

Senate Amendments to House Bill No. 1384

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:

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\$ 6,540,186.00.

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.....	68
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\$ 26,029,937.00.

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
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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.....\$ 10,272,566.00.

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.....\$ 27,351,190.00.

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.....	32
78	Part Time.....	0

79	Time-Limited: Full Time.....	0
80	Part Time.....	0

81 **SECTION 10.** The following sum, or so much thereof as may be
82 necessary, is appropriated out of any money in the Continuing
83 Legal Education Fund, a special fund hereby created in the State
84 Treasury, for the purpose of defraying the expenses of providing
85 continuing legal education programs to lawyers in Mississippi, for
86 the fiscal year beginning July 1, 2021, and ending June 30, 2022..
87\$ 149,338.00.

88 It is the intention of the Legislature that interest earned
89 from any investment or deposit to the Continuing Legal Education
90 Fund made pursuant to Section 27-105-33, Mississippi Code of 1972,
91 shall be credited by the State Treasurer to the Continuing Legal
92 Education Fund and shall not be paid into the General Fund of
93 Mississippi.

94 **SECTION 11.** Of the funds appropriated under the provisions
95 of this act for the purpose of providing continuing legal
96 education programs, the following positions are authorized:

97 AUTHORIZED POSITIONS:

98	Permanent: Full Time.....	2
99	Part Time.....	0
100	Time-Limited: Full Time.....	0
101	Part Time.....	0

102 **SECTION 12.** The following sum, or so much thereof as may be
103 necessary, is appropriated out of any money in the State General
104 Fund not otherwise appropriated to the Mississippi State Supreme

105 Court for the purpose of defraying the expenses of the Court of
106 Appeals for the fiscal year beginning July 1, 2021, and ending
107 June 30, 2022.....\$ 4,140,168.00.

108 **SECTION 13.** The following sum, or so much thereof as may be
109 necessary, is appropriated out of any money in the special fund in
110 the State Treasury to the credit of the Mississippi State Supreme
111 Court, for the purpose of defraying the expenses of the Court of
112 Appeals for the fiscal year beginning July 1, 2021, and ending
113 June 30, 2022.....\$ 1,588,856.00.

114 **SECTION 14.** Of the funds appropriated under the provisions
115 of this act for the purpose of defraying the expenses of the Court
116 of Appeals, the following positions are authorized:

117 AUTHORIZED POSITIONS:

118	Permanent:	Full Time.....	58
119		Part Time.....	0
120	Time-Limited:	Full Time.....	0
121		Part Time.....	0

122 **SECTION 15.** The following sum, or so much thereof as may be
123 necessary, is appropriated out of any money in the special fund in
124 the State Treasury to the credit of the Board of Bar Admissions,
125 for the purpose of defraying the expenses of the board for the
126 fiscal year beginning July 1, 2021, and ending June 30, 2022.....
127\$ 346,100.00.

128 It is the intention of the Legislature that interest earned
129 from any investment or deposit to the Board of Bar Admissions Fund
130 made pursuant to Section 27-105-33, Mississippi Code of 1972,

131 shall be credited by the State Treasurer to the Board of Bar
132 Admissions Fund and shall not be paid into the General Fund of
133 Mississippi.

134 **SECTION 16.** Of the funds appropriated under the provisions
135 of this act for the purpose of funding the Board of Bar
136 Admissions, the following positions are authorized:

137 AUTHORIZED POSITIONS:

138	Permanent:	Full Time.....	3
139		Part Time.....	0
140	Time-Limited:	Full Time.....	0
141		Part Time.....	0

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

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

148 **SECTION 17.** No part of the funds herein appropriated shall
149 be used in the payment of attorney's fees, nor shall any of such
150 funds be used, either directly or indirectly, for the purpose of
151 paying any clerk, stenographer, assistant, deputy or other person
152 who may be related by blood or marriage within the third degree,
153 computed by the rules of civil law, to the official employing or
154 having the right of employment or selection thereof; and in the
155 event of any such payment, then the official or person approving
156 and making or receiving such payment shall be jointly and

157 severally liable to return to the State of Mississippi and to pay
158 into the State Treasury three (3) times any such amount so paid or
159 received, to be recovered at suit of the Attorney General;
160 however, when the relationship is by affinity and the person
161 through whom the relationship was established is dead, this
162 provision shall not apply.

163 **SECTION 18.** It is the intent of the Legislature that the
164 Mississippi State Supreme Court shall charge the maximum amount
165 allowable by law for services rendered where charges for such
166 services are provided for by statute, and for any other services
167 rendered, shall charge an amount consistent with the cost of
168 providing such services. The funds derived from these charges
169 shall be deposited into a special fund account in the State
170 Treasury to the credit of the Office of the Mississippi State
171 Supreme Court.

172 **SECTION 19.** It is the intent of the Legislature that no part
173 of the funds herein appropriated shall be required to be used for
174 the payment of rent for the public space in the Law Library.

175 **SECTION 20.** It is the intention of the Legislature that
176 whenever two (2) or more bids are received by this agency for the
177 purchase of commodities or equipment, and whenever all things
178 stated in such received bids are equal with respect to price,
179 quality and service, the Mississippi Industries for the Blind
180 shall be given preference. A similar preference shall be given to
181 the Mississippi Industries for the Blind whenever purchases are
182 made without competitive bids.

183 **SECTION 21.** Of the funds appropriated under the provisions
184 of this act, an amount not to exceed Two Million Twelve Thousand
185 Five Hundred Dollars (\$2,012,500.00) may be provided for the
186 Comprehensive Electronic Court Systems Fund administered by the
187 Administrative Office of Courts.

188 **SECTION 22.** It is the intention of the Legislature that the
189 Mississippi State Supreme Court shall maintain complete accounting
190 and personnel records related to the expenditure of all funds
191 appropriated under this act and that such records shall be in the
192 same format and level of detail as maintained for Fiscal Year
193 2021. It is further the intention of the Legislature that the
194 agency's budget request for Fiscal Year 2023 shall be submitted to
195 the Joint Legislative Budget Committee in a format and level of
196 detail comparable to the format and level of detail provided
197 during the Fiscal Year 2022 budget request process.

198 **SECTION 23.** Of the funds appropriated under the provisions
199 of this act, One Million Eight Hundred Seventy-five Thousand
200 Dollars (\$1,875,000.00) shall be provided for the Youth Court
201 Support Fund administered by the Administrative Office of Courts.

202 **SECTION 24.** Of the funds appropriated in Section 7, Six
203 Million Five Hundred Thousand Dollars (\$6,500,000.00) is provided
204 to defray the costs of the Drug Court Program.

205 **SECTION 25.** It is the intention of the Legislature that in
206 the event there are not sufficient funds in the Judicial System
207 Operation Fund created under Section 9-21-45, Mississippi Code of
208 1972, in any given year with which to pay the annual salary

209 supplements set forth in HB 484, 2012 Regular Session, then the
210 county treasury shall not be obligated to fund such salary
211 supplements and the salary of county court judges shall be that in
212 place prior to the passage of HB 484, 2012 Regular Session.

213 **SECTION 26.** Of the funds appropriated in Section 7, it is
214 the intention of the Legislature that an amount of Six Million
215 Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated
216 for the programs supported from General Fund court assessments as
217 follows:

218	Drug Courts.....	\$	6,500,000.00
219	Civil Legal Assistance.....	\$	200,000.00

220 **SECTION 27.** The money herein appropriated shall be paid by
221 the State Treasurer out of any money in the State Treasury to the
222 credit of the proper fund or funds as set forth in this act, upon
223 warrants issued by the State Fiscal Officer; and the State Fiscal
224 Officer shall issue his warrants upon requisitions signed by the
225 proper person, officer or officers, in the manner provided by law.

226 **SECTION 28.** This act shall take effect and be in force from
227 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 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.

SS15\HB1384A.J

Eugene S. Clarke
Secretary of the Senate