

By: Representative Perry

To: Judiciary A;  
Appropriations

## HOUSE BILL NO. 767

1 AN ACT TO AMEND SECTION 25-3-43, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT  
3 OF APPEALS SHALL RECEIVE A DAILY EXPENSE ALLOWANCE IN THE SAME  
4 AMOUNT AS THE FEDERAL EXPENSE ALLOWANCE RATE, WHICH SHALL BE IN  
5 ADDITION TO THEIR REGULAR SALARY AND MILEAGE REIMBURSEMENT; TO  
6 AMEND SECTION 9-4-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
7 THERETO; AND FOR RELATED PURPOSES.

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. Section 25-3-43, Mississippi Code of 1972, is  
11 amended as follows:

12 25-3-43. (1) When any chancery judge, county judge or  
13 circuit judge shall be required to travel in the performance of  
14 his official duties, such judge shall receive as expenses of such  
15 travel the mileage allowance and a reimbursement for other actual  
16 and necessary expenses incurred in such travel as provided for  
17 public officers and employees in Section 25-3-41, Mississippi Code  
18 of 1972. This shall be the entire travel allowances or travel  
19 expenses received by such judges.

20 (2) Chancery judges and circuit judges shall direct requests  
21 for reimbursement for the travel expenses authorized pursuant to  
22 this section to the Supreme Court and the Supreme Court shall  
23 submit such requests to the Department of Finance and  
24 Administration.

25 (3) The Supreme Court shall have the power to adopt rules  
26 and regulations regarding the administration of travel expenses  
27 authorized pursuant to this section.

28 (4) In any county in which is located a State Penitentiary,  
29 the board of supervisors, in order to compensate the justice court

30 judges who are required to travel to the State Penitentiary, is  
31 authorized to reimburse justice court judges' mileage in the  
32 amount authorized by Section 25-3-41, but not to exceed One  
33 Hundred Dollars (\$100.00) per month, such monies to be paid from  
34 the general county fund of such county.

35 (5) In addition to the regular salary provided by Section  
36 25-3-35 and the mileage reimbursement provided by Section 25-3-41,  
37 each Supreme Court justice and each judge of the Court of Appeals  
38 shall receive an expense allowance as specified in this  
39 subsection. The expense allowance shall be equal to the maximum  
40 daily expense rate allowable to employees of the federal  
41 government for travel in the high rate geographical area of  
42 Jackson, Mississippi, as may be established by federal  
43 regulations, per day, for each day while attending to judicial  
44 duties, up to a maximum of twenty (20) days per month.

45 SECTION 2. Section 9-4-13, Mississippi Code of 1972, is  
46 amended as follows:

47 9-4-13. (1) The judges of the Court of Appeals shall  
48 receive salaries as provided for in Section 25-3-35, shall be  
49 reimbursed for mileage expenses incurred in performing their  
50 duties at the rate authorized by law for public officials and  
51 employees as provided for in Section 25-3-41, and shall receive an  
52 expense allowance as provided for in Section 25-3-43.

53 (2) Staff attorneys, law clerks and all other employees of  
54 the Court of Appeals shall be of the same grade classification as  
55 Supreme Court employees performing the same or similar duties.

56 SECTION 3. The Attorney General of the State of Mississippi  
57 shall submit this act, immediately upon approval by the Governor,  
58 or upon approval by the Legislature subsequent to a veto, to the  
59 Attorney General of the United States or to the United States  
60 District Court for the District of Columbia in accordance with the  
61 provisions of the Voting Rights Act of 1965, as amended and  
62 extended. SECTION 4. This act shall take effect and be in force  
63 from and after the date it is effectuated under Section 5 of the  
64 Voting Rights Act of 1965, as amended and extended.