

By: Senator(s) Suber

To: Judiciary, Division A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2482

1 AN ACT TO AMEND SECTION 9-1-59, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT PUBLIC DEFENDERS AND COUNTY PROSECUTORS IN CASES
3 RELATED TO THE MISSISSIPPI ELECTRONIC COURT SYSTEM MAY SUBMIT
4 INVOICES FOR REIMBURSEMENT TO THE ADMINISTRATIVE OFFICE OF COURTS
5 FOR MATTERS INVOLVING INDIGENT DEFENDANTS; TO BRING FORWARD
6 SECTION 99-19-73, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF
7 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

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

11 9-1-59. (1) Each circuit, chancery and county court in this
12 state shall require all pleadings and other papers to be served,
13 filed, signed or verified by electronic means in conformity with
14 the Mississippi Electronic Court System procedures by July 1,
15 2021.

16 (2) Public defenders and county prosecutors in cases related
17 to the Mississippi Electronic Court System shall have access to
18 the system for matters involving indigent defendants.



19 (3) Public defenders and county prosecutors may submit
20 invoices for reimbursement to the Administrative Office of Courts
21 in cases described in subsection (2) of this section.

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

24 99-19-73. (1) **Traffic violations.** In addition to any
25 monetary penalties and any other penalties imposed by law, there
26 shall be imposed and collected the following state assessment from
27 each person upon whom a court imposes a fine or other penalty for
28 any violation in Title 63, Mississippi Code of 1972, except
29 offenses relating to the Mississippi Implied Consent Law (Section
30 63-11-1 et seq.) and offenses relating to vehicular parking or
31 registration:

32	FUND	AMOUNT
33	State Court Education Fund.....	[Deleted]
34	State Prosecutor Education Fund.....	[Deleted]
35	Vulnerable Persons Training,	
36	Investigation and Prosecution Trust Fund.....	[Deleted]
37	Child Support Prosecution Trust Fund.....	[Deleted]
38	Driver Training Penalty Assessment Fund.....	[Deleted]
39	Law Enforcement Officers Training Fund.....	[Deleted]
40	Spinal Cord and Head Injury Trust Fund	
41	(for all moving violations).....	[Deleted]
42	Emergency Medical Services Operating Fund.....	[Deleted]
43	Mississippi Leadership Council on Aging Fund.....	[Deleted]



44 Law Enforcement Officers and Fire Fighters
45 Death Benefits Trust Fund.....[Deleted]
46 Law Enforcement Officers and Fire Fighters
47 Disability Benefits Trust Fund.....[Deleted]
48 State Prosecutor Compensation Fund for the purpose
49 of providing additional compensation for
50 district attorneys and their legal assistants.....[Deleted]
51 Crisis Intervention Mental Health Fund.....[Deleted]
52 Intervention Court Fund.....[Deleted]
53 Judicial Performance Fund.....[Deleted]
54 Capital Defense Counsel Fund.....[Deleted]
55 Indigent Appeals Fund.....[Deleted]
56 Capital Post-Conviction Counsel Fund.....[Deleted]
57 Victims of Domestic Violence Fund.....[Deleted]
58 Public Defenders Education Fund.....[Deleted]
59 Domestic Violence Training Fund.....[Deleted]
60 Attorney General's Cyber Crime Unit.....[Deleted]
61 Children's Safe Center Fund.....[Deleted]
62 DuBard School for Language Disorders Fund.....[Deleted]
63 Children's Advocacy Centers Fund.....[Deleted]
64 Judicial System Operation Fund.....[Deleted]
65 GENERAL FUND.....\$ 90.50
66 (2) **Implied Consent Law violations.** In addition to any
67 monetary penalties and any other penalties imposed by law, there
68 shall be imposed and collected the following state assessment from



69 each person upon whom a court imposes a fine or any other penalty
70 for any violation of the Mississippi Implied Consent Law (Section
71 63-11-1 et seq.):

72	FUND	AMOUNT
73	Crime Victims' Compensation Fund.....	[Deleted]
74	State Court Education Fund.....	[Deleted]
75	State Prosecutor Education Fund.....	[Deleted]
76	Vulnerable Persons Training,	
77	Investigation and Prosecution Trust Fund.....	[Deleted]
78	Child Support Prosecution Trust Fund.....	[Deleted]
79	Driver Training Penalty Assessment Fund.....	[Deleted]
80	Law Enforcement Officers Training Fund.....	[Deleted]
81	Emergency Medical Services Operating Fund.....	[Deleted]
82	Mississippi Alcohol Safety Education Program Fund.....	[Deleted]
83	Federal-State Alcohol Program Fund.....	[Deleted]
84	Mississippi Forensics Laboratory	
85	Implied Consent Law Fund.....	[Deleted]
86	Spinal Cord and Head Injury Trust Fund.....	[Deleted]
87	Capital Defense Counsel Fund.....	[Deleted]
88	Indigent Appeals Fund.....	[Deleted]
89	Capital Post-Conviction Counsel Fund.....	[Deleted]
90	Victims of Domestic Violence Fund.....	[Deleted]
91	Law Enforcement Officers and Fire Fighters	
92	Death Benefits Trust Fund.....	[Deleted]
93	Law Enforcement Officers and Fire Fighters	



94 Disability Benefits Trust Fund.....[Deleted]
95 State Prosecutor Compensation Fund for the purpose
96 of providing additional compensation for
97 district attorneys and their legal assistants.....[Deleted]
98 Crisis Intervention Mental Health Fund.....[Deleted]
99 Intervention Court Fund.....[Deleted]
100 Statewide Victims' Information and
101 Notification System Fund.....[Deleted]
102 Public Defenders Education Fund.....[Deleted]
103 Domestic Violence Training Fund.....[Deleted]
104 Attorney General's Cyber Crime Unit.....[Deleted]
105 GENERAL FUND.....\$ 243.50

106 (3) **Game and Fish Law violations.** In addition to any
107 monetary penalties and any other penalties imposed by law, there
108 shall be imposed and collected the following state assessment from
109 each person upon whom a court imposes a fine or other penalty for
110 any violation of the game and fish statutes or regulations of this
111 state:

112 FUND	AMOUNT
113 State Court Education Fund.....	[Deleted]
114 State Prosecutor Education Fund.....	[Deleted]
115 Vulnerable Persons Training,	
116 Investigation and Prosecution Trust Fund.....	[Deleted]
117 Law Enforcement Officers Training Fund.....	[Deleted]
118 Hunter Education and Training Program Fund.....	[Deleted]



119 Law Enforcement Officers and Fire Fighters
120 Death Benefits Trust Fund.....[Deleted]
121 Law Enforcement Officers and Fire Fighters
122 Disability Benefits Trust Fund.....[Deleted]
123 State Prosecutor Compensation Fund for the purpose
124 of providing additional compensation for district
125 attorneys and their legal assistants.....[Deleted]
126 Crisis Intervention Mental Health Fund.....[Deleted]
127 Intervention Court Fund.....[Deleted]
128 Capital Defense Counsel Fund.....[Deleted]
129 Indigent Appeals Fund.....[Deleted]
130 Capital Post-Conviction Counsel Fund.....[Deleted]
131 Victims of Domestic Violence Fund.....[Deleted]
132 Public Defenders Education Fund.....[Deleted]
133 Domestic Violence Training Fund.....[Deleted]
134 Attorney General's Cyber Crime Unit.....[Deleted]
135 GENERAL FUND.....\$ 89.00
136 (4) [Deleted]
137 (5) **Speeding, reckless and careless driving violations.** In
138 addition to any assessment imposed under subsection (1) or (2) of
139 this section, there shall be imposed and collected the following
140 state assessment from each person upon whom a court imposes a fine
141 or other penalty for driving a vehicle on a road or highway:
142 (a) At a speed that exceeds the posted speed limit by



143 at least ten (10) miles per hour but not more than twenty (20)
144 miles per hour.....\$10.00

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

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

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

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

154 All assessments collected under this subsection shall be
155 deposited into the State General Fund.

156 (6) **Other misdemeanors.** In addition to any monetary
157 penalties and any other penalties imposed by law, there shall be
158 imposed and collected the following state assessment from each
159 person upon whom a court imposes a fine or other penalty for any
160 misdemeanor violation not specified in subsection (1), (2) or (3)
161 of this section, except offenses relating to vehicular parking or
162 registration:

163 FUND	AMOUNT
164 Crime Victims' Compensation Fund.....	[Deleted]
165 State Court Education Fund.....	[Deleted]
166 State Prosecutor Education Fund.....	[Deleted]
167 Vulnerable Persons Training, Investigation	



168 and Prosecution Trust Fund.....[Deleted]
169 Child Support Prosecution Trust Fund.....[Deleted]
170 Law Enforcement Officers Training Fund.....[Deleted]
171 Capital Defense Counsel Fund.....[Deleted]
172 Indigent Appeals Fund.....[Deleted]
173 Capital Post-Conviction Counsel Fund.....[Deleted]
174 Victims of Domestic Violence Fund.....[Deleted]
175 State Crime Stoppers Fund.....[Deleted]
176 Law Enforcement Officers and Fire Fighters
177 Death Benefits Trust Fund.....[Deleted]
178 Law Enforcement Officers and Fire Fighters
179 Disability Benefits Trust Fund.....[Deleted]
180 State Prosecutor Compensation Fund for the purpose
181 of providing additional compensation for
182 district attorneys and their legal assistants.....[Deleted]
183 Crisis Intervention Mental Health Fund.....[Deleted]
184 Intervention Court Fund.....[Deleted]
185 Judicial Performance Fund.....[Deleted]
186 Statewide Victims' Information and
187 Notification System Fund.....[Deleted]
188 Public Defenders Education Fund.....[Deleted]
189 Domestic Violence Training Fund.....[Deleted]
190 Attorney General's Cyber Crime Unit.....[Deleted]
191 Information Exchange Network Fund.....[Deleted]
192 Motorcycle Officer Training Fund.....[Deleted]



193 Civil Legal Assistance Fund.....[Deleted]
 194 Justice Court Collections Fund.....[Deleted]
 195 Municipal Court Collections Fund.....[Deleted]
 196 GENERAL FUND.....\$121.75
 197 (7) **Other felonies.** In addition to any monetary penalties
 198 and any other penalties imposed by law, there shall be imposed and
 199 collected the following state assessment from each person upon
 200 whom a court imposes a fine or other penalty for any felony
 201 violation not specified in subsection (1), (2) or (3) of this
 202 section:
 203 FUND AMOUNT
 204 Crime Victims' Compensation Fund.....[Deleted]
 205 State Court Education Fund.....[Deleted]
 206 State Prosecutor Education Fund.....[Deleted]
 207 Vulnerable Persons Training, Investigation
 208 and Prosecution Trust Fund.....[Deleted]
 209 Child Support Prosecution Trust Fund.....[Deleted]
 210 Law Enforcement Officers Training Fund.....[Deleted]
 211 Capital Defense Counsel Fund.....[Deleted]
 212 Indigent Appeals Fund.....[Deleted]
 213 Capital Post-Conviction Counsel Fund.....[Deleted]
 214 Victims of Domestic Violence Fund.....[Deleted]
 215 Criminal Justice Fund.....[Deleted]
 216 Law Enforcement Officers and Fire Fighters
 217 Death Benefits Trust Fund.....[Deleted]



218 Law Enforcement Officers and Fire Fighters
219 Disability Benefits Trust Fund.....[Deleted]
220 State Prosecutor Compensation Fund for the purpose
221 of providing additional compensation for
222 district attorneys and their legal assistants.....[Deleted]
223 Crisis Intervention Mental Health Fund.....[Deleted]
224 Intervention Court Fund.....[Deleted]
225 Statewide Victims' Information and
226 Notification System Fund.....[Deleted]
227 Public Defenders Education Fund.....[Deleted]
228 Domestic Violence Training Fund.....[Deleted]
229 Attorney General's Cyber Crime Unit.....[Deleted]
230 Forensics Laboratory DNA Identification System Fund.....[Deleted]
231 GENERAL FUND.....\$ 280.50

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

233 (a) **Railroad crossing violations.** In addition to any
234 monetary penalties and any other penalties imposed by law, there
235 shall be imposed and collected the following state assessment in
236 addition to all other state assessments due under this section
237 from each person upon whom a court imposes a fine or other penalty
238 for any violation involving railroad crossings under Section
239 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

240 Operation Lifesaver Fund.....\$25.00

241 (b) **Drug violations.** In addition to any monetary
242 penalties and any other penalties imposed by law, there shall be



imposed and collected the following state assessment in addition to all other state assessments due under this section from each person upon whom a court imposes a fine or other penalty for any violation of Section 41-29-139:

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

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

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

Uninsured Motorist Identification Fund:

First offense.....\$200.00

Second offense.....\$300.00

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

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

(10) (a) After a determination by the court of the amount due, it shall be the duty of the clerk of the court to promptly collect all state assessments imposed under the provisions of this



268 section. The state assessments imposed under the provisions of
269 this section may not be paid by personal check.

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

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



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

299 (12) The State Auditor shall establish by regulation
300 procedures for refunds of state assessments, including refunds
301 associated with assessments imposed before July 1, 1990, and
302 refunds after appeals in which the defendant's conviction is
303 reversed. The Auditor shall provide in the regulations for
304 certification of eligibility for refunds and may require the
305 defendant seeking a refund to submit a verified copy of a court
306 order or abstract by which the defendant is entitled to a refund.
307 All refunds of state assessments shall be made in accordance with
308 the procedures established by the Auditor.

309 **SECTION 3.** This act shall take effect and be in force from
310 and after July 1, 2025.

