

**Senate Amendments to House Bill No. 1382**

**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:**

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 .....\$           1,487,102.00.

11           **SECTION 2.** Of the funds appropriated under the provisions of  
12 Section 1, the following positions are authorized:

13           AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	9
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

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

20           No general funds authorized to be expended herein shall be  
21 used to replace federal funds and/or other special funds which are

22 being used for salaries authorized under the provisions of this  
23 act and which are withdrawn and no longer available.

24       **SECTION 3.** It is the intention of the Legislature that the  
25 Office of Capital Post-Conviction Counsel shall maintain complete  
26 accounting and personnel records related to the expenditure of all  
27 funds appropriated under this act and that such records shall be  
28 in the same format and level of detail as maintained for Fiscal  
29 Year 2021. It is further the intention of the Legislature that  
30 the agency's budget request for Fiscal Year 2023 shall be  
31 submitted to the Joint Legislative Budget Committee in a format  
32 and level of detail comparable to the format and level of detail  
33 provided during the Fiscal Year 2022 budget request process.

34       **SECTION 4.** It is the intention of the Legislature that the  
35 Office of Capital Post - Conviction Counsel is hereby authorized  
36 to pay invoices submitted by Dr. Robert G. Stanulis, for services  
37 in prior fiscal years in an amount not to exceed Twelve Thousand  
38 Seventy-five Dollars (\$12,075.00).

39       **SECTION 5.** It is the intention of the Legislature that the  
40 Office of Capital Post - Conviction Counsel is hereby authorized  
41 to pay invoices submitted by Dr. Robert D. Shaffer, for services  
42 in prior fiscal years in an amount not to exceed Two Hundred Fifty  
43 Dollars (\$250.00).

44       **SECTION 6.** It is the intention of the Legislature that  
45 whenever two (2) or more bids are received by this agency for the  
46 purchase of commodities or equipment, and whenever all things  
47 stated in such received bids are equal with respect to price,

48 quality and service, the Mississippi Industries for the Blind  
49 shall be given preference. A similar preference shall be given to  
50 the Mississippi Industries for the Blind whenever purchases are  
51 made without competitive bids.

52 **SECTION 7.** It is the intention of the Legislature that the  
53 funds herein appropriated shall be expended in compliance with  
54 Section 27-104-25, Mississippi Code of 1972, that no state agency  
55 shall incur obligations or indebtedness in excess of their  
56 appropriation and that the responsible officers, either personally  
57 or upon their official bonds, shall be held responsible for  
58 actions contrary to this provision.

59 **SECTION 8.** The money herein appropriated shall be paid by  
60 the State Treasurer out of any money in the State Treasury to the  
61 credit of the proper fund or funds as set forth in this act, upon  
62 warrants issued by the State Fiscal Officer; and the State Fiscal  
63 Officer shall issue his warrants upon requisitions signed by the  
64 proper person, officer or officers, in the manner provided by law.

65 **SECTION 9.** This act shall take effect and be in force from  
66 and after July 1, 2021, and shall stand repealed June 29, 2021.

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

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.

SS15\HB1382A.J

Eugene S. Clarke  
Secretary of the Senate