

**Pending
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2266

BY: Committee

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

8 **SECTION 1.** Section 9-1-59, Mississippi Code of 1972, is
9 amended as follows:

10 9-1-59. (1) Each circuit, chancery and county court in this
11 state shall require all pleadings and other papers to be served,
12 filed, signed or verified by electronic means in conformity with
13 the Mississippi Electronic Court System procedures by July 1,
14 2021.

15 (2) Full-time and part-time public defenders shall have free
16 access to the Mississippi Electronic Court System records for
17 matters involving indigent defendants.



18 (3) The Supreme Court shall provide an annual report of all
19 monies paid to the court for use or access to use the Mississippi
20 Electronic Court System to the Chairpersons of the Judiciary A,
21 Judiciary B and Appropriation Committees of the Mississippi House
22 of Representatives and Senate which shall include an itemized list
23 of:

24 (a) Total revenue received from any fees or monies paid
25 by attorneys or any other agency or political subdivision of the
26 state to use the Mississippi Electronic Court System;

27 (b) Any expenditures from such fees in a detailed
28 format; and

29 (c) The balance of the funds after expenditures.

30 **SECTION 2.** Section 99-19-73, Mississippi Code of 1972, is
31 brought forward as follows:

32 99-19-73. (1) **Traffic violations.** In addition to any
33 monetary penalties and any other penalties imposed by law, there
34 shall be imposed and collected the following state assessment from
35 each person upon whom a court imposes a fine or other penalty for
36 any violation in Title 63, Mississippi Code of 1972, except
37 offenses relating to the Mississippi Implied Consent Law (Section
38 63-11-1 et seq.) and offenses relating to vehicular parking or
39 registration:

40	FUND	AMOUNT
41	State Court Education Fund.....	[Deleted]
42	State Prosecutor Education Fund.....	[Deleted]



43 Vulnerable Persons Training,
44 Investigation and Prosecution Trust Fund.....[Deleted]
45 Child Support Prosecution Trust Fund.....[Deleted]
46 Driver Training Penalty Assessment Fund.....[Deleted]
47 Law Enforcement Officers Training Fund.....[Deleted]
48 Spinal Cord and Head Injury Trust Fund
49 (for all moving violations).....[Deleted]
50 Emergency Medical Services Operating Fund.....[Deleted]
51 Mississippi Leadership Council on Aging Fund.....[Deleted]
52 Law Enforcement Officers and Fire Fighters
53 Death Benefits Trust Fund.....[Deleted]
54 Law Enforcement Officers and Fire Fighters
55 Disability Benefits Trust Fund.....[Deleted]
56 State Prosecutor Compensation Fund for the purpose
57 of providing additional compensation for
58 district attorneys and their legal assistants.....[Deleted]
59 Crisis Intervention Mental Health Fund.....[Deleted]
60 Intervention Court Fund.....[Deleted]
61 Judicial Performance Fund.....[Deleted]
62 Capital Defense Counsel Fund.....[Deleted]
63 Indigent Appeals Fund.....[Deleted]
64 Capital Post-Conviction Counsel Fund.....[Deleted]
65 Victims of Domestic Violence Fund.....[Deleted]
66 Public Defenders Education Fund.....[Deleted]
67 Domestic Violence Training Fund.....[Deleted]



68 Attorney General's Cyber Crime Unit.....[Deleted]
 69 Children's Safe Center Fund.....[Deleted]
 70 DuBard School for Language Disorders Fund.....[Deleted]
 71 Children's Advocacy Centers Fund.....[Deleted]
 72 Judicial System Operation Fund.....[Deleted]
 73 GENERAL FUND.....\$ 90.50

74 (2) **Implied Consent Law violations.** In addition to any
 75 monetary penalties and any other penalties imposed by law, there
 76 shall be imposed and collected the following state assessment from
 77 each person upon whom a court imposes a fine or any other penalty
 78 for any violation of the Mississippi Implied Consent Law (Section
 79 63-11-1 et seq.):

80 FUND	AMOUNT
81 Crime Victims' Compensation Fund.....	[Deleted]
82 State Court Education Fund.....	[Deleted]
83 State Prosecutor Education Fund.....	[Deleted]
84 Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
86 Child Support Prosecution Trust Fund.....	[Deleted]
87 Driver Training Penalty Assessment Fund.....	[Deleted]
88 Law Enforcement Officers Training Fund.....	[Deleted]
89 Emergency Medical Services Operating Fund.....	[Deleted]
90 Mississippi Alcohol Safety Education Program Fund.....	[Deleted]
91 Federal-State Alcohol Program Fund.....	[Deleted]
92 Mississippi Forensics Laboratory	



93 Implied Consent Law Fund.....[Deleted]

94 Spinal Cord and Head Injury Trust Fund.....[Deleted]

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

96 Indigent Appeals Fund.....[Deleted]

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

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

99 Law Enforcement Officers and Fire Fighters

100 Death Benefits Trust Fund.....[Deleted]

101 Law Enforcement Officers and Fire Fighters

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

103 State Prosecutor Compensation Fund for the purpose

104 of providing additional compensation for

105 district attorneys and their legal assistants.....[Deleted]

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

107 Intervention Court Fund.....[Deleted]

108 Statewide Victims' Information and

109 Notification System Fund.....[Deleted]

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

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

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

113 GENERAL FUND.....\$ 243.50

114 (3) **Game and Fish Law violations.** In addition to any

115 monetary penalties and any other penalties imposed by law, there

116 shall be imposed and collected the following state assessment from

117 each person upon whom a court imposes a fine or other penalty for



118 any violation of the game and fish statutes or regulations of this
119 state:

120	FUND	AMOUNT
121	State Court Education Fund.....	[Deleted]
122	State Prosecutor Education Fund.....	[Deleted]
123	Vulnerable Persons Training,	
124	Investigation and Prosecution Trust Fund.....	[Deleted]
125	Law Enforcement Officers Training Fund.....	[Deleted]
126	Hunter Education and Training Program Fund.....	[Deleted]
127	Law Enforcement Officers and Fire Fighters	
128	Death Benefits Trust Fund.....	[Deleted]
129	Law Enforcement Officers and Fire Fighters	
130	Disability Benefits Trust Fund.....	[Deleted]
131	State Prosecutor Compensation Fund for the purpose	
132	of providing additional compensation for district	
133	attorneys and their legal assistants.....	[Deleted]
134	Crisis Intervention Mental Health Fund.....	[Deleted]
135	Intervention Court Fund.....	[Deleted]
136	Capital Defense Counsel Fund.....	[Deleted]
137	Indigent Appeals Fund.....	[Deleted]
138	Capital Post-Conviction Counsel Fund.....	[Deleted]
139	Victims of Domestic Violence Fund.....	[Deleted]
140	Public Defenders Education Fund.....	[Deleted]
141	Domestic Violence Training Fund.....	[Deleted]
142	Attorney General's Cyber Crime Unit.....	[Deleted]



143 GENERAL FUND.....\$ 89.00

144 (4) [Deleted]

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

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

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

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

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

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

162 All assessments collected under this subsection shall be
163 deposited into the State General Fund.

164 (6) **Other misdemeanors.** In addition to any monetary
165 penalties and any other penalties imposed by law, there shall be
166 imposed and collected the following state assessment from each
167 person upon whom a court imposes a fine or other penalty for any



168 misdemeanor violation not specified in subsection (1), (2) or (3)
169 of this section, except offenses relating to vehicular parking or
170 registration:

171	FUND	AMOUNT
172	Crime Victims' Compensation Fund.....	[Deleted]
173	State Court Education Fund.....	[Deleted]
174	State Prosecutor Education Fund.....	[Deleted]
175	Vulnerable Persons Training, Investigation	
176	and Prosecution Trust Fund.....	[Deleted]
177	Child Support Prosecution Trust Fund.....	[Deleted]
178	Law Enforcement Officers Training Fund.....	[Deleted]
179	Capital Defense Counsel Fund.....	[Deleted]
180	Indigent Appeals Fund.....	[Deleted]
181	Capital Post-Conviction Counsel Fund.....	[Deleted]
182	Victims of Domestic Violence Fund.....	[Deleted]
183	State Crime Stoppers Fund.....	[Deleted]
184	Law Enforcement Officers and Fire Fighters	
185	Death Benefits Trust Fund.....	[Deleted]
186	Law Enforcement Officers and Fire Fighters	
187	Disability Benefits Trust Fund.....	[Deleted]
188	State Prosecutor Compensation Fund for the purpose	
189	of providing additional compensation for	
190	district attorneys and their legal assistants.....	[Deleted]
191	Crisis Intervention Mental Health Fund.....	[Deleted]
192	Intervention Court Fund.....	[Deleted]



193 Judicial Performance Fund..... [Deleted]
 194 Statewide Victims' Information and
 195 Notification System Fund..... [Deleted]
 196 Public Defenders Education Fund..... [Deleted]
 197 Domestic Violence Training Fund..... [Deleted]
 198 Attorney General's Cyber Crime Unit..... [Deleted]
 199 Information Exchange Network Fund..... [Deleted]
 200 Motorcycle Officer Training Fund..... [Deleted]
 201 Civil Legal Assistance Fund..... [Deleted]
 202 Justice Court Collections Fund..... [Deleted]
 203 Municipal Court Collections Fund..... [Deleted]

204 GENERAL FUND.....\$121.75

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

211 FUND	AMOUNT
212 Crime Victims' Compensation Fund.....	[Deleted]
213 State Court Education Fund.....	[Deleted]
214 State Prosecutor Education Fund.....	[Deleted]
215 Vulnerable Persons Training, Investigation 216 and Prosecution Trust Fund.....	[Deleted]
217 Child Support Prosecution Trust Fund.....	[Deleted]



218 Law Enforcement Officers Training Fund.....[Deleted]

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

220 Indigent Appeals Fund.....[Deleted]

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

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

223 Criminal Justice Fund.....[Deleted]

224 Law Enforcement Officers and Fire Fighters

225 Death Benefits Trust Fund.....[Deleted]

226 Law Enforcement Officers and Fire Fighters

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

228 State Prosecutor Compensation Fund for the purpose

229 of providing additional compensation for

230 district attorneys and their legal assistants.....[Deleted]

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

232 Intervention Court Fund.....[Deleted]

233 Statewide Victims' Information and

234 Notification System Fund.....[Deleted]

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

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

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

238 Forensics Laboratory DNA Identification System Fund.....[Deleted]

239 GENERAL FUND.....\$ 280.50

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

241 (a) **Railroad crossing violations.** In addition to any

242 monetary penalties and any other penalties imposed by law, there



243 shall be imposed and collected the following state assessment in
244 addition to all other state assessments due under this section
245 from each person upon whom a court imposes a fine or other penalty
246 for any violation involving railroad crossings under Section
247 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

248 Operation Lifesaver Fund.....\$25.00

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

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

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

257 (c) **Motor vehicle liability insurance violations.** In
258 addition to any monetary penalties and any other penalties imposed
259 by law, there shall be imposed and collected the following state
260 assessment in addition to all other state assessments due under
261 this section from each person upon whom a court imposes a fine or
262 other penalty for any violation of Section 63-15-4(4) or Section
263 63-16-13(1):

264 Uninsured Motorist Identification Fund:

265 First offense.....\$200.00

266 Second offense.....\$300.00

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



268 (9) If a fine or other penalty imposed is suspended, in
269 whole or in part, such suspension shall not affect the state
270 assessment under this section. No state assessment imposed under
271 the provisions of this section may be suspended or reduced by the
272 court.

273 (10) (a) After a determination by the court of the amount
274 due, it shall be the duty of the clerk of the court to promptly
275 collect all state assessments imposed under the provisions of this
276 section. The state assessments imposed under the provisions of
277 this section may not be paid by personal check.

278 (b) It shall be the duty of the chancery clerk of each
279 county to deposit all state assessments collected in the circuit,
280 county and justice courts in the county on a monthly basis with
281 the State Treasurer pursuant to appropriate procedures established
282 by the State Auditor. The chancery clerk shall make a monthly
283 lump-sum deposit of the total state assessments collected in the
284 circuit, county and justice courts in the county under this
285 section, and shall report to the Department of Finance and
286 Administration the total number of violations under each
287 subsection for which state assessments were collected in the
288 circuit, county and justice courts in the county during that
289 month.

290 (c) It shall be the duty of the municipal clerk of each
291 municipality to deposit all the state assessments collected in the
292 municipal court in the municipality on a monthly basis with the



293 State Treasurer pursuant to appropriate procedures established by
294 the State Auditor. The municipal clerk shall make a monthly
295 lump-sum deposit of the total state assessments collected in the
296 municipal court in the municipality under this section, and shall
297 report to the Department of Finance and Administration the total
298 number of violations under each subsection for which state
299 assessments were collected in the municipal court in the
300 municipality during that month.

301 (11) It shall be the duty of the Department of Finance and
302 Administration to deposit on a monthly basis all state assessments
303 into the State General Fund or proper special fund in the State
304 Treasury. The Department of Finance and Administration shall
305 issue regulations providing for the proper allocation of these
306 funds.

307 (12) The State Auditor shall establish by regulation
308 procedures for refunds of state assessments, including refunds
309 associated with assessments imposed before July 1, 1990, and
310 refunds after appeals in which the defendant's conviction is
311 reversed. The Auditor shall provide in the regulations for
312 certification of eligibility for refunds and may require the
313 defendant seeking a refund to submit a verified copy of a court
314 order or abstract by which the defendant is entitled to a refund.
315 All refunds of state assessments shall be made in accordance with
316 the procedures established by the Auditor.



317 **SECTION 3.** This act shall take effect and be in force from
318 and after July 1, 2024.

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

1 AN ACT TO AMEND SECTION 9-1-59, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT PUBLIC DEFENDERS SHALL HAVE FREE ACCESS TO THE
3 MISSISSIPPI ELECTRONIC COURT SYSTEM RECORDS FOR MATTERS INVOLVING
4 INDIGENT DEFENDANTS; TO BRING FORWARD SECTION 99-19-73,
5 MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND
6 FOR RELATED PURPOSES.

