

House Amendments to Senate Bill No. 2527

TO THE SECRETARY OF THE SENATE:

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

AMENDMENT NO. 2

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

22 **SECTION 1.** Section 9-23-1, Mississippi Code of 1972, is
23 amended as follows:

24 9-23-1. This chapter shall be known and may be cited as the
25 "Alyce Griffin Clarke Drug Intervention Court Act."

26 **SECTION 2.** Section 9-23-3, Mississippi Code of 1972, is
27 amended as follows:

28 9-23-3. (1) The Legislature of Mississippi recognizes the
29 critical need for judicial intervention to reduce the incidence of
30 alcohol and drug use, alcohol and drug addiction, and crimes
31 committed as a result of alcohol and drug use and alcohol and drug
32 addiction. It is the intent of the Legislature to facilitate
33 local drug intervention court alternative orders adaptable to
34 chancery, circuit, county, youth, municipal and justice courts.

35 (2) The goals of the drug intervention courts under this
36 chapter include the following:

37 (a) To reduce alcoholism and other drug dependencies
38 among adult and juvenile offenders and defendants and among
39 respondents in juvenile petitions for abuse, neglect or both;

40 (b) To reduce criminal and delinquent recidivism and
41 the incidence of child abuse and neglect;

42 (c) To reduce the alcohol-related and other
43 drug-related court workload;

44 (d) To increase personal, familial and societal
45 accountability of adult and juvenile offenders and defendants and
46 respondents in juvenile petitions for abuse, neglect or both;

47 (e) To promote effective interaction and use of
48 resources among criminal and juvenile justice personnel, child
49 protective services personnel and community agencies; and

50 (f) To use corrections resources more effectively by
51 redirecting prison-bound offenders whose criminal conduct is
52 driven in part by drug and alcohol dependence to intensive
53 supervision and clinical treatment available in the drug
54 intervention court.

55 **SECTION 3.** Section 9-23-5, Mississippi Code of 1972, is
56 amended as follows:

57 9-23-5. For the purposes of this chapter, the following
58 words and phrases shall have the meanings ascribed unless the
59 context clearly requires otherwise:

60 (a) "Chemical * * * tests" means the analysis of an
61 individual's: (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v)

62 saliva, (vi) urine, or (vii) other bodily substance to determine
63 the presence of alcohol or a controlled substance.

64 (b) "Crime of violence" means an offense listed in
65 Section 97-3-2.

66 (c) "Drug intervention court" means a drug court * * *
67 that utilizes an immediate and highly structured intervention
68 process for eligible defendants or juveniles that brings together
69 mental health professionals, substance abuse professionals, local
70 social programs and intensive judicial monitoring.

71 (d) "Evidence-based program" * * * and
72 "researched-based program" have the meanings as those terms are
73 defined in Section 27-103-159.

74 (e) "Risk and needs assessment" means the use of an
75 actuarial assessment tool validated on a Mississippi corrections
76 population to determine a person's risk to reoffend and the
77 characteristics that, if addressed, reduce the risk to reoffend.

78 **SECTION 4.** Section 9-23-9, Mississippi Code of 1972, is
79 brought forward as follows:

80 9-23-9. (1) The State Intervention Courts Advisory
81 Committee is established to develop and periodically update
82 proposed statewide evaluation plans and models for monitoring all
83 critical aspects of intervention courts. The committee must
84 provide the proposed evaluation plans to the Chief Justice and the
85 Administrative Office of Courts. The committee shall be chaired
86 by the Director of the Administrative Office of Courts or a
87 designee of the director and shall consist of eleven (11) members

88 all of whom shall be appointed by the Supreme Court. The members
89 shall be broadly representative of the courts, mental health,
90 veterans affairs, law enforcement, corrections, criminal defense
91 bar, prosecutors association, juvenile justice, child protective
92 services and substance abuse treatment communities.

93 (2) The State Intervention Courts Advisory Committee may
94 also make recommendations to the Chief Justice, the Director of
95 the Administrative Office of Courts and state officials concerning
96 improvements to intervention court policies and procedures
97 including the intervention court certification process. The
98 committee may make suggestions as to the criteria for eligibility,
99 and other procedural and substantive guidelines for intervention
100 court operation.

101 (3) The State Intervention Courts Advisory Committee shall
102 act as arbiter of disputes arising out of the operation of
103 intervention courts established under this chapter and make
104 recommendations to improve the intervention courts; it shall also
105 make recommendations to the Supreme Court necessary and incident
106 to compliance with established rules.

107 (4) The State Intervention Courts Advisory Committee shall
108 establish through rules and regulations a viable and fiscally
109 responsible plan to expand the number of adult and juvenile
110 intervention court programs operating in Mississippi. These rules
111 and regulations shall include plans to increase participation in
112 existing and future programs while maintaining their voluntary
113 nature.

114 (5) The State Intervention Courts Advisory Committee shall
115 receive and review the monthly reports submitted to the
116 Administrative Office of Courts by each certified intervention
117 court and provide comments and make recommendations, as necessary,
118 to the Chief Justice and the Director of the Administrative Office
119 of Courts.

120 **SECTION 5.** Section 9-23-11, Mississippi Code of 1972, is
121 amended as follows:

122 9-23-11. (1) The Administrative Office of Courts shall
123 establish, implement and operate a uniform certification process
124 for all intervention courts and other problem-solving courts
125 including juvenile courts, veterans courts or any other court
126 designed to adjudicate criminal actions involving an identified
127 classification of criminal defendant to ensure funding for
128 intervention courts supports effective and proven practices that
129 reduce recidivism and substance dependency among * * *
130 participants.

131 (2) The Administrative Office of Courts shall establish a
132 certification process that ensures any new or existing
133 intervention court meets minimum standards for intervention court
134 operation.

135 (a) These standards shall include, but are not limited
136 to:

137 (i) The use of evidence-based * * * or
138 research-based programs, including, but not limited to, the use of

139 a valid and reliable risk and needs assessment tool to identify
140 participants and deliver appropriate interventions;

141 (ii) Targeting medium to high-risk offenders for
142 participation;

143 (iii) The use of current, evidence-based * * * or
144 research-based programs, proven to reduce dependency on drugs or
145 alcohol, or both;

146 (iv) Frequent testing for alcohol or drugs;

147 (v) Coordinated strategy between all intervention
148 court program personnel involving the use of graduated clinical
149 interventions;

150 (vi) Ongoing judicial interaction with each
151 participant; and

152 (vii) Monitoring and evaluation of intervention
153 court program implementation and outcomes through data collection
154 and reporting.

155 (b) Intervention court certification applications shall
156 include:

157 (i) A description of the need for the intervention
158 court;

159 (ii) The targeted population for the intervention
160 court;

161 (iii) The eligibility criteria for intervention
162 court participants;

163 (iv) A description of the process for identifying
164 appropriate participants including the use of a risk and needs
165 assessment and a clinical assessment;

166 (v) A description of the intervention court
167 intervention components, including anticipated budget * * *,
168 implementation plan; and

169 (vi) The data collection plan, which shall include
170 collecting the following data:

171 1. Total number of participants;

172 2. Total number of successful participants;

173 3. Total number of unsuccessful participants

174 and the reason why each participant did not complete the program;

175 4. Total number of participants who were

176 arrested for a new criminal offense while in the intervention

177 court program;

178 5. Total number of participants who were

179 convicted of a new felony or misdemeanor offense while in the

180 intervention court program;

181 6. Total number of participants who committed

182 at least one (1) violation while in the intervention court program

183 and the resulting sanction(s);

184 7. Results of the initial risk and needs

185 assessment or other clinical assessment conducted on each

186 participant; * * *

187 8. Total number of applications for screening
188 by race, gender, offenses charged, indigence and, if not accepted,
189 the reason for nonacceptance; * * *

190 9. Identification of any program participant
191 who, after completion of an intervention program, was arrested for
192 a new criminal offense; and

193 * * *10. Any other data or information as
194 required by the Administrative Office of Courts.

195 (c) Every intervention court shall be certified under
196 the following schedule:

197 (i) An intervention court application submitted
198 after July 1, 2014, shall require certification of the
199 intervention court based on the proposed * * * intervention court
200 plan.

201 (ii) An intervention court initially established
202 and certified after July 1, 2014, shall be recertified after its
203 second year of funded operation on a time frame consistent with
204 the other certified courts of its type.

205 (iii) A certified adult felony intervention court
206 in existence on December 31, 2018, must submit a recertification
207 petition by July 1, 2019, and be recertified under the
208 requirements of this section on or before December 31, 2019; after
209 the recertification, all certified adult felony intervention
210 courts must submit a recertification petition every two (2) years
211 to the Administrative Office of Courts. The recertification

212 process must be completed by December 31 * * * of every odd
213 calendar year.

214 (iv) A certified youth, family, misdemeanor or
215 chancery intervention court in existence on December 31, 2018,
216 must submit a recertification petition by July * * * 1, 2020, and
217 be recertified under the requirements of this section by December
218 31, 2020. After the recertification, all certified youth, family,
219 misdemeanor and chancery intervention courts must submit a
220 recertification petition every two (2) years to the Administrative
221 Office of Courts. The recertification process must be completed
222 by December 31 * * * of every even calendar year.

223 (3) All certified intervention courts shall measure
224 successful completion of the * * * intervention court based on
225 those participants who complete the program without a new criminal
226 conviction.

227 (4) (a) All certified * * * intervention courts must
228 collect and submit to the Administrative Office of Courts each
229 month, the following data:

230 (i) Total number of participants at the beginning
231 of the month;

232 (ii) Total number of participants at the end of
233 the month;

234 (iii) Total number of participants who began the
235 program in the month;

236 (iv) Total number of participants who successfully
237 completed the intervention court in the month;

238 (v) Total number of participants who left the
239 program in the month;

240 (vi) Total number of participants who were
241 arrested for a new criminal offense while in the intervention
242 court program in the month;

243 (vii) Total number of participants who were
244 convicted for a new criminal arrest while in the intervention
245 court program in the month; * * *

246 (viii) Total number of participants who committed
247 at least one (1) violation while in the intervention court program
248 and any resulting sanction(s) * * *; and

249 (ix) Total amount of state, federal, county or
250 municipal monies received and spent.

251 (b) By August 1, 2015, and each year thereafter, the
252 Administrative Office of Courts shall report to the PEER Committee
253 the information in subsection (4)(a) of this section in a
254 sortable, electronic format.

255 (5) All certified intervention courts may individually
256 establish rules and may make special orders and rules as necessary
257 that do not conflict with the rules promulgated by the Supreme
258 Court or the Administrative Office of Courts.

259 (6) A certified intervention court may appoint the full- or
260 part-time employees it deems necessary for the work of the
261 intervention court and shall fix the compensation of those
262 employees. Such employees shall serve at the will and pleasure of
263 the judge or the judge's designee.

264 (7) The Administrative Office of Courts shall promulgate
265 rules and regulations to carry out the certification and
266 re-certification process, including, but not limited to, requiring
267 third-party providers under contract to provide services that
268 comport with evidence-based or research-based programs, and to
269 make any other policies not inconsistent with this section to
270 carry out this process. Notwithstanding any other provision of
271 law to the contrary, any contract with a third-party provider
272 shall comply with all state purchasing and bid laws.

273 (8) A certified intervention court established under this
274 chapter is subject to the regulatory powers of the Administrative
275 Office of Courts as set forth in Section 9-23-17.

276 (9) The Administrative Office of Courts shall promulgate
277 rules and regulations to allow any participant of intervention
278 court who is participating in such court due to an implied consent
279 violation to have a restricted license or ignition interlock for
280 the purpose of driving to intervention court.

281 **SECTION 6.** Section 9-23-13, Mississippi Code of 1972, is
282 amended as follows:

283 9-23-13. (1) * * * A drug intervention court's alcohol and
284 drug intervention component shall provide * * * to eligible
285 individuals, either directly or through referrals, a range of
286 necessary court intervention services, including, but not limited
287 to, the following:

288 (a) Screening using a valid and reliable assessment
289 tool effective for identifying alcohol and drug dependent persons
290 for eligibility and appropriate services;

291 (b) Clinical assessment; for a DUI offense, if the
292 person has two (2) or more DUI convictions, the court shall order
293 the person to undergo an assessment that uses a standardized
294 evidence-based instrument performed by a physician to determine
295 whether the person has a diagnosis for alcohol and/or drug
296 dependence and would likely benefit from a court-approved
297 medication-assisted treatment indicated and approved for the
298 treatment of alcohol and/or drug dependence by the United States
299 Food and Drug Administration, as specified in the most recent
300 Diagnostic and Statistical Manual of Mental Disorders published by
301 the American Psychiatric Association. Upon considering the
302 results of the assessment, the court may refer the person to a
303 rehabilitative program that offers one or more forms of
304 court-approved medications that are approved for the treatment of
305 alcohol and/or drug dependence by the United States Food and Drug
306 Administration;

307 (c) Education;

308 (d) Referral;

309 (e) Service coordination and case management; and

310 (f) Counseling and rehabilitative care.

311 (2) Any inpatient treatment or inpatient detoxification
312 program ordered by the court shall be certified by the Department

313 of Mental Health, other appropriate state agency or the equivalent
314 agency of another state.

315 (3) All drug intervention courts shall make available the
316 option for participants to use court-approved medication-assisted
317 treatment while participating in the programs of the court in
318 accordance with the recommendations of the National Drug Court
319 Institute.

320 **SECTION 7.** Section 9-23-15, Mississippi Code of 1972, is
321 amended as follows:

322 9-23-15. (1) In order to be eligible for alternative
323 sentencing through a local drug intervention court, the
324 participant must satisfy each of the following criteria:

325 (a) The participant cannot have any felony convictions
326 for any offenses that are crimes of violence as defined in Section
327 97-3-2 within the previous ten (10) years.

328 (b) The crime before the court cannot be a crime of
329 violence as defined in Section 97-3-2.

330 (c) Other criminal proceedings alleging commission of a
331 crime of violence cannot be pending against the participant.

332 (d) The participant cannot be charged with burglary of
333 a dwelling under Section 97-17-23(2) or 97-17-37.

334 (e) The crime before the court cannot be a charge of
335 driving under the influence of alcohol or any other drug or drugs
336 that resulted in the death of a person.

337 (f) The crime charged cannot be one of trafficking in
338 controlled substances under Section 41-29-139(f), nor can the
339 participant have a prior conviction for same.

340 (2) Participation in the services of an alcohol and drug
341 intervention component shall be open only to the individuals over
342 whom the court has jurisdiction, except that the court may agree
343 to provide the services for (i) individuals referred from another
344 intervention court or (ii) individuals who are residents of states
345 that allow reciprocity for Mississippians to participate in
346 intervention courts in that state. In cases transferred from
347 another jurisdiction, the receiving judge shall act as a special
348 master and make recommendations to the sentencing judge.

349 (3) (a) As a condition of participation in * * * a drug
350 intervention court, a participant may be required to undergo a
351 chemical test or a series of chemical tests as specified by the
352 drug intervention court. A participant is liable for the costs of
353 all chemical tests required under this section, regardless of
354 whether the costs are paid to the drug intervention court or the
355 laboratory; however, if testing is available from other sources or
356 the program itself, the judge may waive any fees for testing. The
357 judge may waive all fees if the applicant is determined to be
358 indigent.

359 (b) A laboratory that performs a chemical test under
360 this section shall report the results of the test to the drug
361 intervention court.

362 (4) A person does not have a right to participate in a drug
363 intervention court under this chapter. The court having
364 jurisdiction over a person for a matter before the court shall
365 have the final determination about whether the person may
366 participate in drug intervention court under this chapter.
367 However, any person meeting the eligibility criteria in subsection
368 (1) of this section shall, upon request, be screened for admission
369 to drug intervention court.

370 **SECTION 8.** Section 9-23-17, Mississippi Code of 1972, is
371 amended as follows:

372 9-23-17. With regard to any drug intervention court, the
373 Administrative Office of Courts shall do the following:

374 (a) Certify and re-certify drug intervention court
375 applications that meet standards established by the Administrative
376 Office of Courts in accordance with this chapter.

377 (b) Ensure that the structure of the intervention
378 component complies with rules adopted under this section and
379 applicable federal regulations.

380 (c) Revoke the authorization of a program upon a
381 determination that the program does not comply with rules adopted
382 under this section and applicable federal regulations.

383 (d) Make agreements and contracts to effectuate the
384 purposes of this chapter with:

385 (i) Another department, authority or agency of the
386 state;

387 (ii) Another state;

388 (iii) The federal government;
389 (iv) A state-supported or private university; or
390 (v) A public or private agency, foundation,
391 corporation or individual.

392 (e) Directly, or by contract, approve and certify any
393 intervention component established under this chapter.

394 (f) Require, as a condition of operation, that each
395 drug intervention court created or funded under this chapter be
396 certified by the Administrative Office of Courts.

397 (g) Collect monthly data reports submitted by all
398 certified drug intervention courts, provide those reports to the
399 State Intervention Courts Advisory Committee, compile an annual
400 report summarizing the data collected and the outcomes achieved by
401 all certified intervention courts and submit the annual report to
402 the Oversight Task Force.

403 (h) As funding is available or every * * * five (5)
404 years, the Administrative Office of Courts will contract with an
405 external evaluator to conduct an evaluation of the effectiveness
406 of the statewide drug intervention court program * * * and
407 individual drug intervention courts * * *. Notwithstanding any
408 other provision of law to the contrary, contract shall comply with
409 all state purchasing and bid laws.

410 (i) Adopt rules to implement this chapter.

411 **SECTION 9.** Section 9-23-19, Mississippi Code of 1972, is
412 amended as follows:

413 9-23-19. (1) All monies received from any source by * * * a
414 drug intervention court shall be accumulated in a fund to be used
415 only for drug intervention court purposes. Any funds remaining in
416 this fund at the end of a fiscal year shall not lapse into any
417 general fund, but shall be retained in the Drug Intervention Court
418 Fund for the funding of further activities by the drug
419 intervention court.

420 (2) * * * A drug intervention court may apply for and
421 receive the following:

- 422 (a) Gifts, bequests and donations from private sources.
- 423 (b) Grant and contract money from governmental sources.
- 424 (c) Other forms of financial assistance approved by the
425 court to supplement the budget of the drug intervention court.

426 (3) The costs of participation in an alcohol and drug
427 intervention program required by the certified drug intervention
428 court may be paid by the participant or out of user fees or such
429 other state, federal or private funds that may, from time to time,
430 be made available.

431 (4) The court may assess such reasonable and appropriate
432 fees to be paid to the local Drug Intervention Court Fund for
433 participation in an alcohol or drug intervention program; however,
434 all fees may be waived if the applicant is determined to be
435 indigent.

436 **SECTION 10.** Section 9-23-21, Mississippi Code of 1972, is
437 amended as follows:

438 9-23-21. The director and members of the professional and
439 administrative staff of the drug intervention court who perform
440 duties in good faith under this chapter are immune from civil
441 liability for:

442 (a) Acts or omissions in providing services under this
443 chapter; and

444 (b) The reasonable exercise of discretion in
445 determining eligibility to participate in the drug intervention
446 court.

447 **SECTION 11.** Section 9-23-23, Mississippi Code of 1972, is
448 amended as follows:

449 9-23-23. If the participant completes all requirements
450 imposed upon him by the drug intervention court, including the
451 payment of fines and fees assessed and not waived by the court,
452 the charge and prosecution shall be dismissed. If the defendant
453 or participant was sentenced at the time of entry of plea of
454 guilty, the successful completion of the drug intervention court
455 order and other requirements of probation or suspension of
456 sentence will result in the record of the criminal conviction or
457 adjudication being expunged. * * *

458 **SECTION 12.** Section 9-23-51, Mississippi Code of 1972, is
459 amended as follows:

460 9-23-51. There is created in the State Treasury a special
461 interest-bearing fund to be known as the Drug Intervention Court
462 Fund. The purpose of the fund shall be to provide supplemental
463 funding to all drug intervention courts in the state. Monies from

464 the funds derived from assessments under Section 99-19-73 shall be
465 distributed by the State Treasurer upon warrants issued by the
466 Administrative Office of Courts, pursuant to procedures set by the
467 State * * * Intervention Courts Advisory Committee to assist both
468 juvenile drug intervention courts and adult drug intervention
469 courts. Funds from other sources shall be distributed to the drug
470 intervention courts in the state based on a formula set by the
471 State * * * Intervention Courts Advisory Committee. The fund
472 shall be a continuing fund, not subject to fiscal-year
473 limitations, and shall consist of: (a) monies appropriated by the
474 Legislature for the purposes of funding drug intervention courts;
475 (b) the interest accruing to the fund; (c) monies received under
476 the provisions of Section 99-19-73; (d) monies received from the
477 federal government; and (e) monies received from such other
478 sources as may be provided by law.

479 **SECTION 13.** Section 9-25-1, Mississippi Code of 1972, is
480 amended as follows:

481 9-25-1. (1) The Legislature recognizes that our military
482 veterans have provided an invaluable service to our country. In
483 doing so, many may have suffered the effects of, including, but
484 not limited to, post-traumatic stress disorder, traumatic brain
485 injury and depression, and may also suffer drug and alcohol
486 dependency or addiction and co-occurring mental illness and
487 substance abuse problems. As a result of this, some veterans come
488 into contact with the criminal justice system and are charged with
489 felony offenses. There is a critical need for the justice system

490 to recognize these veterans, provide accountability for their
491 wrongdoing, provide for the safety of the public, and provide for
492 the treatment of our veterans. It is the intent of the
493 Legislature to create a framework for which specialized
494 veterans * * * intervention courts may be established at the
495 circuit court level and at the discretion of the circuit court
496 judge.

497 (2) **Authorization.** A circuit court judge may establish a
498 Veterans * * * Intervention Court program. The Veterans * * *
499 Intervention Court may, at the discretion of the circuit court
500 judge, be a separate court program or as a component of an
501 existing intervention court program. At the discretion of the
502 circuit court judge, the Veterans * * * Intervention Court may be
503 operated in one (1) county within the circuit court district, and
504 allow veteran participants from all counties within the circuit
505 court district to participate.

506 (3) **Eligibility.** (a) In order to be eligible to
507 participate in a Veterans * * * Intervention Court program
508 established under this section, the attorney representing the
509 state must consent to the defendant's participation in the
510 program. Further, the court in which the criminal case is pending
511 must have found that the defendant is a veteran of the United
512 States Armed Forces as defined in Title 38 USCS.

513 (b) Participation in the services of an alcohol and
514 drug intervention component shall only be open to the individuals
515 over whom the court has jurisdiction, except that the court may

516 agree to provide the services for individuals referred from
517 another Veterans * * * Intervention Court. In cases transferred
518 from another jurisdiction, the receiving judge shall act as a
519 special master and make recommendations to the sentencing judge.

520 (c) (i) As a condition of participation in a
521 Veterans * * * Intervention Court, a participant may be required
522 to undergo a chemical test or a series of chemical tests as
523 specified by the Veterans * * * Intervention Court program. A
524 participant may be held liable for costs associated with all
525 chemical tests required under this section. However, a judge may
526 waive any fees for testing.

527 (ii) A laboratory that performs chemical tests
528 under this section shall report the results of the tests to the
529 Veterans * * * Intervention Courts.

530 (d) A person does not have the right to participate in
531 a Veterans * * * Intervention Court program under this chapter.
532 The court having jurisdiction over a person for a matter before
533 the court shall have the final determination about whether the
534 person may participate in the Veterans * * * Intervention Court
535 program.

536 (e) A defendant shall be excluded from participating in
537 a Veterans * * * Intervention Court program if any one (1) of the
538 following applies:

539 (i) The crime before the court is a crime of
540 violence as set forth in subparagraph * * * (iii) of this * * *
541 paragraph (e).

542 (ii) The defendant does not demonstrate a
543 willingness to participate in * * * an intervention program.

544 (iii) The defendant has been previously convicted
545 of a felony crime of violence including, but not limited to:
546 murder, rape, sexual battery, statutory rape of a child under the
547 age of sixteen (16), armed robbery, arson, aggravated kidnapping,
548 aggravated assault, stalking, or any offense involving the
549 discharge of a firearm or where serious bodily injury or death
550 resulted to any person; excluding burglary of an unoccupied
551 dwelling under Section 97-17-23(1).

552 (f) The court in which the criminal case is pending
553 shall allow an eligible defendant to choose whether to proceed
554 through the Veterans * * * Intervention Court program or otherwise
555 through the justice system.

556 (g) Proof of matters under this section may be
557 submitted to the court in which the criminal case is pending in
558 any form the court determines to be appropriate, including
559 military service and medical records, previous determinations of a
560 disability by a veteran's organization or by the United States
561 Department of Veterans Affairs, testimony or affidavits of other
562 veterans or service members, and prior determinations of
563 eligibility for benefits by any state or county veterans office.

564 (4) **Administrative Office of Courts.** With regard to any
565 Veterans * * * Intervention Court established under this chapter,
566 the Administrative Office of Courts may do the following:

567 (a) Ensure that the structure of the intervention
568 component complies with rules adopted under this chapter and
569 applicable federal regulations.

570 (b) Revoke the authorization of a program upon a
571 determination that the program does not comply with rules adopted
572 under this chapter and applicable federal regulations.

573 (c) Enter into agreements and contracts to effectuate
574 the purposes of this chapter with:

575 (i) Another department, authority, or agency of
576 the state;

577 (ii) Another state;

578 (iii) The federal government;

579 (iv) A state-supported or private university; or

580 (v) A public or private agency, foundation,
581 corporation, or individual.

582 (d) Directly, or by contract, approve and certify any
583 veterans intervention component established under this chapter.

584 (e) Require, as a condition of operation, that each
585 veterans intervention court created or funded under this chapter
586 be certified by the Administrative Office of Courts.

587 (f) Adopt rules to implement this chapter.

588 (5) **State Intervention Courts_u Advisory Committee.** (a) The
589 State Intervention Court Advisory Committee shall be responsible
590 for developing statewide rules and policies as they relate to
591 Veterans * * * Intervention Court programs.

592 (b) The State Intervention Courts_s Advisory Committee
593 may also make recommendations to the Chief Justice, the Director
594 of the Administrative Office of Courts and state officials
595 concerning improvements to Veterans * * * Intervention Court
596 policies and procedures.

597 (c) The State Intervention Courts_s Advisory Committee
598 shall act as an arbiter of disputes arising out of the operation
599 of Veterans * * * Intervention Court programs established under
600 this chapter and make recommendations to improve the
601 Veterans * * * Intervention Court programs.

602 (6) **Funding for Veterans * * * Intervention Courts.** (a)
603 All monies received from any source by the Veterans * * *
604 Intervention Court program shall be accumulated in a fund to be
605 used only for Veterans * * * Intervention Court purposes. Any
606 funds remaining in this fund at the end of the fiscal year shall
607 not lapse into the General Fund, but shall be retained in the
608 Veterans * * * Intervention Court fund for the funding of further
609 activities by the Veterans * * * Intervention Court program.

610 (b) A Veterans * * * Intervention Court program may
611 apply for and receive the following:

612 (i) Gifts, bequests and donations from private
613 sources.

614 (ii) Grant and contract money from governmental
615 sources.

616 (iii) Other forms of financial assistance approved
617 by the court to supplement the budget of the Veterans * * *
618 Intervention Court program.

619 (7) **Immunity.** The coordinator and members of the
620 professional and administrative staff of the Veterans * * *
621 Intervention Court program who perform duties in good faith under
622 this chapter are immune from civil liability for:

623 (a) Acts or omissions in providing services under this
624 chapter; and

625 (b) The reasonable exercise of discretion in
626 determining eligibility to participate in the Veterans * * *
627 Intervention Court program.

628 (8) This section shall be codified as a separate article in
629 Title 9, Mississippi Code of 1972.

630 **SECTION 14.** Section 9-27-1, Mississippi Code of 1972, is
631 amended as follows:

632 9-27-1. This chapter shall be known and may be cited as the
633 "Rivers McGraw Mental Health * * * Intervention Court Act."

634 **SECTION 15.** Section 9-27-3, Mississippi Code of 1972, is
635 amended as follows:

636 9-27-3. (1) The Legislature recognizes the critical need
637 for judicial intervention to establish court processes and
638 procedures that are more responsive to the needs of defendants
639 with mental illnesses, while maintaining public safety and the
640 integrity of the court process.

641 (2) The goals of the mental health intervention courts under
642 this chapter include the following:

643 (a) Reduce the number of future criminal justice
644 contacts among offenders with mental illnesses;

645 (b) Reduce the inappropriate institutionalization of
646 people with mental illnesses;

647 (c) Improve the mental health and well-being of
648 defendants who come in contact with the criminal justice system;

649 (d) Improve linkages between the criminal justice
650 system and the mental health system;

651 (e) Expedite case processing;

652 (f) Protect public safety;

653 (g) Establish linkages with other state and local
654 agencies and programs that target people with mental illnesses in
655 order to maximize the delivery of services; and

656 (h) To use corrections resources more effectively by
657 redirecting prison-bound offenders whose criminal conduct is
658 driven in part by mental illnesses to intensive supervision and
659 clinical treatment available in the mental health intervention
660 court.

661 **SECTION 16.** Section 9-27-5, Mississippi Code of 1972, is
662 amended as follows:

663 9-27-5. For the purposes of this chapter, the following
664 words and phrases shall have the meanings ascribed unless the
665 context clearly requires otherwise:

666 (a) "Chemical tests" means the analysis of an
667 individual's: (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v)
668 saliva, (vi) urine, or (vii) other bodily substance to determine
669 the presence of alcohol or a controlled substance.

670 (b) "Mental health * * * intervention court" means an
671 immediate and highly structured intervention process for mental
672 health treatment of eligible defendants or juveniles that:

673 (i) Brings together mental health professionals,
674 local social programs and intensive judicial monitoring; and

675 (ii) Follows the * * * essential elements of the
676 mental health intervention court curriculum published by the
677 Bureau of Justice Assistance of the United States Department of
678 Justice.

679 (c) "Evidence-based * * * program" * * * and
680 "research-based program" have the meanings as those terms are
681 defined in Section 27-103-159.

682 (d) "Risk and needs assessment" means the use of an
683 actuarial assessment tool validated on a Mississippi corrections
684 population to determine a person's risk to reoffend and the
685 characteristics that, if addressed, reduce the risk to reoffend.

686 **SECTION 17.** Section 9-27-7, Mississippi Code of 1972, is
687 amended as follows:

688 9-27-7. (1) The Administrative Office of Courts is the
689 repository for reports filed by courts established under this
690 chapter. The goal of the mental health intervention courts is to

691 support effective and proven practices that reduce recidivism and
692 provide treatment for participants.

693 (2) Mental health intervention courts must adhere to the
694 standards established in this chapter.

695 (a) These standards shall include, but are not limited
696 to:

697 (i) The use of evidence-based practices including,
698 but not limited to, the use of a valid and reliable risk and needs
699 assessment tool to identify participants and deliver appropriate
700 treatments;

701 (ii) Targeting medium- to high-risk offenders for
702 participation;

703 (iii) The use of current, evidence-based
704 interventions proven to provide mental health treatment;

705 (iv) Coordinated strategy between all mental
706 health intervention court personnel;

707 (v) Ongoing judicial interaction with each
708 participant; and

709 (vi) Monitoring and evaluation of mental health
710 intervention court implementation and outcomes through data
711 collection and reporting.

712 (b) Mental health intervention courts must implement a
713 data collection plan, which shall include collecting the following
714 data:

715 (i) Total number of participants;

716 (ii) Total number of successful participants;

717 (iii) Total number of unsuccessful participants
718 and the reason why each participant did not complete the program;

719 (iv) Total number of participants who were
720 arrested for a new criminal offense while in the mental health
721 intervention court;

722 (v) Total number of participants who were
723 convicted of a new felony or misdemeanor offense while in the
724 mental health intervention court;

725 (vi) Total number of participants who committed at
726 least one (1) violation while in the mental health intervention
727 court and the resulting sanction(s);

728 (vii) Results of the initial risk and needs
729 assessment or other clinical assessment conducted on each
730 participant; and

731 (viii) Any other data or information as required
732 by the Administrative Office of Courts.

733 (3) All mental health intervention courts must measure
734 successful completion of the program based on those participants
735 who complete the program without a new criminal conviction.

736 (4) (a) Mental health intervention courts must collect and
737 submit to the Administrative Office of Courts each month, the
738 following data:

739 (i) Total number of participants at the beginning
740 of the month;

741 (ii) Total number of participants at the end of
742 the month;

743 (iii) Total number of participants who began the
744 program in the month;

745 (iv) Total number of participants who successfully
746 completed the program in the month;

747 (v) Total number of participants who left the
748 program in the month;

749 (vi) Total number of participants who were
750 arrested for a new criminal offense while in the program in the
751 month;

752 (vii) Total number of participants who were
753 convicted for a new criminal arrest while in the program in the
754 month; * * *

755 (viii) Total number of participants who committed
756 at least one (1) violation while in the program and any resulting
757 sanction(s) * * * ; and

758 (ix) Total amount of state, federal, county or
759 municipal monies received and spent.

760 (b) By August 1, 2018, and each year thereafter, the
761 Administrative Office of Courts shall report to the PEER Committee
762 the information in subsection (4)(a) of this section in a
763 sortable, electronic format.

764 (5) Mental health intervention courts may individually
765 establish rules and may make special orders and rules as necessary
766 that do not conflict with rules promulgated by the Supreme Court
767 or the Administrative Office of Courts.

768 (6) A mental health intervention court may appoint the full-
769 or part-time employees it deems necessary for the work of the
770 mental health intervention court and shall fix the compensation of
771 those employees, who shall serve at the will and pleasure of the
772 senior circuit court judge.

773 (7) A mental health intervention court established under
774 this chapter is subject to the regulatory powers of the
775 Administrative Office of Courts as set forth in Section * * *
776 9-23-17.

777 **SECTION 18.** Section 9-27-9, Mississippi Code of 1972, is
778 amended as follows:

779 9-27-9. (1) A mental health intervention court's mental
780 health intervention component shall provide for eligible
781 individuals, either directly or through referrals, a range of
782 necessary court treatment services, including, but not limited to,
783 the following:

- 784 (a) Screening using a valid and reliable assessment
785 tool effective for identifying persons affected by mental health
786 issues for eligibility and appropriate services;
- 787 (b) Clinical assessment;
- 788 (c) Education;
- 789 (d) Referral;
- 790 (e) Service coordination and case management; and
- 791 (f) Counseling and rehabilitative care.

792 (2) Any inpatient treatment ordered by the court shall be
793 certified by the Department of Mental Health, other appropriate
794 state agency or the equivalent agency of another state.

795 **SECTION 19.** Section 9-27-11, Mississippi Code of 1972, is
796 amended as follows:

797 9-27-11. (1) In order to be eligible for alternative
798 sentencing through a local mental health intervention court, the
799 participant must satisfy each of the following criteria:

800 (a) The participant cannot have any felony convictions
801 for any offenses that are crimes of violence as defined in Section
802 97-3-2, * * * except burglary of an unoccupied dwelling under
803 Section 97-17-23(1), within the previous ten (10) years.

804 (b) The crime before the court cannot be a crime of
805 violence as defined in Section 97-3-2, * * * except burglary of an
806 unoccupied dwelling under Section 97-17-23(1).

807 (c) Other criminal proceedings alleging commission of a
808 crime of violence * * *, except burglary of an unoccupied dwelling
809 under Section 97-17-23(1) cannot be pending against the
810 participant.

811 (d) The crime before the court cannot be a charge of
812 driving under the influence of alcohol or any other substance that
813 resulted in the death of a person. * * *

814 (e) The crime charged cannot be one of trafficking in
815 controlled substances under Section 41-29-139(f), nor can the
816 participant have a prior conviction for same.

817 (2) Participation in the services of a mental health * * *
818 intervention component shall be open only to the individuals over
819 whom the court has jurisdiction, except that the court may agree
820 to provide the services for individuals referred from another
821 mental health intervention court. In cases transferred from
822 another jurisdiction, the receiving judge shall act as a special
823 master and make recommendations to the sentencing judge.

824 (3) (a) As a condition of participation in a mental health
825 intervention court, a participant may be required to undergo a
826 chemical test or a series of chemical tests as specified by the
827 program. A participant is liable for the costs of all chemical
828 tests required under this section, regardless of whether the costs
829 are paid to the mental health intervention court or the
830 laboratory; however, if testing is available from other sources or
831 the program itself, the judge may waive any fees for testing.
832 Fees may be waived if the applicant is determined to be indigent.

833 (b) A laboratory that performs a chemical test under
834 this section shall report the results of the test to the mental
835 health intervention court.

836 (4) A person does not have a right to participate in a
837 mental health intervention court under this chapter. The court
838 having jurisdiction over a person for a matter before the court
839 shall have the final determination about whether the person may
840 participate in the mental health intervention court under this
841 chapter. However, any person meeting the eligibility criteria in

842 subsection (1) of this section, shall, upon request, be screened
843 for admission into the court's program.

844 **SECTION 20.** Section 9-27-15, Mississippi Code of 1972, is
845 amended as follows:

846 9-27-15. (1) All monies received from any source by a
847 mental health intervention court shall be accumulated in a local
848 fund to be used only for mental health intervention court
849 purposes. Any funds remaining in a local fund at the end of a
850 fiscal year shall not lapse into any general fund, but shall be
851 retained in the mental health intervention court fund for the
852 funding of further activities by the mental health intervention
853 court.

854 (2) A mental health intervention court may apply for and
855 receive the following:

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

857 (b) Grant and contract monies from governmental
858 sources.

859 (c) Other forms of financial assistance approved by the
860 court to supplement the budget of the mental health * * *
861 intervention court.

862 (3) The costs of participation in a mental health treatment
863 program required by the mental health intervention court may be
864 paid by the participant or out of user fees or such other state,
865 federal or private funds that may, from time to time, be made
866 available.

867 (4) The court may assess reasonable and appropriate fees to
868 be paid to the local mental health intervention court fund for
869 participation in a mental health treatment program; however, all
870 fees may be waived by the court if the applicant is determined to
871 be indigent.

872 **SECTION 21.** Section 9-27-17, Mississippi Code of 1972, is
873 amended as follows:

874 9-27-17. The director and members of the professional and
875 administrative staff of the mental health intervention court who
876 perform duties in good faith under this chapter are immune from
877 civil liability for:

878 (a) Acts or omissions in providing services under this
879 chapter; and

880 (b) The reasonable exercise of discretion in
881 determining eligibility to participate in the mental health
882 intervention court.

883 **SECTION 22.** Section 9-27-19, Mississippi Code of 1972, is
884 amended as follows:

885 9-27-19. If the participant completes all requirements
886 imposed upon him by the mental health intervention court, the
887 charge and prosecution shall be dismissed. If the defendant or
888 participant was sentenced at the time of entry of a plea of
889 guilty, the successful completion of the mental health
890 intervention court order and other requirements of probation or
891 suspension of sentence will result in the record of the criminal
892 conviction or adjudication being expunged.

893 **SECTION 23.** Section 9-7-5, Mississippi Code of 1972, is
894 brought forward as follows:

895 9-7-5. The First Circuit Court District is composed of the
896 following counties:

- 897 (a) Alcorn County;
- 898 (b) Itawamba County;
- 899 (c) Lee County;
- 900 (d) Monroe County;
- 901 (e) Pontotoc County;
- 902 (f) Prentiss County; and
- 903 (g) Tishomingo County.

904 **SECTION 24.** Section 9-7-7, Mississippi Code of 1972, is
905 brought forward as follows:

906 9-7-7. (1) There shall be four (4) judges for the First
907 Circuit Court District.

908 (2) The four (4) judgeships shall be separate and distinct
909 and denominated for purposes of appointment and election only as
910 "Place One," "Place Two," "Place Three" and "Place Four." The
911 judge to fill Place One must reside in Alcorn, Prentiss or
912 Tishomingo County. The judges to fill Place Two and Place Three
913 must reside in Itawamba, Lee, Monroe or Pontotoc County. The
914 judge to fill Place Four may be a resident of any county in the
915 district. Election of the four (4) offices of judge shall be by
916 election to be held in every county within the First Circuit Court
917 District.

918 **SECTION 25.** Section 9-7-45, Mississippi Code of 1972, is
919 brought forward as follows:

920 9-7-45. The Seventeenth Circuit Court District shall be
921 divided into two (2) subdistricts as follows:

922 (a) Subdistrict 17-1 shall be composed of DeSoto
923 County; and

924 (b) Subdistrict 17-2 shall be composed of Panola
925 County, Tallahatchie County, Tate County and Yalobusha County.

926 **SECTION 26.** Section 9-7-46, Mississippi Code of 1972, is
927 brought forward as follows:

928 9-7-46. (1) There shall be four (4) circuit judges for the
929 Seventeenth Circuit Court District.

930 (2) For the purpose of appointment and election, the four
931 (4) judgeships shall be separate and distinct, and one (1) judge
932 shall be elected from Subdistrict 17-1, two (2) judges shall be
933 elected from Subdistrict 17-2, and one (1) judge shall be elected
934 from every county in the district. The two (2) judgeships in
935 Subdistrict 17-2 shall be denominated as "Place One" and "Place
936 Two," the judgeship in Subdistrict 17-1 shall be denominated as
937 "Place Three," and the at-large judgeship shall be denominated as
938 "Place Four."

939 **SECTION 27.** Section 9-5-13, Mississippi Code of 1972, is
940 brought forward as follows:

941 9-5-13. (1) There shall be three (3) chancellors for the
942 Third Chancery Court District.

943 (2) (a) The chancellor of Subdistrict 3-1 shall be elected
944 from DeSoto County. The two (2) chancellors of Subdistrict 3-2
945 shall be elected from Grenada County, Montgomery County, Panola
946 County, Tate County and Yalobusha County.

947 (b) For purposes of appointment and election, the three
948 (3) chancellorships shall be separate and distinct. The
949 chancellorship in Subdistrict 3-1 shall be denominated only as
950 "Place One," and the chancellorships in Subdistrict 3-2 shall be
951 denominated only as "Place Two" and "Place Three."

952 **SECTION 28.** Section 25-31-5, Mississippi Code of 1972, is
953 brought forward as follows:

954 25-31-5. (1) The following number of full-time legal
955 assistants are authorized in the following circuit court
956 districts:

957 (a) First Circuit Court District..... nine (9)
958 legal assistants.

959 (b) Second Circuit Court District..... ten (10)
960 legal assistants.

961 (c) Third Circuit Court District..... five (5)
962 legal assistants.

963 (d) Fourth Circuit Court District..... six (6)
964 legal assistants.

965 (e) Fifth Circuit Court District..... five (5)
966 legal assistants.

967 (f) Sixth Circuit Court District..... two (2)
968 legal assistants.

969 (g) Seventh Circuit Court District.....eleven (11)
 970 legal assistants.
 971 (h) Eighth Circuit Court District..... three (3)
 972 legal assistants.
 973 (i) Ninth Circuit Court District..... three (3)
 974 legal assistants.
 975 (j) Tenth Circuit Court District..... four (4)
 976 legal assistants.
 977 (k) Eleventh Circuit Court District..... five (5)
 978 legal assistants.
 979 (l) Twelfth Circuit Court District..... five (5)
 980 legal assistants.
 981 (m) Thirteenth Circuit Court District..... four (4)
 982 legal assistants.
 983 (n) Fourteenth Circuit Court District..... five (5)
 984 legal assistants.
 985 (o) Fifteenth Circuit Court District..... six (6)
 986 legal assistants.
 987 (p) Sixteenth Circuit Court District five (5)
 988 legal assistants.
 989 (q) Seventeenth Circuit Court District..... seven (7)
 990 legal assistants.
 991 (r) Eighteenth Circuit Court District..... two (2)
 992 legal assistants.
 993 (s) Nineteenth Circuit Court District..... six (6)
 994 legal assistants.

995 (t) Twentieth Circuit Court District..... six (6)
996 legal assistants.

997 (u) Twenty-first Circuit Court District..... three (3)
998 legal assistants.

999 (v) Twenty-second Circuit Court District..... three (3)
1000 legal assistants.

1001 (2) In addition to any legal assistants authorized pursuant
1002 to subsection (1) of this section, the following number of
1003 full-time legal assistants are authorized (i) in the following
1004 circuit court districts if funds are appropriated by the
1005 Legislature to adequately fund the salaries, expenses and fringe
1006 benefits of such legal assistants, or (ii) in any of the following
1007 circuit court districts in which the board of supervisors of one
1008 or more of the counties in a circuit court district adopts a
1009 resolution to pay all of the salaries, supplemental pay, expenses
1010 and fringe benefits of legal assistants authorized in such
1011 district pursuant to this subsection:

1012 (a) First Circuit Court District..... two (2)
1013 legal assistants.

1014 (b) Second Circuit Court District..... two (2)
1015 legal assistants.

1016 (c) Third Circuit Court District..... two (2)
1017 legal assistants.

1018 (d) Fourth Circuit Court District..... two (2)
1019 legal assistants.

1020 (e) Fifth Circuit Court District..... two (2)

1021 legal assistants.

1022 (f) Sixth Circuit Court District..... two (2)

1023 legal assistants.

1024 (g) Seventh Circuit Court District..... two (2)

1025 legal assistants.

1026 (h) Eighth Circuit Court District..... two (2)

1027 legal assistants.

1028 (i) Ninth Circuit Court District..... two (2)

1029 legal assistants.

1030 (j) Tenth Circuit Court District..... two (2)

1031 legal assistants.

1032 (k) Eleventh Circuit Court District..... two (2)

1033 legal assistants.

1034 (l) Twelfth Circuit Court District..... two (2)

1035 legal assistants.

1036 (m) Thirteenth Circuit Court District..... two (2)

1037 legal assistants.

1038 (n) Fourteenth Circuit Court District..... two (2)

1039 legal assistants.

1040 (o) Fifteenth Circuit Court District..... two (2)

1041 legal assistants.

1042 (p) Sixteenth Circuit Court District..... two (2)

1043 legal assistants.

1044 (q) Seventeenth Circuit Court District..... two (2)

1045 legal assistants.

1046 (r) Eighteenth Circuit Court District..... two (2)

1047 legal assistants.

1048 (s) Nineteenth Circuit Court District..... two (2)

1049 legal assistants.

1050 (t) Twentieth Circuit Court District..... two (2)

1051 legal assistants.

1052 (u) Twenty-first Circuit Court District..... two (2)

1053 legal assistants.

1054 (v) Twenty-second Circuit Court District..... two (2)

1055 legal assistants.

1056 (3) The board of supervisors of any county may pay all or a
1057 part of the salary, supplemental pay, expenses and fringe benefits
1058 of any district attorney or legal assistant authorized in the
1059 circuit court district to which such county belongs pursuant to
1060 this section.

1061 (4) The district attorney of any circuit court district may
1062 employ additional legal assistants or criminal investigators, or
1063 both, without regard to any limitation on the number of legal
1064 assistants authorized in this section or criminal investigators
1065 authorized by other provisions of law to the extent that the
1066 district attorney's office receives funds from any source. Any
1067 source shall include, but is not limited to, office generated
1068 funds, funds from a county, a combination of counties, a
1069 municipality, a combination of municipalities, federal funds,
1070 private grants or foundations, or by means of an Interlocal
1071 Cooperative Agreement authorized by Section 17-13-1 which may be
1072 expended for those positions in an amount sufficient to pay all of

1073 the salary, supplemental pay, expenses and fringe benefits of the
1074 positions. Such funds may either be paid out of district attorney
1075 accounts, transferred by the district attorney to the Department
1076 of Finance and Administration or to one or more of the separate
1077 counties comprising the circuit court district, and said funds
1078 shall be disbursed to such employees in the same manner as
1079 state-funded criminal investigators and full-time legal
1080 assistants. The district attorney shall report to the board of
1081 supervisors of each county comprising the circuit court district
1082 the amount and source of the supplemental salary, expenses and
1083 fringe benefits, and the board in each county shall spread the
1084 same on its minutes. The district attorney shall also report such
1085 information to the Department of Finance and Administration which
1086 shall make such information available to the Legislative Budget
1087 Office.

1088 (5) The district attorney shall be authorized to assign the
1089 duties of a legal assistant regardless of the source of funding
1090 for such legal assistants.

1091 **SECTION 29.** Section 25-31-10, Mississippi Code of 1972, is
1092 brought forward as follows:

1093 25-31-10. (1) Any district attorney may appoint a full-time
1094 criminal investigator.

1095 (2) The district attorneys of the Third, Fifth, Ninth,
1096 Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth,
1097 Sixteenth, Seventeenth and Twentieth Circuit Court Districts may

1098 appoint one (1) additional full-time criminal investigator for a
1099 total of two (2) full-time criminal investigators.

1100 (3) The district attorneys of the First, Second, Fourth,
1101 Seventh and Nineteenth Circuit Court Districts may appoint two (2)
1102 additional full-time criminal investigators for a total of three
1103 (3) full-time criminal investigators.

1104 (4) No district attorney or assistant district attorney
1105 shall accept any private employment, civil or criminal, in any
1106 matter investigated by such criminal investigators.

1107 (5) The full and complete compensation for all public duties
1108 rendered by said criminal investigators shall be not more than
1109 Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) per annum,
1110 to be determined at the discretion of the district attorney based
1111 upon the qualifications, education and experience of the criminal
1112 investigator, plus necessary travel and other expenses, to be paid
1113 in accordance with Section 25-31-8. However, the maximum salary
1114 under this subsection for a criminal investigator who has a law
1115 degree may be supplemented by the district attorney from other
1116 available funds, but not to exceed the maximum salary for a legal
1117 assistant to a district attorney.

1118 (6) Any criminal investigator may be designated by the
1119 district attorney to attend the Law Enforcement Officers Training
1120 Program set forth in Section 45-6-1 et seq., Mississippi Code of
1121 1972. The total expenses associated with attendance by criminal
1122 investigators at the Law Enforcement Officers Training Program

1123 shall be paid out of the funds of the appropriate district
1124 attorney.

1125 (7) The district attorney shall be authorized to assign the
1126 duties of criminal investigators regardless of the source of
1127 funding for such criminal investigators.

1128 **SECTION 30.** This act shall take effect and be in force from
1129 and after July 1, 2020, and shall stand repealed on June 30, 2020.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 9-23-1 AND 9-23-3, MISSISSIPPI CODE
2 OF 1972, TO STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO
3 AMEND SECTION 9-23-5, MISSISSIPPI CODE OF 1972, TO REVISE
4 DEFINITIONS RELATING TO VARIOUS TYPES OF INTERVENTION COURTS; TO
5 BRING FORWARD SECTION 9-23-9, MISSISSIPPI CODE OF 1972, FOR
6 PURPOSES OF AMENDMENT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE
7 OF 1972, TO REQUIRE THE COLLECTION OF DATA BY THE ADMINISTRATIVE
8 OFFICE OF COURTS ON PARTICIPANTS IN INTERVENTION PROGRAMS; TO
9 AMEND SECTIONS 9-23-13 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO
10 STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO AMEND
11 SECTION 9-23-17, MISSISSIPPI CODE OF 1972, TO PROVIDE EVALUATION
12 STANDARDS; TO AMEND SECTIONS 9-23-19, 9-23-21, 9-23-23, 9-23-51,
13 9-25-1, 9-27-1, 9-27-3, 9-27-5, 9-27-7, 9-27-9 AND 9-27-11,
14 MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO VARIOUS
15 TYPES OF INTERVENTION COURTS; TO AMEND SECTIONS 9-27-15, 9-27-17
16 AND 9-27-19, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES
17 TO MENTAL HEALTH INTERVENTION COURTS; TO BRING FORWARD SECTIONS
18 9-7-5, 9-7-7, 9-7-45, 9-7-46, 9-5-13, 25-31-5 AND 25-31-10,
19 MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; AND FOR
20 RELATED PURPOSES.

HR31\SB2527A.2J

Andrew Ketchings
Clerk of the House of Representatives