

By: Representatives Middleton, Bozeman,
Flaggs, Green (96th), Myers, Perkins,
Robinson (63rd), Thornton

To: Fees and Salaries of
Public Officers;
County Affairs

HOUSE BILL NO. 1024

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF CLAIBORNE COUNTY TO PAY AN
3 ANNUAL SUPPLEMENT TO THE SHERIFF; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 25-3-25, Mississippi Code of 1972, is
6 amended as follows:

7 **[Until Laws of 1998, Chapter 459, Section 2, is effectuated**
8 **under Section 5 of the Voting Rights Act of 1965, this section**
9 **will read as follows:]**

10 25-3-25. (1) Except as otherwise provided in subsections
11 (2) through (10), the salaries of sheriffs of the various counties
12 are * * * fixed as full compensation for their services.

13 From and after October 1, 1997, the annual salary for each
14 sheriff shall be based upon the total population of his county
15 according to the latest federal decennial census in the following
16 categories and for the following amounts; however, no sheriff
17 shall be paid less than the salary authorized under this section
18 to be paid the sheriff based upon the population of the county
19 according to the 1990 federal decennial census:

20 (a) For counties with a total population of more than
21 two hundred thousand (200,000), a salary of Seventy-five Thousand
22 Dollars (\$75,000.00).

23 (b) For counties with a total population of more than
24 one hundred thousand (100,000) and not more than two hundred
25 thousand (200,000), a salary of Seventy Thousand Dollars
26 (\$70,000.00).

27 (c) For counties with a total population of more than

28 forty-five thousand (45,000) and not more than one hundred
29 thousand (100,000), a salary of Sixty-five Thousand Dollars
30 (\$65,000.00).

31 (d) For counties with a total population of more than
32 thirty-four thousand (34,000) and not more than forty-five
33 thousand (45,000), a salary of Sixty Thousand Dollars
34 (\$60,000.00).

35 (e) For counties with a total population of more than
36 twenty-five thousand (25,000) and not more than thirty-four
37 thousand (34,000), a salary of Fifty-two Thousand Dollars
38 (\$52,000.00).

39 (f) For counties with a total population of more than
40 fifteen thousand (15,000) and not more than twenty-five thousand
41 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

42 (g) For counties with a total population of more than
43 nine thousand five hundred (9,500) and not more than fifteen
44 thousand (15,000), a salary of Forty-seven Thousand Dollars
45 (\$47,000.00).

46 (h) For counties with a total population of more than
47 seven thousand five hundred (7,500) and not more than nine
48 thousand five hundred (9,500), a salary of Forty-five Thousand
49 Dollars (\$45,000.00).

50 (i) For counties with a total population of not more
51 than seven thousand five hundred (7,500), a salary of Forty-two
52 Thousand Dollars (\$42,000.00).

53 (2) In addition to the salary provided for in subsection (1)
54 of this section, the Board of Supervisors of Leflore County * * *,
55 in its discretion, may pay an annual supplement to the sheriff of
56 the county in an amount not to exceed Ten Thousand Dollars
57 (\$10,000.00). The Legislature finds and declares that the annual
58 supplement authorized by this subsection is justified in such
59 county for the following reasons:

60 (a) The Mississippi Department of Corrections operates
61 and maintains a restitution center within the county;

62 (b) The Mississippi Department of Corrections operates
63 and maintains a community work center within the county;

64 (c) There is a resident circuit court judge in the
65 county whose office is located at the Leflore County Courthouse;

66 (d) There is a resident chancery court judge in the
67 county whose office is located at the Leflore County Courthouse;

68 (e) The Magistrate for the Fourth Circuit Court
69 District is located in the county and maintains his office at the
70 Leflore County Courthouse;

71 (f) The Region VI Mental Health-Mental Retardation
72 Center, which serves a multicounty area, calls upon the sheriff to
73 provide security for out-of-town mental patients, as well as
74 patients from within the county;

75 (g) The increased activity of the Child Support
76 Division of the Department of Human Services in enforcing in the
77 courts parental obligations has imposed additional duties on the
78 sheriff; and

79 (h) The dispatchers of the enhanced E-911 system in
80 place in Leflore County has been placed under the direction and
81 control of the sheriff.

82 (3) In addition to the salary provided for in subsection (1)
83 of this section, the Board of Supervisors of Rankin County * * *,
84 in its discretion, may pay an annual supplement to the sheriff of
85 the county in an amount not to exceed Ten Thousand Dollars
86 (\$10,000.00). The Legislature finds and declares that the annual
87 supplement authorized by this subsection is justified in such
88 county for the following reasons:

89 (a) The Mississippi Department of Corrections operates
90 and maintains the Central Mississippi Correctional Facility within
91 the county;

92 (b) The State Hospital is operated and maintained
93 within the county at Whitfield;

94 (c) Hudspeth Regional Center, a facility maintained for
95 the care and treatment of the mentally retarded, is located within

96 the county;

97 (d) The Mississippi Law Enforcement Officers Training
98 Academy is operated and maintained within the county;

99 (e) The State Fire Academy is operated and maintained
100 within the county;

101 (f) The Pearl River Valley Water Supply District,
102 ordinarily known as the "Reservoir District," is located within
103 the county;

104 (g) The Jackson International Airport is located within
105 the county;

106 (h) The patrolling of the state properties located
107 within the county has imposed additional duties on the sheriff;
108 and

109 (i) The sheriff, in addition to providing security to
110 the nearly one hundred thousand (100,000) residents of the county,
111 has the duty to investigate, solve and assist in the prosecution
112 of any misdemeanor or felony committed upon any state property
113 located in Rankin County.

114 (4) In addition to the salary provided for in subsection (1)
115 of this section, the Board of Supervisors of Neshoba County shall
116 pay an annual supplement to the sheriff of the county an amount
117 equal to Ten Thousand Dollars (\$10,000.00).

118 (5) In addition to the salary provided for in subsection (1)
119 of this section, the Board of Supervisors of Tunica County * * *,
120 in their discretion, may pay an annual supplement to the sheriff
121 of the county an amount equal to Ten Thousand Dollars
122 (\$10,000.00), payable beginning April 1, 1997.

123 (6) In addition to the salary provided for in subsection (1)
124 of this section, the Board of Supervisors of Hinds County shall
125 pay an annual supplement to the sheriff of the county in an amount
126 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature
127 finds and declares that the annual supplement authorized by this
128 subsection is justified in such county for the following reasons:

129 (a) Hinds County has the greatest population of any

130 county, two hundred fifty-four thousand four hundred forty-one
131 (254,441) by the 1990 census, being almost one hundred thousand
132 (100,000) more than the next most populous county;

133 (b) Hinds County is home to the state capitol and the
134 seat of all state government offices;

135 (c) Hinds County is the third largest county in
136 geographic area, containing eight hundred seventy-five (875)
137 square miles;

138 (d) Hinds County is comprised of two (2) judicial
139 districts, each having a courthouse and county office buildings;

140 (e) There are four (4) resident circuit judges, four
141 (4) resident chancery judges, and three (3) resident county judges
142 in Hinds County, the most of any county, with the sheriff acting
143 as chief executive officer and provider of bailiff services for
144 all;

145 (f) The main offices for the clerk and most of the
146 judges and magistrates for the United States District Court for
147 the Southern District of Mississippi are located within the
148 county;

149 (g) The state's only urban university, Jackson State
150 University, is located within the county;

151 (h) The University of Mississippi Medical Center,
152 combining the medical school, dental school, nursing school and
153 hospital, is located within the county;

154 (i) Mississippi Veterans Memorial Stadium, the state's
155 largest sports arena, is located within the county;

156 (j) The Mississippi State Fairgrounds, including the
157 Coliseum and Trade Mart, are located within the county;

158 (k) Hinds County has the largest criminal population in
159 the state, such that the Hinds County Sheriff's Department
160 operates the largest county jail system in the state, housing
161 almost one thousand (1,000) inmates in three (3) separate
162 detention facilities;

163 (l) The Hinds County Sheriff's Department handles more

164 mental and drug and alcohol commitments cases than any other
165 sheriff's department in the state;

166 (m) The Mississippi Department of Corrections maintains
167 a restitution center within the county;

168 (n) The Mississippi Department of Corrections regularly
169 houses as many as one hundred (100) state convicts within the
170 Hinds County jail system; and

171 (o) The Hinds County Sheriff's Department is regularly
172 asked to provide security services not only at the Fairgrounds and
173 Memorial Stadium, but also for events at the Mississippi Museum of
174 Art and Jackson City Auditorium.

175 (7) In addition to the salary provided for in subsection (1)
176 of this section, the Board of Supervisors of Wilkinson County, in
177 its discretion, may pay an annual supplement to the sheriff of the
178 county in an amount not to exceed Ten Thousand Dollars
179 (\$10,000.00). The Legislature finds and declares that the annual
180 supplement authorized by this subsection is justified in such
181 county because the Mississippi Department of Corrections contracts
182 for the private incarceration of state inmates at a private
183 correctional facility within the county.

184 (8) In addition to the salary provided for in subsection (1)
185 of this section, the Board of Supervisors of Marshall County, in
186 its discretion, may pay an annual supplement to the sheriff of the
187 county in an amount not to exceed Ten Thousand Dollars
188 (\$10,000.00). The Legislature finds and declares that the annual
189 supplement authorized by this subsection is justified in such
190 county because the Mississippi Department of Corrections contracts
191 for the private incarceration of state inmates at a private
192 correctional facility within the county.

193 (9) In addition to the salary provided in subsection (1) of
194 this section, the Board of Supervisors of Greene County, in its
195 discretion, may pay an annual supplement to the sheriff of the
196 county in an amount not to exceed Ten Thousand Dollars
197 (\$10,000.00). The Legislature finds and declares that the annual

198 supplement authorized by this subsection is justified in such
199 county for the following reasons:

200 (a) The Mississippi Department of Corrections operates
201 and maintains the South Mississippi Correctional Facility within
202 the county;

203 (b) In 1996, additional facilities to house another one
204 thousand four hundred sixteen (1,416) male offenders were
205 constructed at the South Mississippi Correctional Facility within
206 the county; and

207 (c) The patrolling of the state properties located
208 within the county has imposed additional duties on the sheriff
209 justifying additional compensation.

210 (10) In addition to the salary provided for in subsection
211 (1) of this section, the Board of Supervisors of Claiborne County,
212 in its discretion, may pay an annual supplement to the sheriff of
213 the county in an amount not to exceed Ten Thousand Dollars
214 (\$10,000.00). The Legislature finds and declares that the annual
215 supplement authorized by this subsection is justified in the
216 county because the Grand Gulf Nuclear Generating Plant and Alcorn
217 State University are located within the county.

218 (11) The salaries herein provided shall be payable monthly
219 on the first day of each calendar month by chancery clerk's
220 warrant drawn on the general fund of the county; however, the
221 board of supervisors, by resolution duly adopted and entered on
222 its minutes, may provide that such salaries shall be paid
223 semimonthly on the first and fifteenth day of each month. If a
224 pay date falls on a weekend or legal holiday, salary payments
225 shall be made on the workday immediately preceding the weekend or
226 legal holiday.

227 **[From and after the date Laws of 1998, Chapter 459, Section**
228 **2, is effectuated under Section 5 of the Voting Rights Act of**
229 **1965, this section will read as follows:]**

230 25-3-25. (1) Except as otherwise provided in subsections
231 (2) through (10), the salaries of sheriffs of the various counties

232 are * * * fixed as full compensation for their services.

233 From and after October 1, 1998, the annual salary for each
234 sheriff shall be based upon the total population of his county
235 according to the latest federal decennial census in the following
236 categories and for the following amounts; however, no sheriff
237 shall be paid less than the salary authorized under this section
238 to be paid the sheriff based upon the population of the county
239 according to the 1980 federal decennial census:

240 (a) For counties with a total population of more than
241 two hundred thousand (200,000), a salary of Seventy-five Thousand
242 Dollars (\$75,000.00).

243 (b) For counties with a total population of more than
244 one hundred thousand (100,000) and not more than two hundred
245 thousand (200,000), a salary of Seventy Thousand Dollars
246 (\$70,000.00).

247 (c) For counties with a total population of more than
248 forty-five thousand (45,000) and not more than one hundred
249 thousand (100,000), a salary of Sixty-five Thousand Dollars
250 (\$65,000.00).

251 (d) For counties with a total population of more than
252 thirty-four thousand (34,000) and not more than forty-five
253 thousand (45,000), a salary of Sixty Thousand Dollars
254 (\$60,000.00).

255 (e) For counties with a total population of more than
256 twenty-five thousand (25,000) and not more than thirty-four
257 thousand (34,000), a salary of Fifty-two Thousand Dollars
258 (\$52,000.00).

259 (f) For counties with a total population of more than
260 fifteen thousand (15,000) and not more than twenty-five thousand
261 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

262 (g) For counties with a total population of more than
263 nine thousand five hundred (9,500) and not more than fifteen
264 thousand (15,000), a salary of Forty-seven Thousand Dollars
265 (\$47,000.00).

266 (h) For counties with a total population of more than
267 seven thousand five hundred (7,500) and not more than nine
268 thousand five hundred (9,500), a salary of Forty-five Thousand
269 Dollars (\$45,000.00).

270 (i) For counties with a total population of not more
271 than seven thousand five hundred (7,500), a salary of Forty-two
272 Thousand Dollars (\$42,000.00).

273 (2) In addition to the salary provided for in subsection (1)
274 of this section, the Board of Supervisors of Leflore County * * *,
275 in its discretion, may pay an annual supplement to the sheriff of
276 the county in an amount not to exceed Ten Thousand Dollars
277 (\$10,000.00). The Legislature finds and declares that the annual
278 supplement authorized by this subsection is justified in such
279 county for the following reasons:

280 (a) The Mississippi Department of Corrections operates
281 and maintains a restitution center within the county;

282 (b) The Mississippi Department of Corrections operates
283 and maintains a community work center within the county;

284 (c) There is a resident circuit court judge in the
285 county whose office is located at the Leflore County Courthouse;

286 (d) There is a resident chancery court judge in the
287 county whose office is located at the Leflore County Courthouse;

288 (e) The Magistrate for the Fourth Circuit Court
289 District is located in the county and maintains his office at the
290 Leflore County Courthouse;

291 (f) The Region VI Mental Health-Mental Retardation
292 Center, which serves a multicounty area, calls upon the sheriff to
293 provide security for out-of-town mental patients, as well as
294 patients from within the county;

295 (g) The increased activity of the Child Support
296 Division of the Department of Human Services in enforcing in the
297 courts parental obligations has imposed additional duties on the
298 sheriff; and

299 (h) The dispatchers of the enhanced E-911 system in

300 place in Leflore County has been placed under the direction and
301 control of the sheriff.

302 (3) In addition to the salary provided for in subsection (1)
303 of this section, the Board of Supervisors of Rankin County * * *,
304 in its discretion, may pay an annual supplement to the sheriff of
305 the county in an amount not to exceed Ten Thousand Dollars
306 (\$10,000.00). The Legislature finds and declares that the annual
307 supplement authorized by this subsection is justified in such
308 county for the following reasons:

309 (a) The Mississippi Department of Corrections operates
310 and maintains the Central Mississippi Correctional Facility within
311 the county;

312 (b) The State Hospital is operated and maintained
313 within the county at Whitfield;

314 (c) Hudspeth Regional Center, a facility maintained for
315 the care and treatment of the mentally retarded, is located within
316 the county;

317 (d) The Mississippi Law Enforcement Officers Training
318 Academy is operated and maintained within the county;

319 (e) The State Fire Academy is operated and maintained
320 within the county;

321 (f) The Pearl River Valley Water Supply District,
322 ordinarily known as the "Reservoir District," is located within
323 the county;

324 (g) The Jackson International Airport is located within
325 the county;

326 (h) The patrolling of the state properties located
327 within the county has imposed additional duties on the sheriff;
328 and

329 (i) The sheriff, in addition to providing security to
330 the nearly one hundred thousand (100,000) residents of the county,
331 has the duty to investigate, solve and assist in the prosecution
332 of any misdemeanor or felony committed upon any state property
333 located in Rankin County.

334 (4) In addition to the salary provided for in subsection (1)
335 of this section, the Board of Supervisors of Neshoba County shall
336 pay an annual supplement to the sheriff of the county an amount
337 equal to Ten Thousand Dollars (\$10,000.00).

338 (5) In addition to the salary provided for in subsection (1)
339 of this section, the Board of Supervisors of Tunica County * * *,
340 in their discretion, may pay an annual supplement to the sheriff
341 of the county an amount equal to Ten Thousand Dollars
342 (\$10,000.00), payable beginning April 1, 1997.

343 (6) In addition to the salary provided for in subsection (1)
344 of this section, the Board of Supervisors of Hinds County shall
345 pay an annual supplement to the sheriff of the county in an amount
346 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature
347 finds and declares that the annual supplement authorized by this
348 subsection is justified in such county for the following reasons:

349 (a) Hinds County has the greatest population of any
350 county, two hundred fifty-four thousand four hundred forty-one
351 (254,441) by the 1990 census, being almost one hundred thousand
352 (100,000) more than the next most populous county;

353 (b) Hinds County is home to the state capitol and the
354 seat of all state government offices;

355 (c) Hinds County is the third largest county in
356 geographic area, containing eight hundred seventy-five (875)
357 square miles;

358 (d) Hinds County is comprised of two (2) judicial
359 districts, each having a courthouse and county office buildings;

360 (e) There are four (4) resident circuit judges, four
361 (4) resident chancery judges, and three (3) resident county judges
362 in Hinds County, the most of any county, with the sheriff acting
363 as chief executive officer and provider of bailiff services for
364 all;

365 (f) The main offices for the clerk and most of the
366 judges and magistrates for the United States District Court for
367 the Southern District of Mississippi are located within the

368 county;

369 (g) The state's only urban university, Jackson State
370 University, is located within the county;

371 (h) The University of Mississippi Medical Center,
372 combining the medical school, dental school, nursing school and
373 hospital, is located within the county;

374 (i) Mississippi Veterans Memorial Stadium, the state's
375 largest sports arena, is located within the county;

376 (j) The Mississippi State Fairgrounds, including the
377 Coliseum and Trade Mart, are located within the county;

378 (k) Hinds County has the largest criminal population in
379 the state, such that the Hinds County Sheriff's Department
380 operates the largest county jail system in the state, housing
381 almost one thousand (1,000) inmates in three (3) separate
382 detention facilities;

383 (l) The Hinds County Sheriff's Department handles more
384 mental and drug and alcohol commitments cases than any other
385 sheriff's department in the state;

386 (m) The Mississippi Department of Corrections maintains
387 a restitution center within the county;

388 (n) The Mississippi Department of Corrections regularly
389 houses as many as one hundred (100) state convicts within the
390 Hinds County jail system; and

391 (o) The Hinds County Sheriff's Department is regularly
392 asked to provide security services not only at the Fairgrounds and
393 Memorial Stadium, but also for events at the Mississippi Museum of
394 Art and Jackson City Auditorium.

395 (7) In addition to the salary provided for in subsection (1)
396 of this section, the Board of Supervisors of Wilkinson County, in
397 its discretion, may pay an annual supplement to the sheriff of the
398 county in an amount not to exceed Ten Thousand Dollars
399 (\$10,000.00). The Legislature finds and declares that the annual
400 supplement authorized by this subsection is justified in such
401 county because the Mississippi Department of Corrections contracts

402 for the private incarceration of state inmates at a private
403 correctional facility within the county.

404 (8) In addition to the salary provided for in subsection (1)
405 of this section, the Board of Supervisors of Marshall County, in
406 its discretion, may pay an annual supplement to the sheriff of the
407 county in an amount not to exceed Ten Thousand Dollars
408 (\$10,000.00). The Legislature finds and declares that the annual
409 supplement authorized by this subsection is justified in such
410 county because the Mississippi Department of Corrections contracts
411 for the private incarceration of state inmates at a private
412 correctional facility within the county.

413 (9) In addition to the salary provided in subsection (1) of
414 this section, the Board of Supervisors of Greene County, in its
415 discretion, may pay an annual supplement to the sheriff of the
416 county in an amount not to exceed Ten Thousand Dollars
417 (\$10,000.00). The Legislature finds and declares that the annual
418 supplement authorized by this subsection is justified in such
419 county for the following reasons:

420 (a) The Mississippi Department of Corrections operates
421 and maintains the South Mississippi Correctional Facility within
422 the county;

423 (b) In 1996, additional facilities to house another one
424 thousand four hundred sixteen (1,416) male offenders were
425 constructed at the South Mississippi Correctional Facility within
426 the county; and

427 (c) The patrolling of the state properties located
428 within the county has imposed additional duties on the sheriff
429 justifying additional compensation.

430 (10) In addition to the salary provided for in subsection
431 (1) of this section, the Board of Supervisors of Claiborne County,
432 in its discretion, may pay an annual supplement to the sheriff of
433 the county in an amount not to exceed Ten Thousand Dollars
434 (\$10,000.00). The Legislature finds and declares that the annual
435 supplement authorized by this subsection is justified in the

436 county because the Grand Gulf Nuclear Generating Plant and Alcorn
437 State University are located within the county.

438 (11) The salaries herein provided shall be payable monthly
439 on the first day of each calendar month by chancery clerk's
440 warrant drawn on the general fund of the county; however, the
441 board of supervisors, by resolution duly adopted and entered on
442 its minutes, may provide that such salaries shall be paid
443 semimonthly on the first and fifteenth day of each month. If a
444 pay date falls on a weekend or legal holiday, salary payments
445 shall be made on the workday immediately preceding the weekend or
446 legal holiday.

447 SECTION 2. The Attorney General of the State of Mississippi
448 shall submit this act, immediately upon approval by the Governor,
449 or upon approval by the Legislature subsequent to a veto, to the
450 Attorney General of the United States or to the United States
451 District Court for the District of Columbia in accordance with the
452 provisions of the Voting Rights Act of 1965, as amended and
453 extended.

454 SECTION 3. This act shall take effect and be in force from
455 and after the date it is effectuated under Section 5 of the Voting
456 Rights Act of 1965, as amended and extended.