

House Amendments to Senate Bill No. 2482

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE 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:

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

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

20 99-19-73. (1) **Traffic violations.** In addition to any
21 monetary penalties and any other penalties imposed by law, there
22 shall be imposed and collected the following state assessment from
23 each person upon whom a court imposes a fine or other penalty for
24 any violation in Title 63, Mississippi Code of 1972, except

25 offenses relating to the Mississippi Implied Consent Law (Section
26 63-11-1 et seq.) and offenses relating to vehicular parking or
27 registration:

28	FUND	AMOUNT
29	State Court Education Fund.....	[Deleted]
30	State Prosecutor Education Fund.....	[Deleted]
31	Vulnerable Persons Training,	
32	Investigation and Prosecution Trust Fund.....	[Deleted]
33	Child Support Prosecution Trust Fund.....	[Deleted]
34	Driver Training Penalty Assessment Fund.....	[Deleted]
35	Law Enforcement Officers Training Fund.....	[Deleted]
36	Spinal Cord and Head Injury Trust Fund	
37	(for all moving violations).....	[Deleted]
38	Emergency Medical Services Operating Fund.....	[Deleted]
39	Mississippi Leadership Council on Aging Fund.....	[Deleted]
40	Law Enforcement Officers and Fire Fighters	
41	Death Benefits Trust Fund.....	[Deleted]
42	Law Enforcement Officers and Fire Fighters	
43	Disability Benefits Trust Fund.....	[Deleted]
44	State Prosecutor Compensation Fund for the purpose	
45	of providing additional compensation for	
46	district attorneys and their legal assistants.....	[Deleted]
47	Crisis Intervention Mental Health Fund.....	[Deleted]
48	Intervention Court Fund.....	[Deleted]
49	Judicial Performance Fund.....	[Deleted]
50	Capital Defense Counsel Fund.....	[Deleted]

51 Indigent Appeals Fund.....[Deleted]
 52 Capital Post-Conviction Counsel Fund.....[Deleted]
 53 Victims of Domestic Violence Fund.....[Deleted]
 54 Public Defenders Education Fund.....[Deleted]
 55 Domestic Violence Training Fund.....[Deleted]
 56 Attorney General's Cyber Crime Unit.....[Deleted]
 57 Children's Safe Center Fund.....[Deleted]
 58 DuBard School for Language Disorders Fund.....[Deleted]
 59 Children's Advocacy Centers Fund.....[Deleted]
 60 Judicial System Operation Fund.....[Deleted]
 61 GENERAL FUND.....\$ 90.50

62 (2) **Implied Consent Law violations.** In addition to any
 63 monetary penalties and any other penalties imposed by law, there
 64 shall be imposed and collected the following state assessment from
 65 each person upon whom a court imposes a fine or any other penalty
 66 for any violation of the Mississippi Implied Consent Law (Section
 67 63-11-1 et seq.):

68 FUND	AMOUNT
69 Crime Victims' Compensation Fund.....	[Deleted]
70 State Court Education Fund.....	[Deleted]
71 State Prosecutor Education Fund.....	[Deleted]
72 Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
74 Child Support Prosecution Trust Fund.....	[Deleted]
75 Driver Training Penalty Assessment Fund.....	[Deleted]
76 Law Enforcement Officers Training Fund.....	[Deleted]

77 Emergency Medical Services Operating Fund.....[Deleted]
78 Mississippi Alcohol Safety Education Program Fund.....[Deleted]
79 Federal-State Alcohol Program Fund.....[Deleted]
80 Mississippi Forensics Laboratory
81 Implied Consent Law Fund.....[Deleted]
82 Spinal Cord and Head Injury Trust Fund.....[Deleted]
83 Capital Defense Counsel Fund.....[Deleted]
84 Indigent Appeals Fund.....[Deleted]
85 Capital Post-Conviction Counsel Fund.....[Deleted]
86 Victims of Domestic Violence Fund.....[Deleted]
87 Law Enforcement Officers and Fire Fighters
88 Death Benefits Trust Fund.....[Deleted]
89 Law Enforcement Officers and Fire Fighters
90 Disability Benefits Trust Fund.....[Deleted]
91 State Prosecutor Compensation Fund for the purpose
92 of providing additional compensation for
93 district attorneys and their legal assistants.....[Deleted]
94 Crisis Intervention Mental Health Fund.....[Deleted]
95 Intervention Court Fund.....[Deleted]
96 Statewide Victims' Information and
97 Notification System Fund.....[Deleted]
98 Public Defenders Education Fund.....[Deleted]
99 Domestic Violence Training Fund.....[Deleted]
100 Attorney General's Cyber Crime Unit.....[Deleted]
101 GENERAL FUND.....\$ 243.50

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

108	FUND	AMOUNT
109	State Court Education Fund.....	[Deleted]
110	State Prosecutor Education Fund.....	[Deleted]
111	Vulnerable Persons Training,	
112	Investigation and Prosecution Trust Fund.....	[Deleted]
113	Law Enforcement Officers Training Fund.....	[Deleted]
114	Hunter Education and Training Program Fund.....	[Deleted]
115	Law Enforcement Officers and Fire Fighters	
116	Death Benefits Trust Fund.....	[Deleted]
117	Law Enforcement Officers and Fire Fighters	
118	Disability Benefits Trust Fund.....	[Deleted]
119	State Prosecutor Compensation Fund for the purpose	
120	of providing additional compensation for district	
121	attorneys and their legal assistants.....	[Deleted]
122	Crisis Intervention Mental Health Fund.....	[Deleted]
123	Intervention Court Fund.....	[Deleted]
124	Capital Defense Counsel Fund.....	[Deleted]
125	Indigent Appeals Fund.....	[Deleted]
126	Capital Post-Conviction Counsel Fund.....	[Deleted]
127	Victims of Domestic Violence Fund.....	[Deleted]

128 Public Defenders Education Fund.....[Deleted]
129 Domestic Violence Training Fund.....[Deleted]
130 Attorney General's Cyber Crime Unit.....[Deleted]
131 GENERAL FUND.....\$ 89.00

132 (4) [Deleted]

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

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

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

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

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

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

150 All assessments collected under this subsection shall be
151 deposited into the State General Fund.

152 (6) **Other misdemeanors.** In addition to any monetary
153 penalties and any other penalties imposed by law, there shall be

154 imposed and collected the following state assessment from each
155 person upon whom a court imposes a fine or other penalty for any
156 misdemeanor violation not specified in subsection (1), (2) or (3)
157 of this section, except offenses relating to vehicular parking or
158 registration:

159	FUND	AMOUNT
160	Crime Victims' Compensation Fund.....	[Deleted]
161	State Court Education Fund.....	[Deleted]
162	State Prosecutor Education Fund.....	[Deleted]
163	Vulnerable Persons Training, Investigation	
164	and Prosecution Trust Fund.....	[Deleted]
165	Child Support Prosecution Trust Fund.....	[Deleted]
166	Law Enforcement Officers Training Fund.....	[Deleted]
167	Capital Defense Counsel Fund.....	[Deleted]
168	Indigent Appeals Fund.....	[Deleted]
169	Capital Post-Conviction Counsel Fund.....	[Deleted]
170	Victims of Domestic Violence Fund.....	[Deleted]
171	State Crime Stoppers Fund.....	[Deleted]
172	Law Enforcement Officers and Fire Fighters	
173	Death Benefits Trust Fund.....	[Deleted]
174	Law Enforcement Officers and Fire Fighters	
175	Disability Benefits Trust Fund.....	[Deleted]
176	State Prosecutor Compensation Fund for the purpose	
177	of providing additional compensation for	
178	district attorneys and their legal assistants.....	[Deleted]
179	Crisis Intervention Mental Health Fund.....	[Deleted]

180 Intervention Court Fund.....[Deleted]
 181 Judicial Performance Fund.....[Deleted]
 182 Statewide Victims' Information and
 183 Notification System Fund.....[Deleted]
 184 Public Defenders Education Fund.....[Deleted]
 185 Domestic Violence Training Fund.....[Deleted]
 186 Attorney General's Cyber Crime Unit.....[Deleted]
 187 Information Exchange Network Fund.....[Deleted]
 188 Motorcycle Officer Training Fund.....[Deleted]
 189 Civil Legal Assistance Fund.....[Deleted]
 190 Justice Court Collections Fund.....[Deleted]
 191 Municipal Court Collections Fund.....[Deleted]
 192 GENERAL FUND.....\$121.75
 193 (7) **Other felonies.** In addition to any monetary penalties
 194 and any other penalties imposed by law, there shall be imposed and
 195 collected the following state assessment from each person upon
 196 whom a court imposes a fine or other penalty for any felony
 197 violation not specified in subsection (1), (2) or (3) of this
 198 section:
 199 FUND AMOUNT
 200 Crime Victims' Compensation Fund.....[Deleted]
 201 State Court Education Fund.....[Deleted]
 202 State Prosecutor Education Fund.....[Deleted]
 203 Vulnerable Persons Training, Investigation
 204 and Prosecution Trust Fund.....[Deleted]
 205 Child Support Prosecution Trust Fund.....[Deleted]

206 Law Enforcement Officers Training Fund.....[Deleted]
 207 Capital Defense Counsel Fund.....[Deleted]
 208 Indigent Appeals Fund.....[Deleted]
 209 Capital Post-Conviction Counsel Fund.....[Deleted]
 210 Victims of Domestic Violence Fund.....[Deleted]
 211 Criminal Justice Fund.....[Deleted]
 212 Law Enforcement Officers and Fire Fighters
 213 Death Benefits Trust Fund.....[Deleted]
 214 Law Enforcement Officers and Fire Fighters
 215 Disability Benefits Trust Fund.....[Deleted]
 216 State Prosecutor Compensation Fund for the purpose
 217 of providing additional compensation for
 218 district attorneys and their legal assistants.....[Deleted]
 219 Crisis Intervention Mental Health Fund.....[Deleted]
 220 Intervention Court Fund.....[Deleted]
 221 Statewide Victims' Information and
 222 Notification System Fund.....[Deleted]
 223 Public Defenders Education Fund.....[Deleted]
 224 Domestic Violence Training Fund.....[Deleted]
 225 Attorney General's Cyber Crime Unit.....[Deleted]
 226 Forensics Laboratory DNA Identification System Fund.....[Deleted]
 227 GENERAL FUND.....\$ 280.50

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

229 (a) **Railroad crossing violations.** In addition to any
 230 monetary penalties and any other penalties imposed by law, there
 231 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 involving railroad crossings under Section 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

Operation Lifesaver Fund.....\$25.00

(b) **Drug 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 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 section. The state assessments imposed under the provisions of this section may not be paid by personal check.

(b) It shall be the duty of the chancery clerk of each county to deposit all state assessments collected in the circuit, county and justice courts in the county on a monthly basis with the State Treasurer pursuant to appropriate procedures established by the State Auditor. The chancery clerk shall make a monthly lump-sum deposit of the total state assessments collected in the circuit, county and justice courts in the county 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 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 reversed. The Auditor shall provide in the regulations for certification of eligibility for refunds and may require the defendant seeking a refund to submit a verified copy of a court order or abstract by which the defendant is entitled to a refund. All refunds of state assessments shall be made in accordance with the procedures established by the Auditor.

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

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 AND COUNTY PROSECUTORS IN CASES
3 RELATED TO THE MISSISSIPPI ELECTRONIC COURT SYSTEM SHALL HAVE
4 ACCESS TO THE SYSTEM FOR MATTERS INVOLVING INDIGENT DEFENDANTS; TO
5 BRING FORWARD SECTION 99-19-73, MISSISSIPPI CODE OF 1972, FOR
6 PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

HR26\SB2482A.J

Andrew Ketchings
Clerk of the House of Representatives