

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

HOUSE BILL NO. 1640 (As Sent to Governor)

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 2024;
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, 2023, and ending June 30, 2024.....
16 .....\$ 7,400,165.00.

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, 2023, and  
24 ending June 30, 2024 .....\$ 961,751.00.

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 HEADCOUNT:

30 Permanent: 70

31 Time-Limited: 0

32 **SECTION 4.** The following sum, or so much thereof as may be  
33 necessary, is appropriated out of any money in the State General  
34 Fund not otherwise appropriated to the Mississippi State Supreme  
35 Court for the purpose of defraying the expenses of special judges,  
36 chancellors and circuit judges for the fiscal year beginning  
37 July 1, 2023, and ending June 30, 2024.....  
38 .....\$ 31,034,839.00.

39 **SECTION 5.** The following sum, or so much thereof as may be  
40 necessary, is appropriated out of any money in any special fund in  
41 the State Treasury to the credit of the trial judges, for the  
42 purpose of defraying the expenses of special judges, chancellors  
43 and circuit judges for the fiscal year beginning July 1, 2023, and  
44 ending June 30, 2024.....\$ 4,192,368.00.

45 **SECTION 6.** Of the funds appropriated under Sections 4 and 5  
46 of this act for the purpose of defraying the expenses of special



47 judges, chancellors and circuit judges, the following positions  
48 are authorized:

49 AUTHORIZED HEADCOUNT:

50 Permanent: 109

51 Time-Limited: 0

52 **SECTION 7.** Of the funds appropriated under Sections 4 and 5  
53 of this act, Ten Million Nine Hundred Thousand Dollars  
54 (\$10,900,000.00) is provided for the purpose of employing support  
55 staff in an amount not to exceed One Hundred Thousand Dollars  
56 (\$100,000.00) per fiscal year per judge.

57 **SECTION 8.** The following sum, or so much thereof as may be  
58 necessary, is appropriated out of any money in the State General  
59 Fund, not otherwise appropriated, for the purpose of funding the  
60 Administrative Office of Courts for the fiscal year beginning  
61 July 1, 2023, and ending June 30, 2024.....\$ 16,072,101.00.

62 **SECTION 9.** The following sum, or so much thereof as may be  
63 necessary, is appropriated out of any money in any special fund in  
64 the State Treasury to the credit of the Administrative Office of  
65 Courts for the purpose of defraying the expenses of the  
66 Administrative Office of Courts and the Board of Certified Court  
67 Reporters for the fiscal year beginning July 1, 2023, and ending  
68 June 30, 2024.....\$ 28,304,212.00.

69 **SECTION 10.** Of the funds appropriated under the provisions  
70 of Section 9, Three Hundred Ten Thousand Dollars (\$310,000.00), or  
71 so much thereof, shall be derived out of any money in the State



72 Treasury to the credit of the Capital Expense Fund, as created in  
73 Section 27-103-303, Mississippi Code of 1972, and allocated in a  
74 manner as determined by the State Treasurer. These funds are  
75 provided for IT equipment and Youth Court computers for the  
76 Supreme Court - Administrative Office of the Courts.

77       **SECTION 11.** Of the funds appropriated under the provisions  
78 of Section 9, Five Hundred Thousand Dollars (\$500,000.00), or so  
79 much thereof, shall be derived out of any money in the State  
80 Treasury to the credit of the Capital Expense Fund, as created in  
81 Section 27-103-303, Mississippi Code of 1972, and allocated in a  
82 manner as determined by the State Treasurer. These funds are  
83 provided for temporary In-take Officers for the Supreme Court -  
84 Administrative Office of the Courts.

85       **SECTION 12.** Of the funds appropriated under the provisions  
86 of this act for the purpose of funding the Administrative Office  
87 of Courts, the following positions are authorized:

88       AUTHORIZED HEADCOUNT:

89           Permanent:                   48

90           Time-Limited:               0

91       **SECTION 13.** The following sum, or so much thereof as may be  
92 necessary, is appropriated out of any money in the Continuing  
93 Legal Education Fund, a special fund hereby created in the State  
94 Treasury, for the purpose of defraying the expenses of providing  
95 continuing legal education programs to lawyers in Mississippi, for  
96 the fiscal year beginning July 1, 2023, and ending June 30, 2024..



97 .....\$ 158,857.00.

98 **SECTION 14.** It is the intention of the Legislature that  
99 interest earned from any investment or deposit to the Continuing  
100 Legal Education Fund made pursuant to Section 27-105-33,  
101 Mississippi Code of 1972, shall be credited by the State Treasurer  
102 to the Continuing Legal Education Fund and shall not be paid into  
103 the General Fund of Mississippi.

104 **SECTION 15.** Of the funds appropriated under the provisions  
105 of this act for the purpose of providing continuing legal  
106 education programs, the following positions are authorized:

107 AUTHORIZED HEADCOUNT:

108 Permanent: 2  
109 Time-Limited: 0

110 **SECTION 16.** The following sum, or so much thereof as may be  
111 necessary, is appropriated out of any money in the State General  
112 Fund not otherwise appropriated to the Mississippi State Supreme  
113 Court for the purpose of defraying the expenses of the Court of  
114 Appeals for the fiscal year beginning July 1, 2023, and ending  
115 June 30, 2024.....\$ 5,225,711.00.

116 **SECTION 17.** The following sum, or so much thereof as may be  
117 necessary, is appropriated out of any money in the special fund in  
118 the State Treasury to the credit of the Mississippi State Supreme  
119 Court, for the purpose of defraying the expenses of the Court of  
120 Appeals for the fiscal year beginning July 1, 2023, and ending  
121 June 30, 2024.....\$ 1,611,293.00.



122           **SECTION 18.** Of the funds appropriated under the provisions  
123 of this act for the purpose of defraying the expenses of the Court  
124 of Appeals, the following positions are authorized:

125       AUTHORIZED HEADCOUNT:

126           Permanent:                       58

127           Time-Limited:                   0

128           **SECTION 19.** The following sum, or so much thereof as may be  
129 necessary, is appropriated out of any money in the special fund in  
130 the State Treasury to the credit of the Board of Bar Admissions,  
131 for the purpose of defraying the expenses of the board for the  
132 fiscal year beginning July 1, 2023, and ending June 30, 2024.....

133 .....\$                                       358,884.00.

134           **SECTION 20.** It is the intention of the Legislature that  
135 interest earned from any investment or deposit to the Board of Bar  
136 Admissions Fund made pursuant to Section 27-105-33, Mississippi  
137 Code of 1972, shall be credited by the State Treasurer to the  
138 Board of Bar Admissions Fund and shall not be paid into the  
139 General Fund of Mississippi.

140           **SECTION 21.** Of the funds appropriated under the provisions  
141 of this act for the purpose of funding the Board of Bar  
142 Admissions, the following positions are authorized:

143       AUTHORIZED HEADCOUNT:

144           Permanent:                       3

145           Time-Limited:                   0



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

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

152 **SECTION 22.** No part of the funds herein appropriated shall  
153 be used in the payment of attorney's fees, nor shall any of such  
154 funds be used, either directly or indirectly, for the purpose of  
155 paying any clerk, stenographer, assistant, deputy or other person  
156 who may be related by blood or marriage within the third degree,  
157 computed by the rules of civil law, to the official employing or  
158 having the right of employment or selection thereof; and in the  
159 event of any such payment, then the official or person approving  
160 and making or receiving such payment shall be jointly and  
161 severally liable to return to the State of Mississippi and to pay  
162 into the State Treasury three (3) times any such amount so paid or  
163 received, to be recovered at suit of the Attorney General;  
164 however, when the relationship is by affinity and the person  
165 through whom the relationship was established is dead, this  
166 provision shall not apply.

167 **SECTION 23.** It is the intent of the Legislature that the  
168 Mississippi State Supreme Court shall charge the maximum amount  
169 allowable by law for services rendered where charges for such  
170 services are provided for by statute, and for any other services



171 rendered, shall charge an amount consistent with the cost of  
172 providing such services. The funds derived from these charges  
173 shall be deposited into a special fund account in the State  
174 Treasury to the credit of the Office of the Mississippi State  
175 Supreme Court.

176 **SECTION 24.** It is the intent of the Legislature that no part  
177 of the funds herein appropriated shall be required to be used for  
178 the payment of rent for the public space in the Law Library.

179 **SECTION 25.** It is the intention of the Legislature that  
180 whenever two (2) or more bids are received by this agency for the  
181 purchase of commodities or equipment, and whenever all things  
182 stated in such received bids are equal with respect to price,  
183 quality and service, the Mississippi Industries for the Blind  
184 shall be given preference. A similar preference shall be given to  
185 the Mississippi Industries for the Blind whenever purchases are  
186 made without competitive bids.

187 **SECTION 26.** Of the funds appropriated under the provisions  
188 of this act, an amount not to exceed Two Million Four Hundred  
189 Sixty Thousand Five Hundred Dollars (\$2,460,500.00) may be  
190 provided for the Comprehensive Electronic Court Systems Fund  
191 administered by the Administrative Office of Courts.

192 **SECTION 27.** It is the intention of the Legislature that the  
193 Mississippi State Supreme Court shall maintain complete accounting  
194 and personnel records related to the expenditure of all funds  
195 appropriated under this act and that such records shall be in the





196 same format and level of detail as maintained for Fiscal Year  
197 2023. It is further the intention of the Legislature that the  
198 agency's budget request for Fiscal Year 2025 shall be submitted to  
199 the Joint Legislative Budget Committee in a format and level of  
200 detail comparable to the format and level of detail provided  
201 during the Fiscal Year 2024 budget request process.

202       **SECTION 28.** Of the funds appropriated under the provisions  
203 of this act, Two Million Five Hundred Thousand Dollars  
204 (\$2,500,000.00) shall be provided for the Youth Court Support Fund  
205 administered by the Administrative Office of Courts.

206       **SECTION 29.** Of the funds appropriated in Section 8, Nine  
207 Million Dollars (\$9,000,000.00) is provided to defray the costs of  
208 the Drug Court Program.

209       **SECTION 30.** It is the intention of the Legislature that in  
210 the event there are not sufficient funds in the Judicial System  
211 Operation Fund created under Section 9-21-45, Mississippi Code of  
212 1972, in any given year with which to pay the annual salary  
213 supplements set forth in Section 25-3-35, Mississippi Code of  
214 1972, then the county treasury shall not be obligated to fund such  
215 salary supplements and the salary of county court judges shall be  
216 that in place prior to the passage of Section 9-9-11, Mississippi  
217 Code of 1972.

218       **SECTION 31.** Of the funds appropriated in Section 8, it is  
219 the intention of the Legislature that an amount of Six Million  
220 Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated



221 for the programs supported from General Fund court assessments as  
222 follows:

223 Drug Courts.....\$ 6,500,000.00  
224 Civil Legal Assistance.....\$ 200,000.00

225 **SECTION 32.** The following sum, or so much thereof as may be  
226 necessary, is reappropriated out of any money in the Capital  
227 Expense Fund not otherwise appropriated for the Supreme Court -  
228 Administrative Office of the Courts for the purpose of  
229 reauthorizing the expenditure of Capital Expense Funds, as  
230 authorized in HB 1628, 2022 Regular Session to provide for IT  
231 equipment and Youth Court computers for the Supreme Court -  
232 Administrative Office of the Courts for the fiscal year beginning  
233 July 1, 2023, and ending June 30, 2024.....\$ 90,000.00.

234 Notwithstanding the amount reappropriated under this section,  
235 the amount that may be expended under the authority of this  
236 section shall not exceed the unexpended balance of the funds  
237 remaining as of June 30, 2023, from the amount authorized for the  
238 previous fiscal year. In addition, this reappropriation shall not  
239 change the purpose for which the funds were originally authorized.

240 **SECTION 33.** The following sum, or so much thereof as may be  
241 necessary, is reappropriated out of any money in the Capital  
242 Expense Fund not otherwise appropriated for the Supreme Court -  
243 Administrative Office of the Courts for the purpose of  
244 reauthorizing the expenditure of Capital Expense Funds, as  
245 authorized in HB 1628, 2022 Regular Session to provide for



246 programmers, trainers and operations for the Mississippi  
247 Electronic Courts (MEC) System to meet the mandate to bring all  
248 the courts into the MEC System for the Supreme Courts -  
249 Administrative Office of the Courts for the fiscal year beginning  
250 July 1, 2023, and ending June 30, 2024.....\$ 435,000.00.

251 Notwithstanding the amount reappropriated under this section,  
252 the amount that may be expended under the authority of this  
253 section shall not exceed the unexpended balance of the funds  
254 remaining as of June 30, 2023, from the amount authorized for the  
255 previous fiscal year. In addition, this reappropriation shall not  
256 change the purpose for which the funds were originally authorized.

257 **SECTION 34.** The money herein appropriated shall be paid by  
258 the State Treasurer out of any money in the State Treasury to the  
259 credit of the proper fund or funds as set forth in this act, upon  
260 warrants issued by the State Fiscal Officer; and the State Fiscal  
261 Officer shall issue his warrants upon requisitions signed by the  
262 proper person, officer or officers, in the manner provided by law.

263 **SECTION 35.** This act shall take effect and be in force from  
264 and after July 1, 2023.

