

By: Representatives Read, Cockerham, Arnold, Beckett, Bennett, Bounds, Boyd, Busby, Clark, Clarke, Eure, Hines, Jackson, Turner, Watson, White, Young, Stamps

To: Appropriations

HOUSE BILL NO. 1628

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 2023;
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, 2022, and ending June 30, 2023.....
16 .....\$ 6,893,072.00.

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, 2022, and  
24 ending June 30, 2023 .....\$ 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, 2022, and ending June 30, 2023.....  
40 .....\$ 26,334,713.00.

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, 2022, and  
46 ending June 30, 2023.....\$ 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, 2022, and ending June 30, 2023.....\$     11,206,376.00.

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, 2022, and ending  
72 June 30, 2023.....\$ 27,262,972.00.

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.....	30
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, 2022, and ending June 30, 2023..  
87 .....\$ 151,809.00.

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, 2022, and ending  
107 June 30, 2023.....\$       4,540,468.00.

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, 2022, and ending  
113 June 30, 2023.....\$       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
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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, 2022, and ending June 30, 2023.....  
 127 .....\$                                   340,572.00.

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 2022. It is further the intention of the Legislature that the





194 agency's budget request for Fiscal Year 2024 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 2023 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, 2022, and shall stand repealed June 30, 2022.

