

By: Representatives Evans, Perkins, Robinson
(63rd), Wallace, Watson

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 887

1 AN ACT TO AMEND SECTION 25-7-47, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE FEES AND TRAVEL ALLOWANCES PAID TO WITNESSES IN
3 JUSTICE, COUNTY, CIRCUIT AND CHANCERY COURTS TO THE AMOUNT
4 ALLOWABLE TO WITNESSES IN ANY COURT OF THE UNITED STATES; AND FOR
5 RELATED PURPOSES.

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

7 SECTION 1. Section 25-7-47, Mississippi Code of 1972, is
8 amended as follows:

9 25-7-47. Witnesses in the justice, county, circuit, and
10 chancery courts shall receive the amount allowable as an
11 attendance fee to a witness in a court of the United States for
12 each day's attendance. A witness also must be paid the attendance
13 fee for the time necessarily occupied in going to and returning
14 from the place of attendance at the beginning and end of the
15 attendance or at any time during the attendance. A subsistence
16 allowance must be paid to a witness when an overnight stay is
17 required at the place of attendance because such place is so far
18 removed from the residence of the witness as to prohibit return to
19 the residence from day to day. A travel allowance must be paid to
20 a witness in the following amount: (a) when the travel is done by
21 a privately owned automobile or motor vehicle, the mileage
22 reimbursement rate allowable to federal employees for the use of a
23 privately owned vehicle while on official travel, for each mile
24 actually and necessarily traveled; (b) when the travel is by
25 common carrier, the actual expenses of travel on the basis of the
26 means of transportation reasonably utilized and the distance
27 necessarily traveled to and from the witness's residence by the
28 shortest practical route in going to and returning from the place



29 of attendance, provided that the witness utilizes a common carrier
30 at the most economical rate reasonably available; and (c) the
31 actual expenses for toll charges for toll roads, bridges, tunnels,
32 ferries, taxicab fares between places of lodging and carrier
33 terminals and parking fees. Witnesses in all other cases shall
34 receive the same compensation as they receive before the circuit
35 court. It shall not be necessary to issue subpoenas for police
36 officers as witnesses in city cases of cities having a population
37 of more than ten thousand (10,000) according to the federal census
38 of 1930; and such officers, when used as witnesses in such cases,
39 are not to be allowed witness fees.

40 SECTION 2. This act shall take effect and be in force from
41 and after October 1, 2001.

