

By: Representative Watson

To: Judiciary A;
Appropriations A

HOUSE BILL NO. 1111

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 Civil Legal Assistance Fund\$ 1.00
 50 State General Fund.....\$ 90.50
 51 TOTAL STATE ASSESSMENT\$ 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.):

FUND	AMOUNT
58 Crime Victims' Compensation Fund.....	[Deleted]
59 State Court Education Fund.....	[Deleted]
60 State Prosecutor Education Fund.....	[Deleted]
61 Vulnerable Persons Training,	
62 Investigation and Prosecution Trust Fund.....	[Deleted]
63 Child Support Prosecution Trust Fund.....	[Deleted]
64 Driver Training Penalty Assessment Fund.....	[Deleted]
65 Law Enforcement Officers Training Fund.....	[Deleted]
66 Emergency Medical Services Operating Fund.....	[Deleted]
67 Mississippi Alcohol Safety Education Program Fund.....	[Deleted]
68 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	
156	and Prosecution Trust Fund.....	[Deleted]
157	Child Support Prosecution Trust Fund.....	[Deleted]
158	Law Enforcement Officers Training Fund.....	[Deleted]
159	Capital Defense Counsel Fund.....	[Deleted]
160	Indigent Appeals Fund.....	[Deleted]
161	Capital Post-Conviction Counsel Fund.....	[Deleted]
162	Victims of Domestic Violence Fund.....	[Deleted]
163	State Crime Stoppers Fund.....	[Deleted]
164	Law Enforcement Officers and Fire Fighters	
165	Death Benefits Trust Fund.....	[Deleted]
166	Law Enforcement Officers and Fire Fighters	
167	Disability Benefits Trust Fund.....	[Deleted]
168	State Prosecutor Compensation Fund for the purpose	



169 of providing additional compensation for
 170 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



Administration the total number of violations under each subsection for which state assessments were collected in the circuit, county and justice courts in the county during that month.

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

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

(12) The State Auditor shall establish by regulation procedures for refunds of state assessments, including refunds associated with assessments imposed before July 1, 1990, and 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, 2025.

