MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Watson

To: Judiciary A; Ways and Means

HOUSE BILL NO. 565

AN ACT TO CREATE THE MISSISSIPPI CENTER FOR LEGAL SERVICES CORPORATION FUND; TO AMEND SECTION 99-19-72, MISSISSIPPI CODE OF 1972, TO REVISE THE FILING FEE FOR A PETITION TO EXPUNGE AN OFFENSE AND PROVIDE THAT A CERTAIN AMOUNT OF THE FEE SHALL BE DEPOSITED INTO THE FUND; AND FOR RELATED PURPOSES.

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

SECTION 1. There is created in the State Treasury a special fund designated as the Mississippi Center for Legal Services Corporation Fund. The fund shall be administered by the Mississippi Center for Legal Services Corporation and monies in the fund shall be distributed to the various legal service centers throughout the state. The fund shall consist of monies deposited into the fund as provided in Section 99-19-72 and monies from any other source designated for deposit into the fund. The Mississippi Center for Legal Services Corporation Fund may also accept monies from any public or private source for deposit into the fund. Money remaining in the fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest

earned from the investment of monies in the fund shall be deposited to the credit of the fund.

SECTION 2. Section 99-19-72, Mississippi Code of 1972, is amended as follows:

99-19-72. (1) A filing fee of *** * *** One Hundred Fifty-two Dollars ($152.00) is *** * *** levied on each petition to expunge an offense under Section 99-19-71 to be collected by the circuit clerk and distributed as follows:

(a) One Hundred Dollars ($100.00) to be deposited into the Judicial System Operation Fund;

(b) Forty Dollars ($40.00) to be deposited into the District Attorneys Operation Fund; and

(c) Ten Dollars ($10.00) to be retained by the circuit clerk collecting the fee for administration purposes *** * ***; and

(d) Two Dollars ($2.00) to be deposited into the Mississippi Center for Legal Services Corporation Fund.

(2) From and after July 1, 2016, the expenses of district attorneys shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized by paragraphs (a) and (b) of subsection (1) of this section shall be deposited into the State General Fund as authorized by law and as determined by the State Fiscal Officer, and charges and fees authorized by paragraph (c) of subsection (1) of this section shall be retained by the circuit clerks for expenditures authorized by law.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

ST: Mississippi Center for Legal Services Corporation Fund; create and provide for a new fee to be deposited into.