

By: Representatives Hines, Harness, Summers,  
Karriem

To: Judiciary B;  
Appropriations

HOUSE BILL NO. 170  
(As Passed the House)

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 AMEND SECTIONS 9-5-81 AND 9-9-21, MISSISSIPPI CODE OF 1972, TO  
12 CONFORM; AND FOR RELATED PURPOSES.

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

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

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



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

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

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

37           9-23-101. (1) A domestic abuse court is a court focused on  
38 the safety of the victim and the accountability of the offender  
39 by:

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

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

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



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

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

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

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

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

64 9-23-103. Any chancery or county court may establish a  
65 domestic abuse court program. Any municipal and justice court is  
66 authorized to participate in a domestic abuse court program  
67 established in the county.

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

70 9-23-105. (1) A domestic abuse court and accompanying  
71 services of the domestic abuse court shall be available only to  
72 individuals over whom the court has established jurisdiction.



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

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

81           9-23-107. (1) The Administrative Office of Courts shall  
82 develop uniform standards for operation of a domestic abuse court.  
83 Any domestic abuse court shall operate pursuant to those  
84 standards. Such standards shall, at a minimum, include provisions  
85 for:

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

88                   (b) Funding for the domestic abuse court;

89                   (c) Procedural matters;

90                   (d) Referral protocols;

91                   (e) Participant eligibility;

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

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



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

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

104 9-23-109. A domestic abuse court may hire employees  
105 necessary to carry out the functions of the court, including, but  
106 not limited to, an administrator, case manager, counselor or  
107 clerical staff.

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

110 9-23-111. Nothing herein shall be construed to guarantee any  
111 individual the right to participate in a domestic abuse court  
112 program.

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

115 9-23-113. (1) All monies received from any source by the  
116 domestic abuse court shall be accumulated in a fund to be used  
117 only for domestic abuse court purposes. Any funds remaining in  
118 this fund at the end of a fiscal year shall not lapse into any  
119 general fund, but shall be retained in the Domestic Abuse Court  
120 Fund for the funding of further activities by the domestic abuse  
121 court.



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

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

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

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

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

130 9-23-115. There is created in the State Treasury a special  
131 interest-bearing fund to be known as the Domestic Abuse Court  
132 Fund. The purpose of the fund shall be to provide supplemental  
133 funding to all domestic abuse courts in the state. Monies from  
134 the fund shall be distributed by the State Treasurer upon warrants  
135 issued by the Administrative Office of Courts to assist domestic  
136 abuse courts. The fund shall be expended by the Administrative  
137 Office of Courts upon appropriation by the Legislature, and shall  
138 consist of: (a) monies appropriated by the Legislature for the  
139 purposes of funding domestic abuse courts; (b) the interest  
140 accruing to the fund; (c) monies received under the provisions of  
141 Section 99-19-73; (d) monies received from the federal government;  
142 and (e) monies received from such other sources as may be provided  
143 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 Domestic Abuse Court Fund.....\$1.00  
 228 General Fund.....\$243.50  
 229 \* \* \*TOTAL STATE ASSESSMENT.....\$ \* \* \*244.50

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

236 FUND	AMOUNT
237 State Court Education Fund.....	[Deleted]
238 State Prosecutor Education Fund.....	[Deleted]
239 Vulnerable Persons Training, 240 Investigation and Prosecution Trust Fund.....	[Deleted]
241 Law Enforcement Officers Training Fund.....	[Deleted]
242 Hunter Education and Training Program Fund.....	[Deleted]
243 Law Enforcement Officers and Fire Fighters 244 Death Benefits Trust Fund.....	[Deleted]
245 Law Enforcement Officers and Fire Fighters	



246           Disability Benefits Trust Fund.....[Deleted]

247 State Prosecutor Compensation Fund for the purpose

248           of providing additional compensation for district

249           attorneys and their legal assistants.....[Deleted]

250 Crisis Intervention Mental Health Fund.....[Deleted]

251 Intervention Court Fund.....[Deleted]

252 Capital Defense Counsel Fund.....[Deleted]

253 Indigent Appeals Fund.....[Deleted]

254 Capital Post-Conviction Counsel Fund.....[Deleted]

255 Victims of Domestic Violence Fund.....[Deleted]

256 Public Defenders Education Fund.....[Deleted]

257 Domestic Violence Training Fund.....[Deleted]

258 Attorney General's Cyber Crime Unit.....[Deleted]

259 Domestic Abuse Court Fund.....\$1.00

260 General Fund.....\$89.00

261    \* \* \*TOTAL STATE ASSESSMENT.....\$       \* \* \*90.00

262           (4) [Deleted]

263           (5) **Speeding, reckless and careless driving violations.** In

264 addition to any assessment imposed under subsection (1) or (2) of

265 this section, there shall be imposed and collected the following

266 state assessment from each person upon whom a court imposes a fine

267 or other penalty for driving a vehicle on a road or highway:

268           (a) At a speed that exceeds the posted speed limit by

269 at least ten (10) miles per hour but not more than twenty (20)

270 miles per hour.....\$10.00



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

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

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

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

280 All assessments collected under this subsection shall be  
281 deposited into the State General Fund.

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

289 FUND	AMOUNT
290 Crime Victims' Compensation Fund.....	[Deleted]
291 State Court Education Fund.....	[Deleted]
292 State Prosecutor Education Fund.....	[Deleted]
293 Vulnerable Persons Training, Investigation 294 and Prosecution Trust Fund.....	[Deleted]
295 Child Support Prosecution Trust Fund.....	[Deleted]



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



321 Municipal Court Collections Fund.....[Deleted]  
 322 Domestic Abuse Court Fund.....\$1.00  
 323 General Fund.....\$121.75  
 324 \* \* \*TOTAL STATE ASSESSMENT.....\$ \* \* \*122.75

325 (7) **Other felonies.** In addition to any monetary penalties  
 326 and any other penalties imposed by law, there shall be imposed and  
 327 collected the following state assessment from each person upon  
 328 whom a court imposes a fine or other penalty for any felony  
 329 violation not specified in subsection (1), (2) or (3) of this  
 330 section:

331 FUND	AMOUNT
332 Crime Victims' Compensation Fund.....	[Deleted]
333 State Court Education Fund.....	[Deleted]
334 State Prosecutor Education Fund.....	[Deleted]
335 Vulnerable Persons Training, Investigation 336 and Prosecution Trust Fund.....	[Deleted]
337 Child Support Prosecution Trust Fund.....	[Deleted]
338 Law Enforcement Officers Training Fund.....	[Deleted]
339 Capital Defense Counsel Fund.....	[Deleted]
340 Indigent Appeals Fund.....	[Deleted]
341 Capital Post-Conviction Counsel Fund.....	[Deleted]
342 Victims of Domestic Violence Fund.....	[Deleted]
343 Criminal Justice Fund.....	[Deleted]
344 Law Enforcement Officers and Fire Fighters 345 Death Benefits Trust Fund.....	[Deleted]



346 Law Enforcement Officers and Fire Fighters  
347       Disability Benefits Trust Fund.....[Deleted]  
348 State Prosecutor Compensation Fund for the purpose  
349       of providing additional compensation for  
350       district attorneys and their legal assistants.....[Deleted]  
351 Crisis Intervention Mental Health Fund.....[Deleted]  
352 Intervention Court Fund.....[Deleted]  
353 Statewide Victims' Information and  
354       Notification System Fund.....[Deleted]  
355 Public Defenders Education Fund.....[Deleted]  
356 Domestic Violence Training Fund.....[Deleted]  
357 Attorney General's Cyber Crime Unit.....[Deleted]  
358 Forensics Laboratory DNA Identification System Fund.....[Deleted]  
359 Domestic Abuse Court Fund.....\$1.00  
360 General Fund.....\$280.50  
361 \* \* \*TOTAL STATE ASSESSMENT.....\$ \* \* \*281.50

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

363           (a) **Railroad crossing violations.** In addition to any  
364 monetary penalties and any other penalties imposed by law, there  
365 shall be imposed and collected the following state assessment in  
366 addition to all other state assessments due under this section  
367 from each person upon whom a court imposes a fine or other penalty  
368 for any violation involving railroad crossings under Section  
369 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:  
370       Operation Lifesaver Fund.....\$25.00



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

377 Drug Evidence Disposition Fund.....\$25.00  
378 Mississippi Foster Care Fund.....\$2.00

379 (c) **Motor vehicle liability insurance violations.** In  
380 addition to any monetary penalties and any other penalties imposed  
381 by law, there shall be imposed and collected the following state  
382 assessment in addition to all other state assessments due under  
383 this section from each person upon whom a court imposes a fine or  
384 other penalty for any violation of Section 63-15-4(4) or Section  
385 63-16-13(1):

386 Uninsured Motorist Identification Fund:  
387 First offense.....\$200.00  
388 Second offense.....\$300.00  
389 Third or subsequent offense.....\$400.00

390 (9) If a fine or other penalty imposed is suspended, in  
391 whole or in part, such suspension shall not affect the state  
392 assessment under this section. No state assessment imposed under  
393 the provisions of this section may be suspended or reduced by the  
394 court.





395           (10) (a) After a determination by the court of the amount  
396 due, it shall be the duty of the clerk of the court to promptly  
397 collect all state assessments imposed under the provisions of this  
398 section. The state assessments imposed under the provisions of  
399 this section may not be paid by personal check.

400           (b) It shall be the duty of the chancery clerk of each  
401 county to deposit all state assessments collected in the circuit,  
402 county and justice courts in the county on a monthly basis with  
403 the State Treasurer pursuant to appropriate procedures established  
404 by the State Auditor. The chancery clerk shall make a monthly  
405 lump-sum deposit of the total state assessments collected in the  
406 circuit, county and justice courts in the county under this  
407 section, and shall report to the Department of Finance and  
408 Administration the total number of violations under each  
409 subsection for which state assessments were collected in the  
410 circuit, county and justice courts in the county during that  
411 month.

412           (c) It shall be the duty of the municipal clerk of each  
413 municipality to deposit all the state assessments collected in the  
414 municipal court in the municipality on a monthly basis with the  
415 State Treasurer pursuant to appropriate procedures established by  
416 the State Auditor. The municipal clerk shall make a monthly  
417 lump-sum deposit of the total state assessments collected in the  
418 municipal court in the municipality under this section, and shall  
419 report to the Department of Finance and Administration the total



420 number of violations under each subsection for which state  
421 assessments were collected in the municipal court in the  
422 municipality during that month.

423 (11) It shall be the duty of the Department of Finance and  
424 Administration to deposit on a monthly basis all state assessments  
425 into the State General Fund or proper special fund in the State  
426 Treasury. The Department of Finance and Administration shall  
427 issue regulations providing for the proper allocation of these  
428 funds.

429 (12) The State Auditor shall establish by regulation  
430 procedures for refunds of state assessments, including refunds  
431 associated with assessments imposed before July 1, 1990, and  
432 refunds after appeals in which the defendant's conviction is  
433 reversed. The Auditor shall provide in the regulations for  
434 certification of eligibility for refunds and may require the  
435 defendant seeking a refund to submit a verified copy of a court  
436 order or abstract by which the defendant is entitled to a refund.  
437 All refunds of state assessments shall be made in accordance with  
438 the procedures established by the Auditor."

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

441 9-5-81. The chancery court in addition to the full  
442 jurisdiction in all the matters and cases expressly conferred upon  
443 it by the Constitution shall have jurisdiction of all cases  
444 transferred to it by the circuit court or remanded to it by the



445 Supreme Court; and such further jurisdiction, as is, in this  
446 chapter or elsewhere, provided by law. A chancery court is  
447 authorized to establish a domestic abuse court as provided in  
448 Sections 1 through 9 of this act.

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

451 9-9-21. (1) The jurisdiction of the county court shall be  
452 as follows: It shall have jurisdiction concurrent with the  
453 justice court in all matters, civil and criminal of which the  
454 justice court has jurisdiction; and it shall have jurisdiction  
455 concurrent with the circuit and chancery courts in all matters of  
456 law and equity wherein the amount of value of the thing in  
457 controversy shall not exceed, exclusive of costs and interest, the  
458 sum of Two Hundred Thousand Dollars (\$200,000.00), and the  
459 jurisdiction of the county court shall not be affected by any  
460 setoff, counterclaim or cross-bill in such actions where the  
461 amount sought to be recovered in such setoff, counterclaim or  
462 cross-bill exceeds Two Hundred Thousand Dollars (\$200,000.00).  
463 Provided, however, the party filing such setoff, counterclaim or  
464 cross-bill which exceeds Two Hundred Thousand Dollars  
465 (\$200,000.00) shall give notice to the opposite party or parties  
466 as provided in Section 13-3-83, and on motion of all parties filed  
467 within twenty (20) days after the filing of such setoff,  
468 counterclaim or cross-bill, the county court shall transfer the  
469 case to the circuit or chancery court wherein the county court is



470 situated and which would otherwise have jurisdiction. It shall  
471 have exclusively the jurisdiction heretofore exercised by the  
472 justice court in the following matters and causes: namely,  
473 eminent domain, the partition of personal property, and actions of  
474 unlawful entry and detainer, provided that the actions of eminent  
475 domain and unlawful entry and detainer may be returnable and  
476 triable before the judge of said court in vacation. The county  
477 court shall have jurisdiction over criminal matters in the county  
478 assigned by a judge of the circuit court district in which the  
479 county is included.

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

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

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

