

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

To: Appropriations

HOUSE BILL NO. 1384
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS
3 COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT
4 CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL
5 JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF
6 DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND
7 CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF
8 APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2022;
9 AND FOR RELATED PURPOSES.

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

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, 2021, and ending June 30, 2022.....
16\$ 6,836,882.00.

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, 2021, and
24 ending June 30, 2022\$ 937,470.00.

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, 2021, and ending June 30, 2022
40 \$ 26,322,941.00.

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, 2021, and
46 ending June 30, 2022 \$ 4,192,368.00.



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
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, 2021, and ending June 30, 2022..... \$ 11,203,352.00.

66 **SECTION 8.** The following sum, or so much thereof as may be
67 necessary, is appropriated out of any money in any special fund in
68 the State Treasury to the credit of the Administrative Office of
69 Courts for the purpose of defraying the expenses of the
70 Administrative Office of Courts and the Board of Certified Court



71 Reporters for the fiscal year beginning July 1, 2021, and ending
72 June 30, 2022 \$ 30,050,212.00.

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

76 AUTHORIZED POSITIONS:

77	Permanent:	Full Time	39
78		Part Time	0
79	Time-Limited:	Full Time	0
80		Part Time	0

81 **SECTION 10.** Of the funds in Section 8, the following sum, or
82 so much thereof as may be necessary, is appropriated out of any
83 money in the State Treasury to the credit of the Capital Expense
84 Fund, for the purpose of defraying the match for youth court
85 computer system for the Administrative Office of the Courts for
86 the fiscal year beginning July 1, 2021, and ending June 30, 2022 .
87\$ 141,000.00.

88 **SECTION 11.** The following sum, or so much thereof as may be
89 necessary, is appropriated out of any money in the Continuing
90 Legal Education Fund, a special fund hereby created in the State
91 Treasury, for the purpose of defraying the expenses of providing
92 continuing legal education programs to lawyers in Mississippi, for
93 the fiscal year beginning July 1, 2021, and ending June 30, 2022 .
94\$ 151,593.00.



95 It is the intention of the Legislature that interest earned
96 from any investment or deposit to the Continuing Legal Education
97 Fund made pursuant to Section 27-105-33, Mississippi Code of 1972,
98 shall be credited by the State Treasurer to the Continuing Legal
99 Education Fund and shall not be paid into the General Fund of
100 Mississippi.

101 **SECTION 12.** Of the funds appropriated under the provisions
102 of this act for the purpose of providing continuing legal
103 education programs, the following positions are authorized:

104 AUTHORIZED POSITIONS:

105	Permanent:	Full Time	2
106		Part Time	0
107	Time-Limited:	Full Time	0
108		Part Time	0

109 **SECTION 13.** The following sum, or so much thereof as may be
110 necessary, is appropriated out of any money in the State General
111 Fund not otherwise appropriated to 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, 2021, and ending
114 June 30, 2022 \$ 4,493,141.00.

115 **SECTION 14.** The following sum, or so much thereof as may be
116 necessary, is appropriated out of any money in the special fund in
117 the State Treasury to the credit of the Mississippi State Supreme
118 Court, for the purpose of defraying the expenses of the Court of



119 Appeals for the fiscal year beginning July 1, 2021, and ending
120 June 30, 2022 \$ 1,588,856.00.

121 **SECTION 15.** Of the funds appropriated under the provisions
122 of this act for the purpose of defraying the expenses of the Court
123 of Appeals, the following positions are authorized:

124 AUTHORIZED POSITIONS:

125	Permanent:	Full Time	58
126		Part Time	0
127	Time-Limited:	Full Time	0
128		Part Time	0

129 **SECTION 16.** The following sum, or so much thereof as may be
130 necessary, is appropriated out of any money in the special fund in
131 the State Treasury to the credit of the Board of Bar Admissions,
132 for the purpose of defraying the expenses of the board for the
133 fiscal year beginning July 1, 2021, and ending June 30, 2022
134\$ 349,724.00.

135 It is the intention of the Legislature that interest earned
136 from any investment or deposit to the Board of Bar Admissions Fund
137 made pursuant to Section 27-105-33, Mississippi Code of 1972,
138 shall be credited by the State Treasurer to the Board of Bar
139 Admissions Fund and shall not be paid into the General Fund of
140 Mississippi.

141 **SECTION 17.** Of the funds appropriated under the provisions
142 of this act for the purpose of funding the Board of Bar
143 Admissions, the following positions are authorized:



144 AUTHORIZED POSITIONS:

145	Permanent:	Full Time	3
146		Part Time	0
147	Time-Limited:	Full Time	0
148		Part Time	0

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

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

155 **SECTION 18.** No part of the funds herein appropriated shall
156 be used in the payment of attorney's fees, nor shall any of such
157 funds be used, either directly or indirectly, for the purpose of
158 paying any clerk, stenographer, assistant, deputy or other person
159 who may be related by blood or marriage within the third degree,
160 computed by the rules of civil law, to the official employing or
161 having the right of employment or selection thereof; and in the
162 event of any such payment, then the official or person approving
163 and making or receiving such payment shall be jointly and
164 severally liable to return to the State of Mississippi and to pay
165 into the State Treasury three (3) times any such amount so paid or
166 received, to be recovered at suit of the Attorney General;
167 however, when the relationship is by affinity and the person



168 through whom the relationship was established is dead, this
169 provision shall not apply.

170 **SECTION 19.** It is the intent of the Legislature that the
171 Mississippi State Supreme Court shall charge the maximum amount
172 allowable by law for services rendered where charges for such
173 services are provided for by statute, and for any other services
174 rendered, shall charge an amount consistent with the cost of
175 providing such services. The funds derived from these charges
176 shall be deposited into a special fund account in the State
177 Treasury to the credit of the Office of the Mississippi State
178 Supreme Court.

179 **SECTION 20.** It is the intent of the Legislature that no part
180 of the funds herein appropriated shall be required to be used for
181 the payment of rent for the public space in the Law Library.

182 **SECTION 21.** It is the intention of the Legislature that
183 whenever two (2) or more bids are received by this agency for the
184 purchase of commodities or equipment, and whenever all things
185 stated in such received bids are equal with respect to price,
186 quality and service, the Mississippi Industries for the Blind
187 shall be given preference. A similar preference shall be given to
188 the Mississippi Industries for the Blind whenever purchases are
189 made without competitive bids.

190 **SECTION 22.** Of the funds appropriated under the provisions
191 of this act, an amount not to exceed Two Million Twelve Thousand
192 Five Hundred Dollars (\$2,012,500.00) may be provided for the



193 Comprehensive Electronic Court Systems Fund administered by the
194 Administrative Office of Courts.

195 **SECTION 23.** It is the intention of the Legislature that the
196 Mississippi State Supreme Court shall maintain complete accounting
197 and personnel records related to the expenditure of all funds
198 appropriated under this act and that such records shall be in the
199 same format and level of detail as maintained for Fiscal Year
200 2021. It is further the intention of the Legislature that the
201 agency's budget request for Fiscal Year 2023 shall be submitted to
202 the Joint Legislative Budget Committee in a format and level of
203 detail comparable to the format and level of detail provided
204 during the Fiscal Year 2022 budget request process.

205 **SECTION 24.** Of the funds appropriated under the provisions
206 of this act, One Million Eight Hundred Seventy-five Thousand
207 Dollars (\$1,875,000.00) shall be provided for the Youth Court
208 Support Fund administered by the Administrative Office of Courts.

209 **SECTION 25.** Of the funds appropriated in Section 7, Six
210 Million Five Hundred Thousand Dollars (\$6,500,000.00) is provided
211 to defray the costs of the Drug Court Program.

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



218 supplements and the salary of county court judges shall be that in
219 place prior to the passage of HB 484, 2012 Regular Session.

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

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

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

233 **SECTION 29.** This act shall take effect and be in force from
234 and after July 1, 2021.

