

By: Senator(s) DeBar, Jackson (11th)

To: County Affairs

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2630

1 AN ACT TO AMEND SECTION 19-7-31, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE COUNTY LAW LIBRARIES TO USE COLLECTED FUNDS FOR
3 TECHNOLOGICAL PURPOSES, INCLUDING, BUT NOT LIMITED TO, ONLINE
4 SUBSCRIPTION SERVICES AND ELECTRONIC RECORDS; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 19-7-31, Mississippi Code of 1972, is
8 amended as follows:

9 19-7-31. (1) (a) The board of supervisors of each county
10 in the state shall have power, by an appropriate order or orders
11 on its minutes, to establish and maintain in the county courthouse
12 or other suitable public building adjacent or near thereto, a
13 public county law library under such rules, regulations and
14 supervision as it may from time to time ordain and establish, and
15 to that end, the board may accept gifts, grants, donations or
16 bequests of money, furniture, fixtures, books, documents, maps,
17 plats or other property suitable for that purpose.

18 (b) The board of supervisors shall have power to
19 exchange or sell duplicate volumes or sets of any such books or



furniture, and in case of sale, to invest the proceeds in other suitable books or furniture. The board may also purchase or lease from time to time additional books, furniture, or equipment for the public law library.

(c) The board of supervisors may also maintain the books prescribed under this section in an electronic format.

(2) For the purpose of providing suitable quarters for the public law library, the board of supervisors may, in its discretion, expend such sums as may be deemed necessary or proper for that purpose, and may also employ a suitable person as librarian and pay the law librarian such salary as the board, in its discretion, may determine. The board may employ additional librarians or other employees on either a part-time or full-time basis and may pay these additional employees as the board, in its discretion, may determine. The board of supervisors, in their discretion, may contract with the county or municipal library for any staff or facilities as they deem necessary for the overall management and operation of the county law library. The board of supervisors may contract with the State Law Library for law library services that may be offered by the State Law Library.

(3) If the public law library is established, all books, documents, furniture and other property then belonging to the county library, as provided for in Section 19-7-25, shall be transferred to and become part of the public law library, and all books, documents and publications donated by the state to the



county library shall also become a part of the public law library. In that case, Sections 19-7-25 and 19-25-65, relating to the county library, shall be superseded in that county for as long as the public law library is maintained in the county.

(4) The board of supervisors of any county that establishes a public law library, in its discretion, may levy, by way of resolution, additional court costs not exceeding Two Dollars and Fifty Cents (\$2.50) per case for each case, both civil and criminal, filed in the chancery, circuit and county courts or any of these in the county, and may levy, by way of resolution, additional court costs not exceeding One Dollar and Fifty Cents (\$1.50) per case for each case, both civil and criminal, filed in the justice courts of the county, for the support of the library authorized in the county. If the additional court costs authorized in this section are levied, the clerk or judge of those courts shall collect those costs for all cases filed in his court and forward same to the chancery clerk, who shall deposit the same in a special account in a county depository for support and maintenance of the library, and the chancery clerk shall be accountable for those funds. However, no such levy shall be made against any cause of action the purpose of which is to commit any person with mental illness, or alcoholic or narcotic addiction to any institution for custodial or medical care, and no such tax shall be collected under this subsection on any cause of action that the proper clerk handling same deems to be in its very nature



70 charitable and in which cause the clerk has not collected his own
71 legal fees.

72 (5) To accomplish the purposes of this section, the board of
73 supervisors may enter into such arrangement or arrangements with
74 the county bar association of any such county as may seem
75 advisable for the care and operation of the law library, and the
76 board may receive and consider, from time to time, such
77 recommendations as the bar association may deem appropriate
78 regarding the library.

79 (6) The board of supervisors of each county in which there
80 are two (2) judicial districts, in its discretion, may maintain a
81 law library in each judicial district. In those counties the
82 board, in its discretion, may pay from the county general fund or
83 from the special fund authorized in this section all the costs
84 authorized in this section, provided that the board shall not
85 spend in each judicial district less than the amount of the
86 special court costs authorized in this section and collected in
87 each such district.

88 (7) The governing authorities of any municipality, in their
89 discretion, by resolution duly adopted and entered on their
90 official minutes, may levy additional court costs not exceeding
91 One Dollar and Fifty Cents (\$1.50) per case for each conviction in
92 the municipal court of the municipality, for the support and
93 maintenance of the county law library in the county within which
94 the municipality is located. The additional costs shall be



95 collected by the clerk of the court, forwarded to the chancery
96 clerk of the county for deposit in a special account in the county
97 depository, and expended for support and maintenance of the county
98 law library in the same manner and in accordance with the same
99 procedure as provided for costs similarly collected in the
100 chancery, circuit, county and justice courts of the county.

101 (8) Funds collected under this section may also be used for
102 electronic and technological purposes related to the law library,
103 including, but not limited to, computers, hardware, software,
104 internet, online subscription services, legal research tools and
105 electronic records.

106 **SECTION 2.** This act shall take effect and be in force from
107 and after July 1, 2021.

