

By: Representatives Watson, McBride, Coleman To: Appropriations  
(29th), Eakes, Gadd, Green

HOUSE BILL NO. 1537  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS  
3 COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT  
4 CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL  
5 JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF  
6 DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND  
7 CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF  
8 APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2004;  
9 AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the State  
13 General Fund not otherwise appropriated, for the purpose of  
14 defraying the expenses of the Mississippi State Supreme Court for  
15 the fiscal year beginning July 1, 2003, and ending June 30, 2004.  
16 ..... \$ 4,824,434.00.

17 **SECTION 2.** The following sum, or so much thereof as may be  
18 necessary, is hereby appropriated out of any money in any special  
19 fund in the State Treasury to the credit of the Mississippi State  
20 Supreme Court which is comprised of special source funds collected  
21 by or otherwise available to the Mississippi State Supreme Court,  
22 for the purpose of defraying the expenses of the Mississippi State  
23 Supreme Court for the fiscal year beginning July 1, 2003, and  
24 ending June 30, 2004 ..... \$ 609,947.00.

25 Of the funds appropriated in this section, Two Hundred  
26 Fifty-nine Thousand Nine Hundred Forty-seven Dollars (\$259,947.00)  
27 shall be derived from the Budget Contingency Fund created in  
28 Section 27-103-301, Mississippi Code of 1972.

29 **SECTION 3.** Of the funds appropriated under the provisions of  
30 this act for the purpose of defraying the expenses of the



31 Mississippi State Supreme Court, not more than the amounts set  
 32 forth below shall be expended for the respective major objects or  
 33 purposes of expenditure:

34 MAJOR OBJECTS OF EXPENDITURE:

35 Personal Services:

36	Salaries, Wages and Fringe Benefits..	\$	4,182,275.00
37	Travel and Subsistence.....		265,000.00
38	Contractual Services.....		606,985.00
39	Commodities.....		345,121.00
40	Capital Outlay:		
41	Other Than Equipment.....		0.00
42	Equipment.....		35,000.00
43	Subsidies, Loans and Grants.....		<u>0.00</u>
44	Total.....	\$	5,434,381.00

45 FUNDING:

46	General Funds.....	\$	4,824,434.00
47	Special Funds.....		<u>609,947.00</u>
48	Total.....	\$	5,434,381.00

49 AUTHORIZED POSITIONS:

50	Permanent:	Full Time.....	72
51		Part Time.....	2
52	Time-Limited:	Full Time.....	0
53		Part Time.....	0

54 **SECTION 4.** The following sum, or so much thereof as may be  
 55 necessary, is hereby appropriated out of any money in the State  
 56 General Fund not otherwise appropriated to the Mississippi State  
 57 Supreme Court for the purpose of defraying the expenses of special  
 58 judges, chancellors and circuit judges for the fiscal year  
 59 beginning July 1, 2003, and ending June 30, 2004.....  
 60 ..... \$ 15,451,346.00.

61 **SECTION 5.** Of the funds appropriated under the provisions of  
 62 this act for the purpose of defraying the expenses of special  
 63 judges, chancellors and circuit judges, not more than the amounts



64 set forth below shall be expended for the respective major objects  
65 or purposes of expenditure:

66 MAJOR OBJECTS OF EXPENDITURE:

67 Personal Services:

68	Salaries, Wages and Fringe Benefits..	\$	14,497,694.00
69	Travel and Subsistence.....		377,352.00
70	Contractual Services.....		92,300.00
71	Commodities.....		484,000.00
72	Capital Outlay:		
73	Other Than Equipment.....		0.00
74	Equipment.....		0.00
75	Subsidies, Loans and Grants.....		<u>0.00</u>
76	Total.....	\$	15,451,346.00

77 FUNDING:

78	General Funds.....	\$	15,451,346.00
79	Special Funds.....		<u>0.00</u>
80	Total.....	\$	15,451,346.00

81 AUTHORIZED POSITIONS:

82	Permanent:	Full Time.....	94
83		Part Time.....	0
84	Time-Limited:	Full Time.....	0
85		Part Time.....	0

86 It is the intention of the Legislature that of the funds  
87 allocated under the provisions of Section 4, the Mississippi  
88 Supreme Court may authorize an increase in any major object of  
89 expenditure, provided that there is a corresponding decrease in  
90 the other major object of expenditure.

91 Of the funds appropriated in Section 4 and allocated in  
92 Section 5, Three Million Seven Hundred Sixty Thousand Dollars  
93 (\$3,760,000.00) is provided for the purpose of employing support  
94 staff in an amount not to exceed Forty Thousand Dollars  
95 (\$40,000.00) per fiscal year per judge.



96           **SECTION 6.** The following sum, or so much thereof as may be  
 97 necessary, is hereby appropriated out of any money in the State  
 98 General Fund, not otherwise appropriated, for the purpose of  
 99 funding the Administrative Office of Courts for the fiscal year  
 100 beginning July 1, 2003, and ending June 30, 2004.....  
 101 ..... \$       1,052,564.00.

102           **SECTION 7.** The following sum, or so much thereof as may be  
 103 necessary, is hereby appropriated out of any money in any special  
 104 fund in the State Treasury to the credit of the Administrative  
 105 Office of Courts for the purpose of defraying the expenses of the  
 106 Administrative Office of Courts and the Board of Certified Court  
 107 Reporters for the fiscal year beginning July 1, 2003, and ending  
 108 June 30, 2004..... \$       9,402,611.00.

109           Of the funds appropriated in this section, Two Hundred  
 110 Twenty-six Thousand Ninety-six Dollars (\$226,096.00) shall be  
 111 derived from the Budget Contingency Fund created in Section  
 112 27-103-301, Mississippi Code of 1972.

113           **SECTION 8.** Of the funds appropriated under the provisions of  
 114 this act for the purpose of funding the Administrative Office of  
 115 Courts, not more than the amounts set forth below shall be  
 116 expended for the respective major objects or purposes of  
 117 expenditure:

118           MAJOR OBJECTS OF EXPENDITURE:

119           Personal Services:

120           Salaries, Wages and Fringe Benefits..	\$	9,788,675.00
121           Travel and Subsistence.....		17,000.00
122           Contractual Services.....		343,500.00
123           Commodities.....		27,500.00
124           Capital Outlay:		
125           Other Than Equipment.....		0.00
126           Equipment.....		73,500.00
127           Subsidies, Loans and Grants.....		<u>205,000.00</u>
128           Total.....	\$	10,455,175.00



129	FUNDING:	
130	General Funds.....	\$ 1,052,564.00
131	Special Funds.....	<u>9,402,611.00</u>
132	Total.....	\$ 10,455,175.00

133 AUTHORIZED POSITIONS:

134	Permanent: Full Time.....	15
135	Part Time.....	0
136	Time-Limited: Full Time.....	0
137	Part Time.....	0

138 Of the funds appropriated in this section, One Hundred Fifty  
 139 Thousand Dollars (\$150,000.00) shall be used for providing a Drug  
 140 Treatment Court Program in Hinds County.

141 The Drug Treatment Court Program funded above is established  
 142 in the Administrative Office of Courts to facilitate the creation  
 143 of drug treatment court programs in Hinds County. Funds shall be  
 144 spent based upon the general guidelines set forth by the Director  
 145 of the Administrative Office of Courts based on a program as  
 146 approved by the Hinds County Board of Supervisors.

147 **SECTION 9.** The following sum, or so much thereof as may be  
 148 necessary, is hereby appropriated out of any money in the  
 149 Continuing Legal Education Fund, a special fund hereby created in  
 150 the State Treasury, for the purpose of defraying the expenses of  
 151 providing continuing legal education programs to lawyers in  
 152 Mississippi, for the fiscal year beginning July 1, 2003, and  
 153 ending June 30, 2004..... \$ 118,486.00.

154 It is the intention of the Legislature that interest earned  
 155 from any investment or deposit to the Continuing Legal Education  
 156 Fund made pursuant to Section 27-105-33, Mississippi Code of 1972,  
 157 shall be credited by the State Treasurer to the Continuing Legal  
 158 Education Fund and shall not be paid into the General Fund of  
 159 Mississippi.

160 **SECTION 10.** Of the funds appropriated under the provisions  
 161 of this act for the purpose of providing continuing legal



162 education programs, not more than the amounts set forth below  
 163 shall be expended for the respective major objects or purposes of  
 164 expenditure:

165 MAJOR OBJECTS OF EXPENDITURE:

166 Personal Services:

167	Salaries, Wages and Fringe Benefits..	\$	53,268.00
168	Travel and Subsistence.....		10,318.00
169	Contractual Services.....		31,350.00
170	Commodities.....		4,750.00
171	Capital Outlay:		
172	Other Than Equipment.....		0.00
173	Equipment.....		3,800.00
174	Subsidies, Loans and Grants.....		<u>15,000.00</u>
175	Total.....	\$	118,486.00

176 AUTHORIZED POSITIONS:

177	Permanent:	Full Time.....	1
178		Part Time.....	0
179	Time-Limited:	Full Time.....	0
180		Part Time.....	0

181 **SECTION 11.** The following sum, or so much thereof as may be  
 182 necessary, is hereby appropriated out of any money in the State  
 183 General Fund not otherwise appropriated to the Mississippi State  
 184 Supreme Court for the purpose of defraying the expenses of the  
 185 Court of Appeals for the fiscal year beginning July 1, 2003, and  
 186 ending June 30, 2004..... \$3,856,846.00.

187 **SECTION 12.** The following sum, or so much thereof as may be  
 188 necessary, is hereby appropriated out of any money in the Budget  
 189 Contingency Fund, created in Section 27-103-301, Mississippi Code  
 190 of 1972, to the Mississippi State Supreme Court for the purpose of  
 191 defraying the expenses of the Court of Appeals for the fiscal year  
 192 beginning July 1, 2003, and ending June 30, 2004.....  
 193 ..... \$ 231,872.00.



194           **SECTION 13.** Of the funds appropriated under the provisions  
 195 of this act for the purpose of defraying the expenses of the Court  
 196 of Appeals, not more than the amounts set forth below shall be  
 197 expended for the respective major objects or purposes of  
 198 expenditure:

199       MAJOR OBJECTS OF EXPENDITURE:

200       Personal Services:

201	Salaries, Wages and Fringe Benefits.. \$	3,329,218.00
202	Travel and Subsistence.....	259,500.00
203	Contractual Services.....	433,000.00
204	Commodities.....	37,000.00
205	Capital Outlay:	
206	Other Than Equipment.....	0.00
207	Equipment.....	30,000.00
208	Subsidies, Loans and Grants.....	<u>0.00</u>
209	Total..... \$	4,088,718.00

210       FUNDING:

211	General Funds..... \$	3,856,846.00
212	Special Funds.....	<u>231,872.00</u>
213	Total..... \$	4,088,718.00

214       AUTHORIZED POSITIONS:

215	Permanent:        Full Time.....	60
216	Part Time.....	0
217	Time-Limited:    Full Time.....	0
218	Part Time.....	0

219           **SECTION 14.** The following sum, or so much thereof as may be  
 220 necessary, is hereby appropriated out of any money in the special  
 221 fund in the State Treasury to the credit of the Board of Bar  
 222 Admissions, for the purpose of defraying the expenses of the board  
 223 for the fiscal year beginning July 1, 2003, and ending  
 224 June 30, 2004..... \$ 276,986.00.

225           It is the intention of the Legislature that interest earned  
 226 from any investment or deposit to the Board of Bar Admissions Fund



227 made pursuant to Section 27-105-33, Mississippi Code of 1972,  
228 shall be credited by the State Treasurer to the Board of Bar  
229 Admissions Fund and shall not be paid into the General Fund of  
230 Mississippi.

231 **SECTION 15.** Of the funds appropriated under the provisions  
232 of this act for the purpose of defraying the expenses of the Board  
233 of Bar Admissions, not more than the amounts set forth below shall  
234 be expended for the respective major objects or purposes of  
235 expenditure:

236 MAJOR OBJECTS OF EXPENDITURE:

237 Personal Services:

238	Salaries, Wages and Fringe Benefits.. \$	114,398.00
239	Travel and Subsistence.....	10,000.00
240	Contractual Services.....	135,088.00
241	Commodities.....	10,600.00
242	Capital Outlay:	
243	Other Than Equipment.....	0.00
244	Equipment.....	6,900.00
245	Subsidies, Loans and Grants.....	<u>0.00</u>
246	Total..... \$	276,986.00

247 AUTHORIZED POSITIONS:

248	Permanent: Full Time.....	3
249	Part Time.....	0
250	Time-Limited: Full Time.....	0
251	Part Time.....	0

252 Any transfers or escalations shall be made in accordance with  
253 the terms, conditions and procedures established by law.

254 No general funds authorized to be expended herein shall be  
255 used to replace federal funds and/or other special funds which are  
256 being used for salaries authorized under the provisions of this  
257 act and which are withdrawn and no longer available.

258 **SECTION 16.** No part of the funds herein appropriated shall  
259 be used in the payment of attorney's fees, nor shall any of such





260 funds be used, either directly or indirectly, for the purpose of  
261 paying any clerk, stenographer, assistant, deputy or other person  
262 who may be related by blood or marriage within the third degree,  
263 computed by the rules of civil law, to the official employing or  
264 having the right of employment or selection thereof; and in the  
265 event of any such payment, then the official or person approving  
266 and making or receiving such payment shall be jointly and  
267 severally liable to return to the State of Mississippi and to pay  
268 into the State Treasury three (3) times any such amount so paid or  
269 received, to be recovered at suit of the Attorney General;  
270 however, when the relationship is by affinity and the person  
271 through whom the relationship was established is dead, this  
272 provision shall not apply.

273       **SECTION 17.** It is the intent of the Legislature that the  
274 Mississippi State Supreme Court shall charge the maximum amount  
275 allowable by law for services rendered where charges for such  
276 services are provided for by statute, and for any other services  
277 rendered, shall charge an amount consistent with the cost of  
278 providing such services. The funds derived from these charges  
279 shall be deposited into a special fund account in the State  
280 Treasury to the credit of the Office of the Mississippi State  
281 Supreme Court.

282       **SECTION 18.** It is the intent of the Legislature that no part  
283 of the funds herein appropriated shall be required to be used for  
284 the payment of rent for the public space in the Law Library.

285       **SECTION 19.** Contingent upon legislation enacted during the  
286 2003 Regular Session, Fifty-one Thousand Four Hundred Twenty  
287 Dollars (\$51,420.00) of Budget Contingency Funds allocated to the  
288 Mississippi Supreme Court in Section 2 of this act and Fifty  
289 Thousand Five Hundred Twenty Dollars (\$50,520.00) of Budget  
290 Contingency Funds allocated to the Court of Appeals in Section 12  
291 of this act shall be used for the purpose of increasing the  
292 salaries of Supreme Court and Court of Appeal judges. It is the



293 intention of the Legislature that if there is no legislation  
294 enacted authorizing salary increases for the Supreme Court and  
295 Court of Appeals judges during the 2003 Regular Session, the  
296 Budget Contingency Funds designated for this purpose shall not be  
297 expended.

298         **SECTION 20.** The money herein appropriated shall be paid by  
299 the State Treasurer out of any money in the State Treasury to the  
300 credit of the proper fund or funds as set forth in this act, upon  
301 warrants issued by the State Fiscal Officer; and the State Fiscal  
302 Officer shall issue his warrants upon requisitions signed by the  
303 proper person, officer or officers, in the manner provided by law.

304         **SECTION 21.** This act shall take effect and be in force from  
305 and after July 1, 2003.

