** The following shall be codified as Section  
109 9-23-111, Mississippi Code of 1972:

110           9-23-111. Nothing herein shall be construed to guarantee any  
111 individual the right to participate in a domestic abuse court  
112 program.

113           **SECTION 8.** The following shall be codified as Section  
114 9-23-113, Mississippi Code of 1972:

115           9-23-113. (1) All monies received from any source by the  
116 domestic abuse court shall be accumulated in a fund to be used  
117 only for domestic abuse court purposes. Any funds remaining in  
118 this fund at the end of a fiscal year shall not lapse into any  
119 general fund, but shall be retained in the Domestic Abuse Court  
120 Fund for the funding of further activities by the domestic abuse  
121 court.



122 (2) A domestic abuse court may apply for and receive the  
123 following:

124 (a) Gifts, bequests and donations from private sources.

125 (b) Grant and contract money from governmental sources.

126 (c) Other forms of financial assistance approved by the  
127 court to supplement the budget of the domestic abuse court.

128 **SECTION 9.** The following shall be codified as Section  
129 9-23-115, Mississippi Code of 1972:

130 9-23-115. There is created in the State Treasury a special  
131 interest-bearing fund to be known as the Domestic Abuse Court  
132 Fund. The purpose of the fund shall be to provide supplemental  
133 funding to all domestic abuse courts in the state. Monies from  
134 the fund shall be distributed by the State Treasurer upon warrants  
135 issued by the Administrative Office of Courts to assist domestic  
136 abuse courts. The fund shall be a continuing fund, not subject to  
137 fiscal-year limitations, and shall consist of: (a) monies  
138 appropriated by the Legislature for the purposes of funding  
139 domestic abuse courts; (b) the interest accruing to the fund; (c)  
140 monies received under the provisions of Section 99-19-73; (d)  
141 monies received from the federal government; and (e) monies  
142 received from such other sources as may be provided by law.

143 **SECTION 10.** Section 99-19-73, Mississippi Code of 1972, is  
144 amended as follows:

145 99-19-73. (1) **Traffic violations.** In addition to any  
146 monetary penalties and any other penalties imposed by law, there



147 shall be imposed and collected the following state assessment from  
148 each person upon whom a court imposes a fine or other penalty for  
149 any violation in Title 63, Mississippi Code of 1972, except  
150 offenses relating to the Mississippi Implied Consent Law (Section  
151 63-11-1 et seq.) and offenses relating to vehicular parking or  
152 registration:

153	FUND	AMOUNT
154	State Court Education Fund.....	[Deleted]
155	State Prosecutor Education Fund.....	[Deleted]
156	Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
157	Child Support Prosecution Trust Fund.....	[Deleted]
158	Driver Training Penalty Assessment Fund.....	[Deleted]
159	Law Enforcement Officers Training Fund.....	[Deleted]
160	Spinal Cord and Head Injury Trust Fund (for all moving violations).....	[Deleted]
161	Emergency Medical Services Operating Fund.....	[Deleted]
162	Mississippi Leadership Council on Aging Fund.....	[Deleted]
163	Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund.....	[Deleted]
164	Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund.....	[Deleted]
165	State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants.....	[Deleted]



172 Crisis Intervention Mental Health Fund.....[Deleted]  
 173 Drug Court Fund.....[Deleted]  
 174 Judicial Performance Fund.....[Deleted]  
 175 Capital Defense Counsel Fund.....[Deleted]  
 176 Indigent Appeals Fund.....[Deleted]  
 177 Capital Post-Conviction Counsel Fund.....[Deleted]  
 178 Victims of Domestic Violence Fund.....[Deleted]  
 179 Public Defenders Education Fund.....[Deleted]  
 180 Domestic Violence Training Fund.....[Deleted]  
 181 Attorney General's Cyber Crime Unit.....[Deleted]  
 182 Children's Safe Center Fund.....[Deleted]  
 183 DuBard School for Language Disorders Fund.....[Deleted]  
 184 Children's Advocacy Centers Fund.....[Deleted]  
 185 Judicial System Operation Fund.....[Deleted]  
 186 GENERAL FUND.....\$ 90.50

187 (2) **Implied Consent Law violations.** In addition to any  
 188 monetary penalties and any other penalties imposed by law, there  
 189 shall be imposed and collected the following state assessment from  
 190 each person upon whom a court imposes a fine or any other penalty  
 191 for any violation of the Mississippi Implied Consent Law (Section  
 192 63-11-1 et seq.):

193 FUND	AMOUNT
194 Crime Victims' Compensation Fund.....	[Deleted]
195 State Court Education Fund.....	[Deleted]
196 State Prosecutor Education Fund.....	[Deleted]





197 Vulnerable Persons Training,  
198       Investigation and Prosecution Trust Fund.....[Deleted]  
199 Child Support Prosecution Trust Fund.....[Deleted]  
200 Driver Training Penalty Assessment Fund.....[Deleted]  
201 Law Enforcement Officers Training Fund.....[Deleted]  
202 Emergency Medical Services Operating Fund.....[Deleted]  
203 Mississippi Alcohol Safety Education Program Fund.....[Deleted]  
204 Federal-State Alcohol Program Fund.....[Deleted]  
205 Mississippi Forensics Laboratory  
206       Implied Consent Law Fund.....[Deleted]  
207 Spinal Cord and Head Injury Trust Fund.....[Deleted]  
208 Capital Defense Counsel Fund.....[Deleted]  
209 Indigent Appeals Fund.....[Deleted]  
210 Capital Post-Conviction Counsel Fund.....[Deleted]  
211 Victims of Domestic Violence Fund.....[Deleted]  
212 Law Enforcement Officers and Fire Fighters  
213       Death Benefits Trust Fund.....[Deleted]  
214 Law Enforcement Officers and Fire Fighters  
215       Disability Benefits Trust Fund.....[Deleted]  
216 State Prosecutor Compensation Fund for the purpose  
217       of providing additional compensation for  
218       district attorneys and their legal assistants.....[Deleted]  
219 Crisis Intervention Mental Health Fund.....[Deleted]  
220 Drug Court Fund.....[Deleted]  
221 Statewide Victims' Information and



222 Notification System Fund.....[Deleted]  
 223 Public Defenders Education Fund.....[Deleted]  
 224 Domestic Violence Training Fund.....[Deleted]  
 225 Attorney General's Cyber Crime Unit.....[Deleted]  
 226 GENERAL FUND.....\$ \* \* \*244.50

227 (3) **Game and Fish Law violations.** In addition to any  
 228 monetary penalties and any other penalties imposed by law, there  
 229 shall be imposed and collected the following state assessment from  
 230 each person upon whom a court imposes a fine or other penalty for  
 231 any violation of the game and fish statutes or regulations of this  
 232 state:

233 FUND	AMOUNT
234 State Court Education Fund.....	[Deleted]
235 State Prosecutor Education Fund.....	[Deleted]
236 Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
238 Law Enforcement Officers Training Fund.....	[Deleted]
239 Hunter Education and Training Program Fund.....	[Deleted]
240 Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund.....	[Deleted]
242 Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund.....	[Deleted]
244 State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants.....	[Deleted]



247 Crisis Intervention Mental Health Fund.....[Deleted]  
 248 Drug Court Fund.....[Deleted]  
 249 Capital Defense Counsel Fund.....[Deleted]  
 250 Indigent Appeals Fund.....[Deleted]  
 251 Capital Post-Conviction Counsel Fund.....[Deleted]  
 252 Victims of Domestic Violence Fund.....[Deleted]  
 253 Public Defenders Education Fund.....[Deleted]  
 254 Domestic Violence Training Fund.....[Deleted]  
 255 Attorney General's Cyber Crime Unit.....[Deleted]

256 GENERAL FUND.....\$ \* \* \*90.00

257 (4) [Deleted]

258 (5) **Speeding, reckless and careless driving violations.** In  
 259 addition to any assessment imposed under subsection (1) or (2) of  
 260 this section, there shall be imposed and collected the following  
 261 state assessment from each person upon whom a court imposes a fine  
 262 or other penalty for driving a vehicle on a road or highway:

263 (a) At a speed that exceeds the posted speed limit by  
 264 at least ten (10) miles per hour but not more than twenty (20)  
 265 miles per hour.....\$10.00

266 (b) At a speed that exceeds the posted speed limit by  
 267 at least twenty (20) miles per hour but not more than thirty (30)  
 268 miles per hour.....\$20.00

269 (c) At a speed that exceeds the posted speed limit by  
 270 thirty (30) miles per hour or more.....\$30.00



271 (d) In violation of Section 63-3-1201, which is the  
272 offense of reckless driving.....\$10.00

273 (e) In violation of Section 63-3-1213, which is the  
274 offense of careless driving.....\$10.00

275 All assessments collected under this subsection shall be  
276 deposited into the State General Fund.

277 (6) **Other misdemeanors.** In addition to any monetary  
278 penalties and any other penalties imposed by law, there shall be  
279 imposed and collected the following state assessment from each  
280 person upon whom a court imposes a fine or other penalty for any  
281 misdemeanor violation not specified in subsection (1), (2) or (3)  
282 of this section, except offenses relating to vehicular parking or  
283 registration:

284	FUND	AMOUNT
285	Crime Victims' Compensation Fund.....	[\$Deleted]
286	State Court Education Fund.....	[Deleted]
287	State Prosecutor Education Fund.....	[Deleted]
288	Vulnerable Persons Training, Investigation 289 and Prosecution Trust Fund.....	[Deleted]
290	Child Support Prosecution Trust Fund.....	[Deleted]
291	Law Enforcement Officers Training Fund.....	[Deleted]
292	Capital Defense Counsel Fund.....	[Deleted]
293	Indigent Appeals Fund.....	[Deleted]
294	Capital Post-Conviction Counsel Fund.....	[Deleted]
295	Victims of Domestic Violence Fund.....	[Deleted]



296 State Crime Stoppers Fund..... [Deleted]  
 297 Law Enforcement Officers and Fire Fighters  
 298 Death Benefits Trust Fund..... [Deleted]  
 299 Law Enforcement Officers and Fire Fighters  
 300 Disability Benefits Trust Fund..... [Deleted]  
 301 State Prosecutor Compensation Fund for the purpose  
 302 of providing additional compensation for  
 303 district attorneys and their legal assistants..... [Deleted]  
 304 Crisis Intervention Mental Health Fund..... [Deleted]  
 305 Drug Court Fund..... [Deleted]  
 306 Judicial Performance Fund..... [Deleted]  
 307 Statewide Victims' Information and  
 308 Notification System Fund..... [Deleted]  
 309 Public Defenders Education Fund..... [Deleted]  
 310 Domestic Violence Training Fund..... [Deleted]  
 311 Attorney General's Cyber Crime Unit..... [Deleted]  
 312 Information Exchange Network Fund..... [Deleted]  
 313 Motorcycle Officer Training Fund..... [Deleted]  
 314 Civil Legal Assistance Fund..... [Deleted]  
 315 Justice Court Collections Fund..... [Deleted]  
 316 Municipal Court Collections Fund..... [Deleted]  
 317 GENERAL FUND.....\$ \* \* \*122.75

318 (7) **Other felonies.** In addition to any monetary penalties  
 319 and any other penalties imposed by law, there shall be imposed and  
 320 collected the following state assessment from each person upon



321 whom a court imposes a fine or other penalty for any felony  
322 violation not specified in subsection (1), (2) or (3) of this  
323 section:

324	FUND	AMOUNT
325	Crime Victims' Compensation Fund.....	.\$[Deleted]
326	State Court Education Fund.....	[Deleted]
327	State Prosecutor Education Fund.....	[Deleted]
328	Vulnerable Persons Training, Investigation 329 and Prosecution Trust Fund.....	[Deleted]
330	Child Support Prosecution Trust Fund.....	[Deleted]
331	Law Enforcement Officers Training Fund.....	[Deleted]
332	Capital Defense Counsel Fund.....	[Deleted]
333	Indigent Appeals Fund.....	[Deleted]
334	Capital Post-Conviction Counsel Fund.....	[Deleted]
335	Victims of Domestic Violence Fund.....	[Deleted]
336	Criminal Justice Fund.....	[Deleted]
337	Law Enforcement Officers and Fire Fighters 338 Death Benefits Trust Fund.....	[Deleted]
339	Law Enforcement Officers and Fire Fighters 340 Disability Benefits Trust Fund.....	[Deleted]
341	State Prosecutor Compensation Fund for the purpose 342 of providing additional compensation for 343 district attorneys and their legal assistants.....	[Deleted]
344	Crisis Intervention Mental Health Fund.....	[Deleted]
345	Drug Court Fund.....	[Deleted]



346 Statewide Victims' Information and  
347 Notification System Fund.....[Deleted]  
348 Public Defenders Education Fund.....[Deleted]  
349 Domestic Violence Training Fund.....[Deleted]  
350 Attorney General's Cyber Crime Unit.....[Deleted]  
351 Forensics Laboratory DNA Identification System Fund.....[Deleted]  
352 GENERAL FUND.....\$ \* \* \*281.50

353 (8) **Additional assessments on certain violations:**

354 (a) **Railroad crossing violations.** In addition to any  
355 monetary penalties and any other penalties imposed by law, there  
356 shall be imposed and collected the following state assessment in  
357 addition to all other state assessments due under this section  
358 from each person upon whom a court imposes a fine or other penalty  
359 for any violation involving railroad crossings under Section  
360 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

361 Operation Lifesaver Fund.....\$25.00

362 (b) **Drug violations.** In addition to any monetary  
363 penalties and any other penalties imposed by law, there shall be  
364 imposed and collected the following state assessment in addition  
365 to all other state assessments due under this section from each  
366 person upon whom a court imposes a fine or other penalty for any  
367 violation of Section 41-29-139:

368 Drug Evidence Disposition Fund.....\$25.00

369 (c) **Motor vehicle liability insurance violations.** In  
370 addition to any monetary penalties and any other penalties imposed



371 by law, there shall be imposed and collected the following state  
372 assessment in addition to all other state assessments due under  
373 this section from each person upon whom a court imposes a fine or  
374 other penalty for any violation of Section 63-15-4(4) or Section  
375 63-16-13(1):

376 Uninsured Motorist Identification Fund:

377 First offense.....\$200.00  
378 Second offense.....\$300.00  
379 Third or subsequent offense.....\$400.00

380 (9) If a fine or other penalty imposed is suspended, in  
381 whole or in part, such suspension shall not affect the state  
382 assessment under this section. No state assessment imposed under  
383 the provisions of this section may be suspended or reduced by the  
384 court.

385 (10) (a) After a determination by the court of the amount  
386 due, it shall be the duty of the clerk of the court to promptly  
387 collect all state assessments imposed under the provisions of this  
388 section. The state assessments imposed under the provisions of  
389 this section may not be paid by personal check.

390 (b) It shall be the duty of the chancery clerk of each  
391 county to deposit all state assessments collected in the circuit,  
392 county and justice courts in the county on a monthly basis with  
393 the State Treasurer pursuant to appropriate procedures established  
394 by the State Auditor. The chancery clerk shall make a monthly  
395 lump-sum deposit of the total state assessments collected in the





396 circuit, county and justice courts in the county under this  
397 section, and shall report to the Department of Finance and  
398 Administration the total number of violations under each  
399 subsection for which state assessments were collected in the  
400 circuit, county and justice courts in the county during that  
401 month.

402 (c) It shall be the duty of the municipal clerk of each  
403 municipality to deposit all the state assessments collected in the  
404 municipal court in the municipality on a monthly basis with the  
405 State Treasurer pursuant to appropriate procedures established by  
406 the State Auditor. The municipal clerk shall make a monthly  
407 lump-sum deposit of the total state assessments collected in the  
408 municipal court in the municipality under this section, and shall  
409 report to the Department of Finance and Administration the total  
410 number of violations under each subsection for which state  
411 assessments were collected in the municipal court in the  
412 municipality during that month.

413 (11) It shall be the duty of the Department of Finance and  
414 Administration to deposit on a monthly basis all state assessments  
415 into the State General Fund or proper special fund in the State  
416 Treasury. The Department of Finance and Administration shall  
417 issue regulations providing for the proper allocation of these  
418 funds.

419 (12) The State Auditor shall establish by regulation  
420 procedures for refunds of state assessments, including refunds



421 associated with assessments imposed before July 1, 1990, and  
422 refunds after appeals in which the defendant's conviction is  
423 reversed. The Auditor shall provide in the regulations for  
424 certification of eligibility for refunds and may require the  
425 defendant seeking a refund to submit a verified copy of a court  
426 order or abstract by which the defendant is entitled to a refund.  
427 All refunds of state assessments shall be made in accordance with  
428 the procedures established by the Auditor.

429       **SECTION 11.** Section 9-5-81, Mississippi Code of 1972, is  
430 amended as follows:

431       9-5-81. The chancery court in addition to the full  
432 jurisdiction in all the matters and cases expressly conferred upon  
433 it by the Constitution shall have jurisdiction of all cases  
434 transferred to it by the circuit court or remanded to it by the  
435 Supreme Court; and such further jurisdiction, as is, in this  
436 chapter or elsewhere, provided by law. A chancery court is  
437 authorized to establish a domestic abuse court as provided in  
438 Sections 1 through 9 of House Bill No. 5, 2019 Regular Session.

439       **SECTION 12.** Section 9-9-21, Mississippi Code of 1972, is  
440 amended as follows:

441       9-9-21. (1) The jurisdiction of the county court shall be  
442 as follows: It shall have jurisdiction concurrent with the  
443 justice court in all matters, civil and criminal of which the  
444 justice court has jurisdiction; and it shall have jurisdiction  
445 concurrent with the circuit and chancery courts in all matters of



446 law and equity wherein the amount of value of the thing in  
447 controversy shall not exceed, exclusive of costs and interest, the  
448 sum of Two Hundred Thousand Dollars (\$200,000.00), and the  
449 jurisdiction of the county court shall not be affected by any  
450 setoff, counterclaim or cross-bill in such actions where the  
451 amount sought to be recovered in such setoff, counterclaim or  
452 cross-bill exceeds Two Hundred Thousand Dollars (\$200,000.00).  
453 Provided, however, the party filing such setoff, counterclaim or  
454 cross-bill which exceeds Two Hundred Thousand Dollars  
455 (\$200,000.00) shall give notice to the opposite party or parties  
456 as provided in Section 13-3-83, and on motion of all parties filed  
457 within twenty (20) days after the filing of such setoff,  
458 counterclaim or cross-bill, the county court shall transfer the  
459 case to the circuit or chancery court wherein the county court is  
460 situated and which would otherwise have jurisdiction. It shall  
461 have exclusively the jurisdiction heretofore exercised by the  
462 justice court in the following matters and causes: namely,  
463 eminent domain, the partition of personal property, and actions of  
464 unlawful entry and detainer, provided that the actions of eminent  
465 domain and unlawful entry and detainer may be returnable and  
466 triable before the judge of said court in vacation. The county  
467 court shall have jurisdiction over criminal matters in the county  
468 assigned by a judge of the circuit court district in which the  
469 county is included.



470 (2) In the event of the establishment of a county court by  
471 an agreement between two (2) or more counties as provided in  
472 Section 9-9-3, it shall be lawful for such court sitting in one  
473 (1) county to act upon any and all matters of which it has  
474 jurisdiction as provided by law arising in the other county under  
475 the jurisdiction of said court.

476 (3) A county court is authorized to establish a domestic  
477 abuse court as provided in Sections 1 through 9 of House Bill No.  
478 5, 2019 Regular Session.

479 **SECTION 13.** This act shall take effect and be in force from  
480 and after July 1, 2019.

