

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

To: Appropriations

HOUSE BILL NO. 1638

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF
3 THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Office of Capital Post-Conviction Counsel, for the
9 fiscal year beginning July 1, 2023, and ending June 30, 2024.....
10\$ 1,985,529.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the State
13 Treasury to the credit of the Office of Capital Post-Conviction
14 Counsel, for the purpose of defraying the expenses of the Office
15 of Capital Post-Conviction Counsel of the State of Mississippi for
16 the fiscal year beginning July 1, 2023, and ending June 30, 2024..
17\$ 215,258.00.



18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 1, the following positions are authorized:

20 AUTHORIZED HEADCOUNT:

21 Permanent: 9

22 Time-Limited: 0

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

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28 act and which are withdrawn and no longer available.

29 **SECTION 4.** It is the intention of the Legislature that the
30 Office of Capital Post-Conviction Counsel shall maintain complete
31 accounting and personnel records related to the expenditure of all
32 funds appropriated under this act and that such records shall be
33 in the same format and level of detail as maintained for Fiscal
34 Year 2023. It is further the intention of the Legislature that
35 the agency's budget request for Fiscal Year 2025 shall be
36 submitted to the Joint Legislative Budget Committee in a format
37 and level of detail comparable to the format and level of detail
38 provided during the Fiscal Year 2024 budget request process.

39 **SECTION 5.** It is the intention of the Legislature that the
40 funds herein appropriated shall be expended in compliance with
41 Section 27-104-25, Mississippi Code of 1972, that no state agency
42 shall incur obligations or indebtedness in excess of their



43 appropriation and that the responsible officers, either personally
44 or upon their official bonds, shall be held responsible for
45 actions contrary to this provision.

46 **SECTION 6.** The money herein appropriated shall be paid by
47 the State Treasurer out of any money in the State Treasury to the
48 credit of the proper fund or funds as set forth in this act, upon
49 warrants issued by the State Fiscal Officer; and the State Fiscal
50 Officer shall issue his warrants upon requisitions signed by the
51 proper person, officer or officers, in the manner provided by law.

52 **SECTION 7.** This act shall take effect and be in force from
53 and after July 1, 2023, and shall stand repealed June 30, 2023.

