

Senate Amendments to House Bill No. 1640

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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\$ 7,319,478.00.

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\$ 937,470.00.

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\$ 27,784,839.00.

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, Eight Million Seven Hundred Twenty Thousand Dollars
54 (\$8,720,000.00) is provided for the purpose of employing support
55 staff in an amount not to exceed Eighty Thousand Dollars
56 (\$80,000.00) 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.....\$ 14,988,442.00.

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.....\$ 26,144,090.00.

69 **SECTION 10.** Of the funds appropriated under the provisions
70 of this act for the purpose of funding the Administrative Office
71 of Courts, the following positions are authorized:

72 AUTHORIZED HEADCOUNT:
73 Permanent: 40
74 Time-Limited: 0

75 **SECTION 11.** The following sum, or so much thereof as may be
76 necessary, is appropriated out of any money in the Continuing
77 Legal Education Fund, a special fund hereby created in the State

78 Treasury, for the purpose of defraying the expenses of providing
79 continuing legal education programs to lawyers in Mississippi, for
80 the fiscal year beginning July 1, 2023, and ending
81 June 30, 2024.....\$ 156,356.00.

82 **SECTION 12.** It is the intention of the Legislature that
83 interest earned from any investment or deposit to the Continuing
84 Legal Education Fund made pursuant to Section 27-105-33,
85 Mississippi Code of 1972, shall be credited by the State Treasurer
86 to the Continuing Legal Education Fund and shall not be paid into
87 the General Fund of Mississippi.

88 **SECTION 13.** Of the funds appropriated under the provisions
89 of this act for the purpose of providing continuing legal
90 education programs, the following positions are authorized:

91 AUTHORIZED HEADCOUNT:

92 Permanent: 2

93 Time-Limited: 0

94 **SECTION 14.** The following sum, or so much thereof as may be
95 necessary, is appropriated out of any money in the State General
96 Fund not otherwise appropriated to the Mississippi State Supreme
97 Court for the purpose of defraying the expenses of the Court of
98 Appeals for the fiscal year beginning July 1, 2023, and ending
99 June 30, 2024.....\$ 5,166,098.00.

100 **SECTION 15.** The following sum, or so much thereof as may be
101 necessary, is appropriated out of any money in the special fund in
102 the State Treasury to the credit of the Mississippi State Supreme
103 Court, for the purpose of defraying the expenses of the Court of

104 Appeals for the fiscal year beginning July 1, 2023, and ending
105 June 30, 2024.....\$ 1,591,422.00.

106 **SECTION 16.** Of the funds appropriated under the provisions
107 of this act for the purpose of defraying the expenses of the Court
108 of Appeals, the following positions are authorized:

109 AUTHORIZED HEADCOUNT:

110 Permanent: 58

111 Time-Limited: 0

112 **SECTION 17.** The following sum, or so much thereof as may be
113 necessary, is appropriated out of any money in the special fund in
114 the State Treasury to the credit of the Board of Bar Admissions,
115 for the purpose of defraying the expenses of the board for the
116 fiscal year beginning July 1, 2023, and ending
117 June 30, 2024.....\$ 336,480.00.

118 **SECTION 18.** It is the intention of the Legislature that
119 interest earned from any investment or deposit to the Board of Bar
120 Admissions Fund made pursuant to Section 27-105-33, Mississippi
121 Code of 1972, shall be credited by the State Treasurer to the
122 Board of Bar Admissions Fund and shall not be paid into the
123 General Fund of Mississippi.

124 **SECTION 19.** Of the funds appropriated under the provisions
125 of this act for the purpose of funding the Board of Bar
126 Admissions, the following positions are authorized:

127 AUTHORIZED HEADCOUNT:

128 Permanent: 3

129 Time-Limited: 0

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

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

136 **SECTION 20.** No part of the funds herein appropriated shall
137 be used in the payment of attorney's fees, nor shall any of such
138 funds be used, either directly or indirectly, for the purpose of
139 paying any clerk, stenographer, assistant, deputy or other person
140 who may be related by blood or marriage within the third degree,
141 computed by the rules of civil law, to the official employing or
142 having the right of employment or selection thereof; and in the
143 event of any such payment, then the official or person approving
144 and making or receiving such payment shall be jointly and
145 severally liable to return to the State of Mississippi and to pay
146 into the State Treasury three (3) times any such amount so paid or
147 received, to be recovered at suit of the Attorney General;
148 however, when the relationship is by affinity and the person
149 through whom the relationship was established is dead, this
150 provision shall not apply.

151 **SECTION 21.** It is the intent of the Legislature that the
152 Mississippi State Supreme Court shall charge the maximum amount
153 allowable by law for services rendered where charges for such
154 services are provided for by statute, and for any other services
155 rendered, shall charge an amount consistent with the cost of

156 providing such services. The funds derived from these charges
157 shall be deposited into a special fund account in the State
158 Treasury to the credit of the Office of the Mississippi State
159 Supreme Court.

160 **SECTION 22.** It is the intent of the Legislature that no part
161 of the funds herein appropriated shall be required to be used for
162 the payment of rent for the public space in the Law Library.

163 **SECTION 23.** It is the intention of the Legislature that
164 whenever two (2) or more bids are received by this agency for the
165 purchase of commodities or equipment, and whenever all things
166 stated in such received bids are equal with respect to price,
167 quality and service, the Mississippi Industries for the Blind
168 shall be given preference. A similar preference shall be given to
169 the Mississippi Industries for the Blind whenever purchases are
170 made without competitive bids.

171 **SECTION 24.** Of the funds appropriated under the provisions
172 of this act, an amount not to exceed Two Million Four Hundred
173 Sixty Thousand Five Hundred Dollars (\$2,460,500.00) may be
174 provided for the Comprehensive Electronic Court Systems Fund
175 administered by the Administrative Office of Courts.

176 **SECTION 25.** It is the intention of the Legislature that the
177 Mississippi State Supreme Court shall maintain complete accounting
178 and personnel records related to the expenditure of all funds
179 appropriated under this act and that such records shall be in the
180 same format and level of detail as maintained for Fiscal Year
181 2023. It is further the intention of the Legislature that the

182 agency's budget request for Fiscal Year 2025 shall be submitted to
183 the Joint Legislative Budget Committee in a format and level of
184 detail comparable to the format and level of detail provided
185 during the Fiscal Year 2024 budget request process.

186 **SECTION 26.** Of the funds appropriated under the provisions
187 of this act, Two Million Five Hundred Thousand Dollars
188 (\$2,500,000.00) shall be provided for the Youth Court Support Fund
189 administered by the Administrative Office of Courts.

190 **SECTION 27.** Of the funds appropriated in Section 8, Nine
191 Million Dollars (\$9,000,000.00) is provided to defray the costs of
192 the Drug Court Program.

193 **SECTION 28.** It is the intention of the Legislature that in
194 the event there are not sufficient funds in the Judicial System
195 Operation Fund created under Section 9-21-45, Mississippi Code of
196 1972, in any given year with which to pay the annual salary
197 supplements set forth in HB 484, 2012 Regular Session, then the
198 county treasury shall not be obligated to fund such salary
199 supplements and the salary of county court judges shall be that in
200 place prior to the passage of HB 484, 2012 Regular Session.

201 **SECTION 29.** Of the funds appropriated in Section 8, it is
202 the intention of the Legislature that an amount of Six Million
203 Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated
204 for the programs supported from General Fund court assessments as
205 follows:

206	Drug Courts.....	\$	6,500,000.00
207	Civil Legal Assistance.....	\$	200,000.00

208 **SECTION 30.** The following sum, or so much thereof as may be
209 necessary, is reappropriated out of any money in the Capital
210 Expense Fund not otherwise appropriated for the Supreme Court -
211 Administrative Office of the Courts for the purpose of
212 reauthorizing the expenditure of Capital Expense Funds, as
213 authorized in HB 1628, 2022 Regular Session to provide for IT
214 equipment and Youth Court computers for the Supreme Court -
215 Administrative Office of the Courts for the fiscal year beginning
216 July 1, 2023, and ending June 30, 2024.....\$ 90,000.00.

217 Notwithstanding the amount reappropriated under this section,
218 the amount that may be expended under the authority of this
219 section shall not exceed the unexpended balance of the funds
220 remaining as of June 30, 2023, from the amount authorized for the
221 previous fiscal year. In addition, this reappropriation shall not
222 change the purpose for which the funds were originally authorized.

223 **SECTION 31.** The following sum, or so much thereof as may be
224 necessary, is reappropriated out of any money in the Capital
225 Expense Fund not otherwise appropriated for the Supreme Court -
226 Administrative Office of the Courts for the purpose of
227 reauthorizing the expenditure of Capital Expense Funds, as
228 authorized in HB 1628, 2022 Regular Session to provide for
229 programmers, trainers and operations for the Mississippi
230 Electronic Courts (MEC) System to meet the mandate to bring all
231 the courts into the MEC System for the Supreme Courts -
232 Administrative Office of the Courts for the fiscal year beginning
233 July 1, 2023, and ending June 30, 2024.....\$ 435,000.00.

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 32.** The money herein appropriated shall be paid by
241 the State Treasurer out of any money in the State Treasury to the
242 credit of the proper fund or funds as set forth in this act, upon
243 warrants issued by the State Fiscal Officer; and the State Fiscal
244 Officer shall issue his warrants upon requisitions signed by the
245 proper person, officer or officers, in the manner provided by law.

246 **SECTION 33.** This act shall take effect and be in force from
247 and after July 1, 2023, and shall be repealed June 29, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

SS15\HB1640A.J

Eugene S. Clarke
Secretary of the Senate