MISSISSIPPI LEGISLATURE REGULAR SESSION 2007

By: Representative Franks

To: Judiciary A

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1526

AN ACT TO CODIFY SECTION 7-5-58, MISSISSIPPI CODE OF 1972, TO REQUIRE DEFENDANTS WHO ARE SUBJECTS OF INVESTIGATION BY THE PUBLIC INTEGRITY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL TO PAY THE COST OF INVESTIGATION IN ADDITION TO OTHER PENALTIES IF CONVICTED OF THE VIOLATION INVESTIGATED; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 7-5-58, Mississippi Code of 1972:

7-5-58. (1) In addition to any criminal penalties, the court may assess a defendant convicted of a violation investigated by the Public Integrity Unit of the Office of the Attorney General including, but not limited to, investigations by the Cyber Crime Division or the Vulnerable Adult Division, the reasonable costs of the investigation. The court must first find that the imposition of sanctions under this section will not impose a financial hardship on persons to whom the payor owes a duty of support. Costs should be paid to the Office of the Attorney General and include, but are not limited to, the cost of investigators, service of process, court reporters, expert witnesses and attorney's fees expended by the Public Integrity Unit in the investigation of such case.

(2) Any additional monetary penalty assessed and levied under this section shall be deposited one-half (1/2) to the credit of the State General Fund and one-half (1/2) to the Office of the Attorney General. The Office of the Attorney General may institute and maintain proceedings in his name for enforcement of payment in the circuit court of the county of residence of the defendant and, if the defendant is a nonresident, such proceedings

shall be in the Circuit Court of the First Judicial District of Hinds County, Mississippi.

SECTION 2. This act shall take effect and be in force from and after its passage.

ST: Public Integrity Unit investigations; require defendants convicted as a result to pay certain costs associated with.