

By: Representative Watson

To: Judiciary B;  
Appropriations

HOUSE BILL NO. 900

1 AN ACT TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE FOR AN ASSESSMENT ON CERTAIN CRIMINAL OFFENSES FOR THE  
3 PURPOSE OF PROVIDING FUNDING FOR THE CIVIL LEGAL ASSISTANCE FUND;  
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 99-19-73, Mississippi Code of 1972, is  
7 amended as follows:

8 99-19-73. (1) **Traffic violations.** In addition to any  
9 monetary penalties and any other penalties imposed by law, there  
10 shall be imposed and collected the following state assessment from  
11 each person upon whom a court imposes a fine or other penalty for  
12 any violation in Title 63, Mississippi Code of 1972, except  
13 offenses relating to the Mississippi Implied Consent Law (Section  
14 63-11-1 et seq.) and offenses relating to vehicular parking or  
15 registration:

16 FUND	AMOUNT
17 State Court Education Fund.....	[Deleted]
18 State Prosecutor Education Fund.....	[Deleted]
19 Vulnerable Persons Training,	



20 Investigation and Prosecution Trust Fund.....[Deleted]  
21 Child Support Prosecution Trust Fund.....[Deleted]  
22 Driver Training Penalty Assessment Fund.....[Deleted]  
23 Law Enforcement Officers Training Fund.....[Deleted]  
24 Spinal Cord and Head Injury Trust Fund  
25 (for all moving violations).....[Deleted]  
26 Emergency Medical Services Operating Fund.....[Deleted]  
27 Mississippi Leadership Council on Aging Fund.....[Deleted]  
28 Law Enforcement Officers and Fire Fighters  
29 Death Benefits Trust Fund.....[Deleted]  
30 Law Enforcement Officers and Fire Fighters  
31 Disability Benefits Trust Fund.....[Deleted]  
32 State Prosecutor Compensation Fund for the purpose  
33 of providing additional compensation for  
34 district attorneys and their legal assistants.....[Deleted]  
35 Crisis Intervention Mental Health Fund.....[Deleted]  
36 Intervention Court Fund.....[Deleted]  
37 Judicial Performance Fund.....[Deleted]  
38 Capital Defense Counsel Fund.....[Deleted]  
39 Indigent Appeals Fund.....[Deleted]  
40 Capital Post-Conviction Counsel Fund.....[Deleted]  
41 Victims of Domestic Violence Fund.....[Deleted]  
42 Public Defenders Education Fund.....[Deleted]  
43 Domestic Violence Training Fund.....[Deleted]  
44 Attorney General's Cyber Crime Unit.....[Deleted]



45	Children's Safe Center Fund.....	[Deleted]
46	DuBard School for Language Disorders Fund.....	[Deleted]
47	Children's Advocacy Centers Fund.....	[Deleted]
48	Judicial System Operation Fund.....	[Deleted]
49	<u>Civil Legal Assistance Fund</u> .....	\$ 1.00
50	<u>State General Fund</u> .....	\$ 90.50
51	<u>TOTAL STATE ASSESSMENT</u> .....	\$ 91.50

52       (2) **Implied Consent Law violations.** In addition to any  
53 monetary penalties and any other penalties imposed by law, there  
54 shall be imposed and collected the following state assessment from  
55 each person upon whom a court imposes a fine or any other penalty  
56 for any violation of the Mississippi Implied Consent Law (Section  
57 63-11-1 et seq.):

58	FUND	AMOUNT
59	Crime Victims' Compensation Fund.....	[Deleted]
60	State Court Education Fund.....	[Deleted]
61	State Prosecutor Education Fund.....	[Deleted]
62	Vulnerable Persons Training, 63       Investigation and Prosecution Trust Fund.....	[Deleted]
64	Child Support Prosecution Trust Fund.....	[Deleted]
65	Driver Training Penalty Assessment Fund.....	[Deleted]
66	Law Enforcement Officers Training Fund.....	[Deleted]
67	Emergency Medical Services Operating Fund.....	[Deleted]
68	Mississippi Alcohol Safety Education Program Fund.....	[Deleted]
69	Federal-State Alcohol Program Fund.....	[Deleted]

70 Mississippi Forensics Laboratory



71 Implied Consent Law Fund.....[Deleted]  
72 Spinal Cord and Head Injury Trust Fund.....[Deleted]  
73 Capital Defense Counsel Fund.....[Deleted]  
74 Indigent Appeals Fund.....[Deleted]  
75 Capital Post-Conviction Counsel Fund.....[Deleted]  
76 Victims of Domestic Violence Fund.....[Deleted]  
77 Law Enforcement Officers and Fire Fighters  
78 Death Benefits Trust Fund.....[Deleted]  
79 Law Enforcement Officers and Fire Fighters  
80 Disability Benefits Trust Fund.....[Deleted]  
81 State Prosecutor Compensation Fund for the purpose  
82 of providing additional compensation for  
83 district attorneys and their legal assistants.....[Deleted]  
84 Crisis Intervention Mental Health Fund.....[Deleted]  
85 Intervention Court Fund.....[Deleted]  
86 Statewide Victims' Information and  
87 Notification System Fund.....[Deleted]  
88 Public Defenders Education Fund.....[Deleted]  
89 Domestic Violence Training Fund.....[Deleted]  
90 Attorney General's Cyber Crime Unit.....[Deleted]  
91 Civil Legal Assistance Fund .....\$ 1.00  
92 State General Fund.....\$ 243.50  
93 TOTAL STATE ASSESSMENT .....\$ 244.50

94 (3) **Game and Fish Law violations.** In addition to any  
95 monetary penalties and any other penalties imposed by law, there



96 shall be imposed and collected the following state assessment from  
97 each person upon whom a court imposes a fine or other penalty for  
98 any violation of the game and fish statutes or regulations of this  
99 state:

100	FUND	AMOUNT
101	State Court Education Fund.....	[Deleted]
102	State Prosecutor Education Fund.....	[Deleted]
103	Vulnerable Persons Training,	
104	Investigation and Prosecution Trust Fund.....	[Deleted]
105	Law Enforcement Officers Training Fund.....	[Deleted]
106	Hunter Education and Training Program Fund.....	[Deleted]
107	Law Enforcement Officers and Fire Fighters	
108	Death Benefits Trust Fund.....	[Deleted]
109	Law Enforcement Officers and Fire Fighters	
110	Disability Benefits Trust Fund.....	[Deleted]
111	State Prosecutor Compensation Fund for the purpose	
112	of providing additional compensation for district	
113	attorneys and their legal assistants.....	[Deleted]
114	Crisis Intervention Mental Health Fund.....	[Deleted]
115	Intervention Court Fund.....	[Deleted]
116	Capital Defense Counsel Fund.....	[Deleted]
117	Indigent Appeals Fund.....	[Deleted]
118	Capital Post-Conviction Counsel Fund.....	[Deleted]
119	Victims of Domestic Violence Fund.....	[Deleted]
120	Public Defenders Education Fund.....	[Deleted]



121 Domestic Violence Training Fund.....[Deleted]  
122 Attorney General's Cyber Crime Unit.....[Deleted]  
123 GENERAL FUND.....\$ 89.00

124 (4) [Deleted]

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

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

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

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

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

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

142 All assessments collected under this subsection shall be  
143 deposited into the State General Fund.

144 (6) **Other misdemeanors.** In addition to any monetary  
145 penalties and any other penalties imposed by law, there shall be



146 imposed and collected the following state assessment from each  
147 person upon whom a court imposes a fine or other penalty for any  
148 misdemeanor violation not specified in subsection (1), (2) or (3)  
149 of this section, except offenses relating to vehicular parking or  
150 registration:

151	FUND	AMOUNT
152	Crime Victims' Compensation Fund.....	[Deleted]
153	State Court Education Fund.....	[Deleted]
154	State Prosecutor Education Fund.....	[Deleted]
155	Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
156	Child Support Prosecution Trust Fund.....	[Deleted]
157	Law Enforcement Officers Training Fund.....	[Deleted]
158	Capital Defense Counsel Fund.....	[Deleted]
159	Indigent Appeals Fund.....	[Deleted]
160	Capital Post-Conviction Counsel Fund.....	[Deleted]
161	Victims of Domestic Violence Fund.....	[Deleted]
162	State Crime Stoppers Fund.....	[Deleted]
163	Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund.....	[Deleted]
164	Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund.....	[Deleted]
165	State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants.....	[Deleted]



171 Crisis Intervention Mental Health Fund.....[Deleted]  
 172 Intervention Court Fund.....[Deleted]  
 173 Judicial Performance Fund.....[Deleted]  
 174 Statewide Victims' Information and  
 175 Notification System Fund.....[Deleted]  
 176 Public Defenders Education Fund.....[Deleted]  
 177 Domestic Violence Training Fund.....[Deleted]  
 178 Attorney General's Cyber Crime Unit.....[Deleted]  
 179 Information Exchange Network Fund.....[Deleted]  
 180 Motorcycle Officer Training Fund.....[Deleted]  
 181 Civil Legal Assistance Fund..... \* \* \*\$ 1.00  
 182 Justice Court Collections Fund.....[Deleted]  
 183 Municipal Court Collections Fund.....[Deleted]  
 184 State General Fund.....\$121.75  
 185 TOTAL STATE ASSESSMENT .....\$122.75

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

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





196 Vulnerable Persons Training, Investigation  
 197       and Prosecution Trust Fund.....[Deleted]  
 198 Child Support Prosecution Trust Fund.....[Deleted]  
 199 Law Enforcement Officers Training Fund.....[Deleted]  
 200 Capital Defense Counsel Fund.....[Deleted]  
 201 Indigent Appeals Fund.....[Deleted]  
 202 Capital Post-Conviction Counsel Fund.....[Deleted]  
 203 Victims of Domestic Violence Fund.....[Deleted]  
 204 Criminal Justice Fund.....[Deleted]  
 205 Law Enforcement Officers and Fire Fighters  
 206       Death Benefits Trust Fund.....[Deleted]  
 207 Law Enforcement Officers and Fire Fighters  
 208       Disability Benefits Trust Fund.....[Deleted]  
 209 State Prosecutor Compensation Fund for the purpose  
 210       of providing additional compensation for  
 211       district attorneys and their legal assistants.....[Deleted]  
 212 Crisis Intervention Mental Health Fund.....[Deleted]  
 213 Intervention Court Fund.....[Deleted]  
 214 Statewide Victims' Information and  
 215       Notification System Fund.....[Deleted]  
 216 Public Defenders Education Fund.....[Deleted]  
 217 Domestic Violence Training Fund.....[Deleted]  
 218 Attorney General's Cyber Crime Unit.....[Deleted]  
 219 Forensics Laboratory DNA Identification System Fund.....[Deleted]  
 220 Civil Legal Assistance Fund .....\$ 1.00



221 State General Fund.....\$ 280.50

222 TOTAL STATE ASSESSMENT .....\$ 281.50

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

224 (a) **Railroad crossing violations.** In addition to any  
225 monetary penalties and any other penalties imposed by law, there  
226 shall be imposed and collected the following state assessment in  
227 addition to all other state assessments due under this section  
228 from each person upon whom a court imposes a fine or other penalty  
229 for any violation involving railroad crossings under Section  
230 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

231 Operation Lifesaver Fund.....\$25.00

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

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

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

240 (c) **Motor vehicle liability insurance violations.** In  
241 addition to any monetary penalties and any other penalties imposed  
242 by law, there shall be imposed and collected the following state  
243 assessment in addition to all other state assessments due under  
244 this section from each person upon whom a court imposes a fine or



245 other penalty for any violation of Section 63-15-4(4) or Section  
246 63-16-13(1):

247 Uninsured Motorist Identification Fund:

248 First offense.....\$200.00

249 Second offense.....\$300.00

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

251 (9) If a fine or other penalty imposed is suspended, in  
252 whole or in part, such suspension shall not affect the state  
253 assessment under this section. No state assessment imposed under  
254 the provisions of this section may be suspended or reduced by the  
255 court.

256 (10) (a) After a determination by the court of the amount  
257 due, it shall be the duty of the clerk of the court to promptly  
258 collect all state assessments imposed under the provisions of this  
259 section. The state assessments imposed under the provisions of  
260 this section may not be paid by personal check.

261 (b) It shall be the duty of the chancery clerk of each  
262 county to deposit all state assessments collected in the circuit,  
263 county and justice courts in the county on a monthly basis with  
264 the State Treasurer pursuant to appropriate procedures established  
265 by the State Auditor. The chancery clerk shall make a monthly  
266 lump-sum deposit of the total state assessments collected in the  
267 circuit, county and justice courts in the county under this  
268 section, and shall report to the Department of Finance and  
269 Administration the total number of violations under each



270 subsection for which state assessments were collected in the  
271 circuit, county and justice courts in the county during that  
272 month.

273 (c) It shall be the duty of the municipal clerk of each  
274 municipality to deposit all the state assessments collected in the  
275 municipal court in the municipality on a monthly basis with the  
276 State Treasurer pursuant to appropriate procedures established by  
277 the State Auditor. The municipal clerk shall make a monthly  
278 lump-sum deposit of the total state assessments collected in the  
279 municipal court in the municipality under this section, and shall  
280 report to the Department of Finance and Administration the total  
281 number of violations under each subsection for which state  
282 assessments were collected in the municipal court in the  
283 municipality during that month.

284 (11) It shall be the duty of the Department of Finance and  
285 Administration to deposit on a monthly basis all state assessments  
286 into the State General Fund or proper special fund in the State  
287 Treasury. The Department of Finance and Administration shall  
288 issue regulations providing for the proper allocation of these  
289 funds.

290 (12) The State Auditor shall establish by regulation  
291 procedures for refunds of state assessments, including refunds  
292 associated with assessments imposed before July 1, 1990, and  
293 refunds after appeals in which the defendant's conviction is  
294 reversed. The Auditor shall provide in the regulations for



295 certification of eligibility for refunds and may require the  
296 defendant seeking a refund to submit a verified copy of a court  
297 order or abstract by which the defendant is entitled to a refund.  
298 All refunds of state assessments shall be made in accordance with  
299 the procedures established by the Auditor.

300         **SECTION 2.** This act shall take effect and be in force from  
301 and after July 1, 2023.

