

Senate Amendments to House Bill No. 1634

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

11 **SECTION 1.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the State General
13 Fund not otherwise appropriated, for the purpose of defraying the
14 expenses of the Mississippi State Supreme Court for the fiscal
15 year beginning July 1, 2019, and ending June 30, 2020.....
16\$ 6,680,573.00.

17 **SECTION 2.** The following sum, or so much thereof as may be
18 necessary, is appropriated out of any money in any special fund in
19 the State Treasury to the credit of the Mississippi State Supreme
20 Court which is comprised of special source funds collected by or
21 otherwise available to the Mississippi State Supreme Court, for
22 the purpose of defraying the expenses of the Mississippi State
23 Supreme Court for the fiscal year beginning July 1, 2019, and
24 ending June 30, 2020\$ 917,490.00.

25 **SECTION 3.** Of the funds appropriated under the provisions of
26 this act for the purpose of defraying the expenses of the

27 Mississippi State Supreme Court, the following positions are
28 authorized:

29 AUTHORIZED POSITIONS:

30	Permanent:	Full Time.....	70
31		Part Time.....	0
32	Time-Limited:	Full Time.....	0
33		Part Time.....	0

34 **SECTION 4.** The following sum, or so much thereof as may be
35 necessary, is appropriated out of any money in the State General
36 Fund not otherwise appropriated to the Mississippi State Supreme
37 Court for the purpose of defraying the expenses of special judges,
38 chancellors and circuit judges for the fiscal year beginning
39 July 1, 2019, and ending June 30, 2020.....
40\$ 26,160,740.00.

41 **SECTION 5.** The following sum, or so much thereof as may be
42 necessary, is appropriated out of any money in any special fund in
43 the State Treasury to the credit of the trial judges, for the
44 purpose of defraying the expenses of special judges, chancellors
45 and circuit judges for the fiscal year beginning July 1, 2019, and
46 ending June 30, 2020.....\$ 4,102,633.00.

47 **SECTION 6.** Of the funds appropriated under the provisions of
48 this act for the purpose of defraying the expenses of special
49 judges, chancellors and circuit judges, the following positions
50 are authorized:

51 AUTHORIZED POSITIONS:

52	Permanent:	Full Time.....	109
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53	Part Time.....	0
54	Time-Limited: Full Time.....	0
55	Part Time.....	0

56 Of the funds appropriated and allocated herein, Eight Million
57 Seven Hundred Twenty Thousand Dollars (\$8,720,000.00) is provided
58 for the purpose of employing support staff in an amount not to
59 exceed Eighty Thousand Dollars (\$80,000.00) per fiscal year per
60 judge.

61 **SECTION 7.** The following sum, or so much thereof as may be
62 necessary, is appropriated out of any money in the State General
63 Fund, not otherwise appropriated, for the purpose of funding the
64 Administrative Office of Courts for the fiscal year beginning
65 July 1, 2019, and ending June 30, 2020.....
66\$ 11,350,650.00.

67 **SECTION 8.** The following sum, or so much thereof as may be
68 necessary, is appropriated out of any money in any special fund in
69 the State Treasury to the credit of the Administrative Office of
70 Courts for the purpose of defraying the expenses of the
71 Administrative Office of Courts and the Board of Certified Court
72 Reporters for the fiscal year beginning July 1, 2019, and ending
73 June 30, 2020.....\$ 27,693,617.00.

74 **SECTION 9.** Of the funds appropriated under the provisions of
75 this act for the purpose of funding the Administrative Office of
76 Courts, the following positions are authorized:

77 AUTHORIZED POSITIONS:

78	Permanent: Full Time.....	30
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79	Part Time.....	0
80	Time-Limited: Full Time.....	0
81	Part Time.....	0

82 **SECTION 10.** The following sum, or so much thereof as may be
83 necessary, is appropriated out of any money in the Continuing
84 Legal Education Fund, a special fund hereby created in the State
85 Treasury, for the purpose of defraying the expenses of providing
86 continuing legal education programs to lawyers in Mississippi, for
87 the fiscal year beginning July 1, 2019, and ending June 30, 2020..
88\$ 146,010.00.

89 It is the intention of the Legislature that interest earned
90 from any investment or deposit to the Continuing Legal Education
91 Fund made pursuant to Section 27-105-33, Mississippi Code of 1972,
92 shall be credited by the State Treasurer to the Continuing Legal
93 Education Fund and shall not be paid into the General Fund of
94 Mississippi.

95 **SECTION 11.** Of the funds appropriated under the provisions
96 of this act for the purpose of providing continuing legal
97 education programs, the following positions are authorized:

98 AUTHORIZED POSITIONS:

99	Permanent: Full Time.....	2
100	Part Time.....	0
101	Time-Limited: Full Time.....	0
102	Part Time.....	0

103 **SECTION 12.** The following sum, or so much thereof as may be
104 necessary, is appropriated out of any money in the State General

105 Fund not otherwise appropriated to the Mississippi State Supreme
106 Court for the purpose of defraying the expenses of the Court of
107 Appeals for the fiscal year beginning July 1, 2019, and ending
108 June 30, 2020.....\$ 4,378,673.00.

109 **SECTION 13.** The following sum, or so much thereof as may be
110 necessary, is appropriated out of any money in the special fund in
111 the State Treasury to the credit of the Mississippi State Supreme
112 Court, for the purpose of defraying the expenses of the Court of
113 Appeals for the fiscal year beginning July 1, 2019, and ending
114 June 30, 2020.....\$ 1,573,865.00.

115 **SECTION 14.** Of the funds appropriated under the provisions
116 of this act for the purpose of defraying the expenses of the Court
117 of Appeals, the following positions are authorized:

118 AUTHORIZED POSITIONS:

119	Permanent:	Full Time.....	58
120		Part Time.....	0
121	Time-Limited:	Full Time.....	0
122		Part Time.....	0

123 **SECTION 15.** The following sum, or so much thereof as may be
124 necessary, is appropriated out of any money in the special fund in
125 the State Treasury to the credit of the Board of Bar Admissions,
126 for the purpose of defraying the expenses of the board for the
127 fiscal year beginning July 1, 2019, and ending June 30, 2020.....
128\$ 341,092.00.

129 It is the intention of the Legislature that interest earned
130 from any investment or deposit to the Board of Bar Admissions Fund

131 made pursuant to Section 27-105-33, Mississippi Code of 1972,
132 shall be credited by the State Treasurer to the Board of Bar
133 Admissions Fund and shall not be paid into the General Fund of
134 Mississippi.

135 **SECTION 16.** Of the funds appropriated under the provisions
136 of this act for the purpose of funding the Board of Bar
137 Admissions, the following positions are authorized:

138 AUTHORIZED POSITIONS:

139	Permanent:	Full Time.....	3
140		Part Time.....	0
141	Time-Limited:	Full Time.....	0
142		Part Time.....	0

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

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

149 **SECTION 17.** No part of the funds herein appropriated shall
150 be used in the payment of attorney's fees, nor shall any of such
151 funds be used, either directly or indirectly, for the purpose of
152 paying any clerk, stenographer, assistant, deputy or other person
153 who may be related by blood or marriage within the third degree,
154 computed by the rules of civil law, to the official employing or
155 having the right of employment or selection thereof; and in the
156 event of any such payment, then the official or person approving

157 and making or receiving such payment shall be jointly and
158 severally liable to return to the State of Mississippi and to pay
159 into the State Treasury three (3) times any such amount so paid or
160 received, to be recovered at suit of the Attorney General;
161 however, when the relationship is by affinity and the person
162 through whom the relationship was established is dead, this
163 provision shall not apply.

164 **SECTION 18.** It is the intent of the Legislature that the
165 Mississippi State Supreme Court shall charge the maximum amount
166 allowable by law for services rendered where charges for such
167 services are provided for by statute, and for any other services
168 rendered, shall charge an amount consistent with the cost of
169 providing such services. The funds derived from these charges
170 shall be deposited into a special fund account in the State
171 Treasury to the credit of the Office of the Mississippi State
172 Supreme Court.

173 **SECTION 19.** It is the intent of the Legislature that no part
174 of the funds herein appropriated shall be required to be used for
175 the payment of rent for the public space in the Law Library.

176 **SECTION 20.** It is the intention of the Legislature that
177 whenever two (2) or more bids are received by this agency for the
178 purchase of commodities or equipment, and whenever all things
179 stated in such received bids are equal with respect to price,
180 quality and service, the Mississippi Industries for the Blind
181 shall be given preference. A similar preference shall be given to

182 the Mississippi Industries for the Blind whenever purchases are
183 made without competitive bids.

184 **SECTION 21.** Of the funds appropriated under the provisions
185 of this act, an amount not to exceed Two Million Twelve Thousand
186 Five Hundred Dollars (\$2,012,500.00) may be provided for the
187 Comprehensive Electronic Court Systems Fund administered by the
188 Administrative Office of Courts.

189 **SECTION 22.** It is the intention of the Legislature that the
190 Mississippi State Supreme Court shall maintain complete accounting
191 and personnel records related to the expenditure of all funds
192 appropriated under this act and that such records shall be in the
193 same format and level of detail as maintained for Fiscal Year
194 2019. It is further the intention of the Legislature that the
195 agency's budget request for Fiscal Year 2021 shall be submitted to
196 the Joint Legislative Budget Committee in a format and level of
197 detail comparable to the format and level of detail provided
198 during the Fiscal Year 2020 budget request process.

199 **SECTION 23.** Of the funds appropriated under the provisions
200 of this act, One Million Eight Hundred Seventy-five Thousand
201 Dollars (\$1,875,000.00) shall be provided for the Youth Court
202 Support Fund administered by the Administrative Office of Courts.

203 **SECTION 24.** Of the funds appropriated in Section 7, Six
204 Million Five Hundred Thousand Dollars (\$6,500,000.00) is provided
205 to defray the costs of the Drug Court Program.

206 **SECTION 25.** Of the funds appropriated under the provisions
207 of Section 8, Five Hundred Forty Thousand Dollars (\$540,000.00),

208 or so much thereof, shall be derived out of any money in the State
209 Treasury to the credit of the Capital Expense Fund, as created in
210 Section 27-103-303, Mississippi Code of 1972, and allocated in a
211 manner as determined by the Treasurer's Office. These funds are
212 provided for the Drug Court Case Management (DCCM) Program.

213 **SECTION 26.** It is the intention of the Legislature that in
214 the event there are not sufficient funds in the Judicial System
215 Operation Fund created under Section 9-21-45, Mississippi Code of
216 1972, in any given year with which to pay the annual salary
217 supplements set forth in HB 484, 2012 Regular Session, then the
218 county treasury shall not be obligated to fund such salary
219 supplements and the salary of county court judges shall be that in
220 place prior to the passage of HB 484, 2012 Regular Session.

221 **SECTION 27.** Of the funds appropriated in Section 7, it is
222 the intention of the Legislature that an amount of Six Million
223 Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated
224 for the programs supported from General Fund court assessments as
225 follows:

226	Drug Courts.....	\$	6,500,000.00
227	Civil Legal Assistance.....	\$	200,000.00

228 **SECTION 28.** The money herein appropriated shall be paid by
229 the State Treasurer out of any money in the State Treasury to the
230 credit of the proper fund or funds as set forth in this act, upon
231 warrants issued by the State Fiscal Officer; and the State Fiscal
232 Officer shall issue his warrants upon requisitions signed by the
233 proper person, officer or officers, in the manner provided by law.

234 **SECTION 29.** This act shall take effect and be in force from
235 and after July 1, 2019.

SS05\HB1634A.J

Liz Welch
Secretary of the Senate