

By: Representatives Read, White, Banks,
Beckett, Bennett, Bounds, Busby, Cockerham,
Hines, Hopkins, Watson, Young

To: Appropriations

HOUSE BILL NO. 1382
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF
3 THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Office of Capital Post-Conviction Counsel, for the
9 fiscal year beginning July 1, 2021, and ending June 30, 2022
10 \$ 1,545,238.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Office of Capital
14 Post-Conviction Counsel, for the purpose of defraying the expenses
15 of the Office of Capital Post-Conviction Counsel for the fiscal
16 year beginning July 1, 2021, and ending June 30, 2022.....
17 \$ 215,258.00.



SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	9
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

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

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and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund



43 not otherwise appropriated for the Office of Capital
44 Post-Conviction for the purpose of reauthorizing the expenditure
45 of General Funds, as authorized in HB 1697, 2020 Regular Session
46 to provide for prior year invoices and agency operations for the
47 fiscal year beginning July 1, 2021, and ending June 30, 2022
48\$ 51,724.00.

49 Notwithstanding the amount reappropriated under the
50 provisions of this section, in no event shall the amount expended
51 exceed the unexpended balance as of June 30, 2021.

52 **SECTION 6.** It is the intention of the Legislature that of
53 the funds reappropriated in Section 5, the Office of Capital Post-
54 Conviction Counsel is hereby authorized to pay invoices submitted
55 by Dr. Robert G. Stanulis, for services in prior fiscal years in
56 an amount not to exceed Twelve Thousand Seventy-five Dollars
57 (\$12,075.00).

58 **SECTION 7.** It is the intention of the Legislature the funds
59 reappropriated in Section 5, that the Office of Capital Post-
60 Conviction Counsel is hereby authorized to pay invoices submitted
61 by Dr. Robert D. Shaffer, for services in prior fiscal years in an
62 amount not to exceed Two Hundred Fifty Dollars (\$250.00).

63 **SECTION 8.** It is the intention of the Legislature that the
64 funds herein appropriated shall be expended in compliance with
65 Section 27-104-25, Mississippi Code of 1972, that no state agency
66 shall incur obligations or indebtedness in excess of their
67 appropriation and that the responsible officers, either personally



68 or upon their official bonds, shall be held responsible for
69 actions contrary to this provision.

70 **SECTION 9.** The money herein appropriated shall be paid by
71 the State Treasurer out of any money in the State Treasury to the
72 credit of the proper fund or funds as set forth in this act, upon
73 warrants issued by the State Fiscal Officer; and the State Fiscal
74 Officer shall issue his warrants upon requisitions signed by the
75 proper person, officer or officers, in the manner provided by law.

76 **SECTION 10.** This act shall take effect and be in force from
77 and after July 1, 2021.

