

By: Representatives Hines, Harness, Summers,  
Karriem

To: Judiciary B;  
Appropriations

HOUSE BILL NO. 170

1 AN ACT TO CREATE NEW SECTIONS 9-23-101, 9-23-103, 9-23-105,  
2 9-23-107, 9-23-109, 9-23-111, 9-23-113 AND 9-23-115, MISSISSIPPI  
3 CODE OF 1972, TO PROVIDE AUTHORITY FOR A CHANCERY OR COUNTY COURT  
4 TO ESTABLISH A DOMESTIC ABUSE COURT AND TO PROVIDE AUTHORITY FOR  
5 JUSTICE AND MUNICIPAL COURTS TO PARTICIPATE IN SUCH A COURT; TO  
6 DEFINE CERTAIN TERMS; TO PROVIDE FOR THE ENACTMENT OF STANDARDS OF  
7 OPERATION TO GOVERN THE OPERATION OF DOMESTIC ABUSE COURTS BY THE  
8 ADMINISTRATIVE OFFICE OF COURTS; TO CREATE THE DOMESTIC ABUSE  
9 COURT SPECIAL FUND; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF  
10 1972, TO PROVIDE AN ASSESSMENT TO FUND DOMESTIC ABUSE COURTS; TO  
11 REVISE CERTAIN FINES ASSESSMENTS; TO AMEND SECTIONS 9-5-81 AND  
12 9-9-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED  
13 PURPOSES.

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

15 **SECTION 1.** The Legislature finds that:

16 (a) Domestic violence is a serious issue that causes  
17 substantial damage to victims and children as well as to the  
18 community. Families experiencing domestic violence are often  
19 involved in more than one (1) court proceeding including divorce  
20 and custody cases, civil and criminal proceedings regarding  
21 domestic violence, substance abuse and child protection.  
22 Substantial state and county resources are required each year for  
23 the incarceration, supervision and treatment of batterers.



24 (b) Domestic abuse courts hold offenders accountable,  
25 increase victim safety, provide greater judicial monitoring, and  
26 coordinate information to provide effective interaction and use of  
27 resources among the courts, justice system personnel and community  
28 agencies. Effective case management and coordination ensures that  
29 decisions in one (1) case do not conflict with existing orders in  
30 other civil and criminal cases and provide courts with the  
31 necessary information to protect victims and families.

32 (c) Domestic abuse courts have proven effective in  
33 reducing recidivism and increasing victim safety. It is in the  
34 best interests of the citizens of this state to authorize the  
35 establishment of domestic abuse courts.

36 **SECTION 2.** The following shall be codified as Section  
37 9-23-101, Mississippi Code of 1972:

38 9-23-101. (1) A domestic abuse court is a court focused on  
39 the safety of the victim and the accountability of the offender  
40 by:

41 (a) Bringing together criminal justice professionals,  
42 local social programs and intensive judicial monitoring;

43 (b) Linking victims to programs and services by  
44 effective collaboration with social service providers and other  
45 stakeholders to refer victims to appropriate and available  
46 community services based on risk and need;

47 (c) Linking eligible civil respondents to programs and  
48 services by effective collaboration with social service providers



49 and other stakeholders to refer such individuals to appropriate  
50 and available community services based on risk and need;

51 (d) Linking eligible criminal defendants to programs  
52 and services by effective collaboration with social service  
53 providers and other stakeholders to refer defendants to  
54 appropriate and available community services based on risk and  
55 need; and

56 (e) Providing centralized monitoring of participants to  
57 ensure compliance with any civil domestic abuse protection orders  
58 or with any treatment orders or other orders issued by the court.

59 (2) For the purposes of this act, "domestic abuse" and  
60 "domestic violence" shall have the meanings ascribed to "abuse" by  
61 Section 93-21-3 and to "misdemeanor which is an act of domestic  
62 violence" in Section 99-3-7.

63 **SECTION 3.** The following shall be codified as Section  
64 9-23-103, Mississippi Code of 1972:

65 9-23-103. Any chancery or county court may establish a  
66 domestic abuse court program. Any municipal and justice court is  
67 authorized to participate in a domestic abuse court program  
68 established in the county.

69 **SECTION 4.** The following shall be codified as Section  
70 9-23-105, Mississippi Code of 1972:

71 9-23-105. (1) A domestic abuse court and accompanying  
72 services of the domestic abuse court shall be available only to  
73 individuals over whom the court has established jurisdiction.



74 (2) A domestic abuse court that does not have felony  
75 jurisdiction may assume jurisdiction over an individual convicted  
76 of a felony from another court within the county upon entry of an  
77 appropriate order by the criminal court referring that individual  
78 to the domestic abuse court for the purpose of participation in  
79 the domestic abuse court program.

80 **SECTION 5.** The following shall be codified as Section  
81 9-23-107, Mississippi Code of 1972:

82 9-23-107. (1) The Administrative Office of Courts shall  
83 develop uniform standards for operation of a domestic abuse court.  
84 Any domestic abuse court shall operate pursuant to those  
85 standards. Such standards shall, at a minimum, include provisions  
86 for:

87 (a) Establishment and coordination of the domestic  
88 abuse court;

89 (b) Funding for the domestic abuse court;

90 (c) Procedural matters;

91 (d) Referral protocols;

92 (e) Participant eligibility;

93 (f) Services to be made available to participants  
94 referred to the court; and

95 (g) Roles and duties of the court, which shall include,  
96 but not be limited to, assessment, referral, case management,  
97 supervision and evaluation.



98           (2) Any court wishing to adopt local rules for the  
99 coordination of services and to address court procedures that may  
100 vary from those established by the Administrative Office of Courts  
101 shall submit those rules to the Administrative Office of Courts  
102 for approval prior to implementation.

103           **SECTION 6.** The following shall be codified as Section  
104 9-23-109, Mississippi Code of 1972:

105           9-23-109. A domestic abuse court may hire employees  
106 necessary to carry out the functions of the court, including, but  
107 not limited to, an administrator, case manager, counselor or  
108 clerical staff.

109           **SECTION 7.** The following shall be codified as Section  
110 9-23-111, Mississippi Code of 1972:

111           9-23-111. Nothing herein shall be construed to guarantee any  
112 individual the right to participate in a domestic abuse court  
113 program.

114           **SECTION 8.** The following shall be codified as Section  
115 9-23-113, Mississippi Code of 1972:

116           9-23-113. (1) All monies received from any source by the  
117 domestic abuse court shall be accumulated in a fund to be used  
118 only for domestic abuse court purposes. Any funds remaining in  
119 this fund at the end of a fiscal year shall not lapse into any  
120 general fund, but shall be retained in the Domestic Abuse Court  
121 Fund for the funding of further activities by the domestic abuse  
122 court.



123 (2) A domestic abuse court may apply for and receive the  
124 following:

125 (a) Gifts, bequests and donations from private sources.

126 (b) Grant and contract money from governmental sources.

127 (c) Other forms of financial assistance approved by the  
128 court to supplement the budget of the domestic abuse court.

129 **SECTION 9.** The following shall be codified as Section  
130 9-23-115, Mississippi Code of 1972:

131 9-23-115. There is created in the State Treasury a special  
132 interest-bearing fund to be known as the Domestic Abuse Court  
133 Fund. The purpose of the fund shall be to provide supplemental  
134 funding to all domestic abuse courts in the state. Monies from  
135 the fund shall be distributed by the State Treasurer upon warrants  
136 issued by the Administrative Office of Courts to assist domestic  
137 abuse courts. The fund shall be a continuing fund, not subject to  
138 fiscal-year limitations, and shall consist of: (a) monies  
139 appropriated by the Legislature for the purposes of funding  
140 domestic abuse courts; (b) the interest accruing to the fund; (c)  
141 monies received under the provisions of Section 99-19-73; (d)  
142 monies received from the federal government; and (e) monies  
143 received from such other sources as may be provided by law.

144 **SECTION 10.** Section 99-19-73, Mississippi Code of 1972, is  
145 amended as follows:

146 99-19-73. (1) **Traffic violations.** In addition to any  
147 monetary penalties and any other penalties imposed by law, there



148 shall be imposed and collected the following state assessment from  
149 each person upon whom a court imposes a fine or other penalty for  
150 any violation in Title 63, Mississippi Code of 1972, except  
151 offenses relating to the Mississippi Implied Consent Law (Section  
152 63-11-1 et seq.) and offenses relating to vehicular parking or  
153 registration:

154	FUND	AMOUNT
155	State Court Education Fund.....	[Deleted]
156	State Prosecutor Education Fund.....	[Deleted]
157	Vulnerable Persons Training, 158 Investigation and Prosecution Trust Fund.....	[Deleted]
159	Child Support Prosecution Trust Fund.....	[Deleted]
160	Driver Training Penalty Assessment Fund.....	[Deleted]
161	Law Enforcement Officers Training Fund.....	[Deleted]
162	Spinal Cord and Head Injury Trust Fund 163 (for all moving violations).....	[Deleted]
164	Emergency Medical Services Operating Fund.....	[Deleted]
165	Mississippi Leadership Council on Aging Fund.....	[Deleted]
166	Law Enforcement Officers and Fire Fighters 167 Death Benefits Trust Fund.....	[Deleted]
168	Law Enforcement Officers and Fire Fighters 169 Disability Benefits Trust Fund.....	[Deleted]
170	State Prosecutor Compensation Fund for the purpose 171 of providing additional compensation for 172 district attorneys and their legal assistants.....	[Deleted]



173 Crisis Intervention Mental Health Fund.....[Deleted]  
 174 Intervention Court Fund.....[Deleted]  
 175 Judicial Performance Fund.....[Deleted]  
 176 Capital Defense Counsel Fund.....[Deleted]  
 177 Indigent Appeals Fund.....[Deleted]  
 178 Capital Post-Conviction Counsel Fund.....[Deleted]  
 179 Victims of Domestic Violence Fund.....[Deleted]  
 180 Public Defenders Education Fund.....[Deleted]  
 181 Domestic Violence Training Fund.....[Deleted]  
 182 Attorney General's Cyber Crime Unit.....[Deleted]  
 183 Children's Safe Center Fund.....[Deleted]  
 184 DuBard School for Language Disorders Fund.....[Deleted]  
 185 Children's Advocacy Centers Fund.....[Deleted]  
 186 Judicial System Operation Fund.....[Deleted]  
 187 GENERAL FUND.....\$ 90.50

188 (2) **Implied Consent Law violations.** In addition to any  
 189 monetary penalties and any other penalties imposed by law, there  
 190 shall be imposed and collected the following state assessment from  
 191 each person upon whom a court imposes a fine or any other penalty  
 192 for any violation of the Mississippi Implied Consent Law (Section  
 193 63-11-1 et seq.):

194 FUND	AMOUNT
195 Crime Victims' Compensation Fund.....	[Deleted]
196 State Court Education Fund.....	[Deleted]
197 State Prosecutor Education Fund.....	[Deleted]





198 Vulnerable Persons Training,  
199       Investigation and Prosecution Trust Fund.....[Deleted]  
200 Child Support Prosecution Trust Fund.....[Deleted]  
201 Driver Training Penalty Assessment Fund.....[Deleted]  
202 Law Enforcement Officers Training Fund.....[Deleted]  
203 Emergency Medical Services Operating Fund.....[Deleted]  
204 Mississippi Alcohol Safety Education Program Fund.....[Deleted]  
205 Federal-State Alcohol Program Fund.....[Deleted]  
206 Mississippi Forensics Laboratory  
207       Implied Consent Law Fund.....[Deleted]  
208 Spinal Cord and Head Injury Trust Fund.....[Deleted]  
209 Capital Defense Counsel Fund.....[Deleted]  
210 Indigent Appeals Fund.....[Deleted]  
211 Capital Post-Conviction Counsel Fund.....[Deleted]  
212 Victims of Domestic Violence Fund.....[Deleted]  
213 Law Enforcement Officers and Fire Fighters  
214       Death Benefits Trust Fund.....[Deleted]  
215 Law Enforcement Officers and Fire Fighters  
216       Disability Benefits Trust Fund.....[Deleted]  
217 State Prosecutor Compensation Fund for the purpose  
218       of providing additional compensation for  
219       district attorneys and their legal assistants.....[Deleted]  
220 Crisis Intervention Mental Health Fund.....[Deleted]  
221 Intervention Court Fund.....[Deleted]  
222 Statewide Victims' Information and



223 Notification System Fund.....[Deleted]  
 224 Public Defenders Education Fund.....[Deleted]  
 225 Domestic Violence Training Fund.....[Deleted]  
 226 Attorney General's Cyber Crime Unit.....[Deleted]  
 227 GENERAL FUND.....\$ \* \* \*244.50

228 (3) **Game and Fish Law violations.** In addition to any  
 229 monetary penalties and any other penalties imposed by law, there  
 230 shall be imposed and collected the following state assessment from  
 231 each person upon whom a court imposes a fine or other penalty for  
 232 any violation of the game and fish statutes or regulations of this  
 233 state:

234 FUND	AMOUNT
235 State Court Education Fund.....	[Deleted]
236 State Prosecutor Education Fund.....	[Deleted]
237 Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
239 Law Enforcement Officers Training Fund.....	[Deleted]
240 Hunter Education and Training Program Fund.....	[Deleted]
241 Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund.....	[Deleted]
243 Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund.....	[Deleted]
245 State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants.....	[Deleted]



248 Crisis Intervention Mental Health Fund.....[Deleted]  
 249 Intervention Court Fund.....[Deleted]  
 250 Capital Defense Counsel Fund.....[Deleted]  
 251 Indigent Appeals Fund.....[Deleted]  
 252 Capital Post-Conviction Counsel Fund.....[Deleted]  
 253 Victims of Domestic Violence Fund.....[Deleted]  
 254 Public Defenders Education Fund.....[Deleted]  
 255 Domestic Violence Training Fund.....[Deleted]  
 256 Attorney General's Cyber Crime Unit.....[Deleted]  
 257 GENERAL FUND.....\$ \* \* \*90.00

258 (4) [Deleted]

259 (5) **Speeding, reckless and careless driving violations.** In  
 260 addition to any assessment imposed under subsection (1) or (2) of  
 261 this section, there shall be imposed and collected the following  
 262 state assessment from each person upon whom a court imposes a fine  
 263 or other penalty for driving a vehicle on a road or highway:

264 (a) At a speed that exceeds the posted speed limit by  
 265 at least ten (10) miles per hour but not more than twenty (20)  
 266 miles per hour.....\$10.00

267 (b) At a speed that exceeds the posted speed limit by  
 268 at least twenty (20) miles per hour but not more than thirty (30)  
 269 miles per hour.....\$20.00

270 (c) At a speed that exceeds the posted speed limit by  
 271 thirty (30) miles per hour or more.....\$30.00



272 (d) In violation of Section 63-3-1201, which is the  
273 offense of reckless driving.....\$10.00

274 (e) In violation of Section 63-3-1213, which is the  
275 offense of careless driving.....\$10.00

276 All assessments collected under this subsection shall be  
277 deposited into the State General Fund.

278 (6) **Other misdemeanors.** In addition to any monetary  
279 penalties and any other penalties imposed by law, there shall be  
280 imposed and collected the following state assessment from each  
281 person upon whom a court imposes a fine or other penalty for any  
282 misdemeanor violation not specified in subsection (1), (2) or (3)  
283 of this section, except offenses relating to vehicular parking or  
284 registration:

285	FUND	AMOUNT
286	Crime Victims' Compensation Fund.....	[Deleted]
287	State Court Education Fund.....	[Deleted]
288	State Prosecutor Education Fund.....	[Deleted]
289	Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
290	Child Support Prosecution Trust Fund.....	[Deleted]
291	Law Enforcement Officers Training Fund.....	[Deleted]
292	Capital Defense Counsel Fund.....	[Deleted]
293	Indigent Appeals Fund.....	[Deleted]
294	Capital Post-Conviction Counsel Fund.....	[Deleted]
295	Victims of Domestic Violence Fund.....	[Deleted]



297 State Crime Stoppers Fund..... [Deleted]  
 298 Law Enforcement Officers and Fire Fighters  
 299       Death Benefits Trust Fund..... [Deleted]  
 300 Law Enforcement Officers and Fire Fighters  
 301       Disability Benefits Trust Fund..... [Deleted]  
 302 State Prosecutor Compensation Fund for the purpose  
 303       of providing additional compensation for  
 304       district attorneys and their legal assistants..... [Deleted]  
 305 Crisis Intervention Mental Health Fund..... [Deleted]  
 306 Intervention Court Fund..... [Deleted]  
 307 Judicial Performance Fund..... [Deleted]  
 308 Statewide Victims' Information and  
 309       Notification System Fund..... [Deleted]  
 310 Public Defenders Education Fund..... [Deleted]  
 311 Domestic Violence Training Fund..... [Deleted]  
 312 Attorney General's Cyber Crime Unit..... [Deleted]  
 313 Information Exchange Network Fund..... [Deleted]  
 314 Motorcycle Officer Training Fund..... [Deleted]  
 315 Civil Legal Assistance Fund..... [Deleted]  
 316 Justice Court Collections Fund..... [Deleted]  
 317 Municipal Court Collections Fund..... [Deleted]  
 318       GENERAL FUND.....\$ \* \* \*122.75

319       (7) **Other felonies.** In addition to any monetary penalties  
 320 and any other penalties imposed by law, there shall be imposed and  
 321 collected the following state assessment from each person upon



322 whom a court imposes a fine or other penalty for any felony  
323 violation not specified in subsection (1), (2) or (3) of this  
324 section:

325	FUND	AMOUNT
326	Crime Victims' Compensation Fund.....	[Deleted]
327	State Court Education Fund.....	[Deleted]
328	State Prosecutor Education Fund.....	[Deleted]
329	Vulnerable Persons Training, Investigation	
330	and Prosecution Trust Fund.....	[Deleted]
331	Child Support Prosecution Trust Fund.....	[Deleted]
332	Law Enforcement Officers Training Fund.....	[Deleted]
333	Capital Defense Counsel Fund.....	[Deleted]
334	Indigent Appeals Fund.....	[Deleted]
335	Capital Post-Conviction Counsel Fund.....	[Deleted]
336	Victims of Domestic Violence Fund.....	[Deleted]
337	Criminal Justice Fund.....	[Deleted]
338	Law Enforcement Officers and Fire Fighters	
339	Death Benefits Trust Fund.....	[Deleted]
340	Law Enforcement Officers and Fire Fighters	
341	Disability Benefits Trust Fund.....	[Deleted]
342	State Prosecutor Compensation Fund for the purpose	
343	of providing additional compensation for	
344	district attorneys and their legal assistants.....	[Deleted]
345	Crisis Intervention Mental Health Fund.....	[Deleted]
346	Intervention Court Fund.....	[Deleted]



347 Statewide Victims' Information and  
 348 Notification System Fund.....[Deleted]  
 349 Public Defenders Education Fund.....[Deleted]  
 350 Domestic Violence Training Fund.....[Deleted]  
 351 Attorney General's Cyber Crime Unit.....[Deleted]  
 352 Forensics Laboratory DNA Identification System Fund.....[Deleted]  
 353 GENERAL FUND.....\$ \* \* \*281.50

354 (8) **Additional assessments on certain violations:**

355 (a) **Railroad crossing violations.** In addition to any  
 356 monetary penalties and any other penalties imposed by law, there  
 357 shall be imposed and collected the following state assessment in  
 358 addition to all other state assessments due under this section  
 359 from each person upon whom a court imposes a fine or other penalty  
 360 for any violation involving railroad crossings under Section  
 361 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

362 Operation Lifesaver Fund.....\$25.00

363 (b) **Drug violations.** In addition to any monetary  
 364 penalties and any other penalties imposed by law, there shall be  
 365 imposed and collected the following state assessment in addition  
 366 to all other state assessments due under this section from each  
 367 person upon whom a court imposes a fine or other penalty for any  
 368 violation of Section 41-29-139:

369 Drug Evidence Disposition Fund.....\$25.00

370 Mississippi Foster Care Fund.....\$2.00



371 (c) **Motor vehicle liability insurance violations.** In  
372 addition to any monetary penalties and any other penalties imposed  
373 by law, there shall be imposed and collected the following state  
374 assessment in addition to all other state assessments due under  
375 this section from each person upon whom a court imposes a fine or  
376 other penalty for any violation of Section 63-15-4(4) or Section  
377 63-16-13(1):

378 Uninsured Motorist Identification Fund:

379 First offense.....\$200.00

380 Second offense.....\$300.00

381 Third or subsequent offense.....\$400.00

382 (9) If a fine or other penalty imposed is suspended, in  
383 whole or in part, such suspension shall not affect the state  
384 assessment under this section. No state assessment imposed under  
385 the provisions of this section may be suspended or reduced by the  
386 court.

387 (10) (a) After a determination by the court of the amount  
388 due, it shall be the duty of the clerk of the court to promptly  
389 collect all state assessments imposed under the provisions of this  
390 section. The state assessments imposed under the provisions of  
391 this section may not be paid by personal check.

392 (b) It shall be the duty of the chancery clerk of each  
393 county to deposit all state assessments collected in the circuit,  
394 county and justice courts in the county on a monthly basis with  
395 the State Treasurer pursuant to appropriate procedures established





396 by the State Auditor. The chancery clerk shall make a monthly  
397 lump-sum deposit of the total state assessments collected in the  
398 circuit, county and justice courts in the county under this  
399 section, and shall report to the Department of Finance and  
400 Administration the total number of violations under each  
401 subsection for which state assessments were collected in the  
402 circuit, county and justice courts in the county during that  
403 month.

404 (c) It shall be the duty of the municipal clerk of each  
405 municipality to deposit all the state assessments collected in the  
406 municipal court in the municipality on a monthly basis with the  
407 State Treasurer pursuant to appropriate procedures established by  
408 the State Auditor. The municipal clerk shall make a monthly  
409 lump-sum deposit of the total state assessments collected in the  
410 municipal court in the municipality under this section, and shall  
411 report to the Department of Finance and Administration the total  
412 number of violations under each subsection for which state  
413 assessments were collected in the municipal court in the  
414 municipality during that month.

415 (11) It shall be the duty of the Department of Finance and  
416 Administration to deposit on a monthly basis all state assessments  
417 into the State General Fund or proper special fund in the State  
418 Treasury. The Department of Finance and Administration shall  
419 issue regulations providing for the proper allocation of these  
420 funds.



421 (12) The State Auditor shall establish by regulation  
422 procedures for refunds of state assessments, including refunds  
423 associated with assessments imposed before July 1, 1990, and  
424 refunds after appeals in which the defendant's conviction is  
425 reversed. The Auditor shall provide in the regulations for  
426 certification of eligibility for refunds and may require the  
427 defendant seeking a refund to submit a verified copy of a court  
428 order or abstract by which the defendant is entitled to a refund.  
429 All refunds of state assessments shall be made in accordance with  
430 the procedures established by the Auditor.

431 **SECTION 11.** Section 9-5-81, Mississippi Code of 1972, is  
432 amended as follows:

433 9-5-81. The chancery court in addition to the full  
434 jurisdiction in all the matters and cases expressly conferred upon  
435 it by the Constitution shall have jurisdiction of all cases  
436 transferred to it by the circuit court or remanded to it by the  
437 Supreme Court; and such further jurisdiction, as is, in this  
438 chapter or elsewhere, provided by law. A chancery court is  
439 authorized to establish a domestic abuse court as provided in  
440 Sections 1 through 9 of this act.

441 **SECTION 12.** Section 9-9-21, Mississippi Code of 1972, is  
442 amended as follows:

443 9-9-21. (1) The jurisdiction of the county court shall be  
444 as follows: It shall have jurisdiction concurrent with the  
445 justice court in all matters, civil and criminal of which the



446 justice court has jurisdiction; and it shall have jurisdiction  
447 concurrent with the circuit and chancery courts in all matters of  
448 law and equity wherein the amount of value of the thing in  
449 controversy shall not exceed, exclusive of costs and interest, the  
450 sum of Two Hundred Thousand Dollars (\$200,000.00), and the  
451 jurisdiction of the county court shall not be affected by any  
452 setoff, counterclaim or cross-bill in such actions where the  
453 amount sought to be recovered in such setoff, counterclaim or  
454 cross-bill exceeds Two Hundred Thousand Dollars (\$200,000.00).  
455 Provided, however, the party filing such setoff, counterclaim or  
456 cross-bill which exceeds Two Hundred Thousand Dollars  
457 (\$200,000.00) shall give notice to the opposite party or parties  
458 as provided in Section 13-3-83, and on motion of all parties filed  
459 within twenty (20) days after the filing of such setoff,  
460 counterclaim or cross-bill, the county court shall transfer the  
461 case to the circuit or chancery court wherein the county court is  
462 situated and which would otherwise have jurisdiction. It shall  
463 have exclusively the jurisdiction heretofore exercised by the  
464 justice court in the following matters and causes: namely,  
465 eminent domain, the partition of personal property, and actions of  
466 unlawful entry and detainer, provided that the actions of eminent  
467 domain and unlawful entry and detainer may be returnable and  
468 triable before the judge of said court in vacation. The county  
469 court shall have jurisdiction over criminal matters in the county



470 assigned by a judge of the circuit court district in which the  
471 county is included.

472 (2) In the event of the establishment of a county court by  
473 an agreement between two (2) or more counties as provided in  
474 Section 9-9-3, it shall be lawful for such court sitting in one  
475 (1) county to act upon any and all matters of which it has  
476 jurisdiction as provided by law arising in the other county under  
477 the jurisdiction of said court.

478 (3) A county court is authorized to establish a domestic  
479 abuse court as provided in Sections 1 through 9 of this act.

480 **SECTION 13.** This act shall take effect and be in force from  
481 and after July 1, 2023.

