

By: Senator(s) Dearing

To: County Affairs

SENATE BILL NO. 2236

1 AN ACT TO AMEND SECTION 19-25-13, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE SALARY OF ADDITIONAL DEPUTY SHERIFFS WHO ARE
3 SPECIFICALLY DESIGNATED FOR NARCOTICS ENFORCEMENT SHALL BE FUNDED
4 FROM THE PROCEEDS OF FINES COLLECTED BY THE COUNTY FROM
5 CONVICTIONS UNDER THE UNIFORM CONTROLLED SUBSTANCES LAW; AND FOR
6 RELATED PURPOSES.

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

8 SECTION 1. Section 19-25-13, Mississippi Code of 1972, is
9 amended as follows:

10 19-25-13. The sheriff shall, at the July meeting of the
11 board of supervisors, submit a budget of estimated expenses of his
12 office for the ensuing fiscal year beginning October 1 in such
13 form as shall be prescribed by the Director of the State
14 Department of Audit. The board shall examine this proposed budget
15 and determine the amount to be expended by the sheriff in the
16 performance of his duties for the fiscal year and may increase or
17 reduce said amount as it deems necessary and proper.

18 The budget shall include amounts for compensating the
19 deputies and other employees of the sheriff's office, for
20 insurance providing protection for the sheriff and his deputies in
21 case of disability, death and other similar coverage, for travel
22 and transportation expenses of the sheriff and deputies, for
23 feeding prisoners and inmates of the county jail, and for such
24 other expenses as may be incurred in the performance of the duties
25 of the office of sheriff. In addition, the budget shall include
26 amounts for the payment of premiums on bonds and insurance for the
27 sheriff and his deputies which, in the opinion of the board of
28 supervisors, are deemed necessary to protect the interests of the

29 county or the sheriff and his deputies. Such amounts may include
30 official bonds and any bonds required of his deputies by the
31 sheriff; liability insurance; insurance against false arrest
32 charges; insurance against false imprisonment charges; theft, fire
33 and other hazards insurance; and hospitalization insurance as
34 provided for in Sections 25-15-101 and 25-15-103. The board may
35 authorize the reimbursement of the sheriff and deputies for the
36 use of privately owned automobiles or other motor vehicles in the
37 performance of official duties at the rate provided by law for
38 state officers and employees or may authorize the purchase by the
39 sheriff of such motor vehicles and such equipment as may be needed
40 for operation of the sheriff's office, such vehicles and equipment
41 to be owned by the county. In counties which have elected to
42 purchase the motor vehicles and such equipment for the operation
43 of the sheriff's office, if a sheriff or deputy shall be required
44 in the performance of his official duties, in the event of an
45 emergency, to use his privately owned automobile or other motor
46 vehicle, the board of supervisors may, in its discretion,
47 authorize the reimbursement for such use at the rate per mile
48 provided by law for state officers and employees. This shall not
49 be construed as giving an officer a choice of whether to use his
50 own or the county's vehicle but shall be construed so as not to
51 penalize an officer who must use his own vehicle because the
52 county's vehicle was not available.

53 In any county having an additional deputy sheriff who is
54 specifically designated for narcotics enforcement, the salary of
55 the deputy shall be funded from the proceeds of fines collected by
56 the county from convictions of violations of the Uniform
57 Controlled Substances Law.

58 The board of supervisors may acquire one or more credit cards
59 which may be used by the sheriff and his deputies to pay expenses
60 incurred by them when traveling in or out of state in the
61 performance of their official duties. The chancery clerk or
62 county purchase clerk shall maintain complete records of all
63 credit card numbers and all receipts and other documents relating
64 to the use of such credit cards. The sheriff shall furnish
65 receipts for the use of such credit cards each month to the

66 chancery clerk or purchase clerk who shall submit a written report
67 monthly to the board of supervisors, which report shall include an
68 itemized list of all expenditures and use of the credit cards for
69 the month, and such expenditures may be allowed for payment by the
70 county in the same manner as other items on the claims docket.
71 The issuance of a credit card to a sheriff or his deputy under the
72 provisions of this section shall not be construed to authorize
73 such sheriff or deputy sheriff to use such credit card to make any
74 expenditure which is not otherwise authorized by law.

75 The board of supervisors is hereby authorized and empowered,
76 in its discretion, to appropriate and pay a sum not to exceed Four
77 Hundred Dollars (\$400.00) annually as a clothing allowance to each
78 plainclothes investigator employed by the sheriff's office of such
79 county. The board of supervisors of any county bordering on the
80 Gulf of Mexico and having a population of more than thirty-one
81 thousand seven hundred (31,700) but less than thirty-one thousand
82 eight hundred (31,800) according to the 1990 Federal Census may
83 appropriate and pay a sum not to exceed Four Hundred Dollars
84 (\$400.00) annually as a clothing allowance to the administrator of
85 the county jail.

86 The board of supervisors shall, at its first meeting of each
87 quarter beginning on October 1, January 1, April 1 and July 1,
88 appropriate a lump sum for the sheriff for the expenses of his
89 office during the current quarter. The quarterly appropriation
90 shall be one-fourth (1/4) of the amount approved in the annual
91 budget unless the sheriff requests a different amount. Except in
92 case of emergency, as provided in the county budget law, the
93 appropriation for the quarter beginning in October of the last
94 year of the sheriff's term shall not exceed one-fourth (1/4) of
95 the annual budget.

96 The sheriff shall file a report of all expenses of his office
97 incurred during the preceding month with the board of supervisors
98 for approval at its regular monthly meeting in a form to be

99 prescribed by the Director of the State Department of Audit, and
100 upon filing thereof, and approval by the board, the clerk of the
101 board shall issue warrants in payment thereof but not to exceed
102 the budget appropriation for that quarter. Any appropriated funds
103 which are unexpended at the end of the fiscal year shall remain in
104 the county general fund.

105 The budget for the sheriff's office may be revised at any
106 regular meeting by the board of supervisors. Upon recommendation
107 of the sheriff, the board may at any regular meeting make
108 supplemental appropriations to the sheriff's office.

109 Any fees previously required to be paid by a sheriff shall be
110 paid by the board of supervisors by including the estimates
111 therefor in the sheriff's budget. All fees and charges for
112 services heretofore collected by sheriffs shall be collected by
113 said sheriff and paid monthly into the general fund of the
114 concerned county. However, any fees heretofore collected by such
115 sheriffs from the county shall not be paid.

116 SECTION 2. This act shall take effect and be in force from
117 and after October 1, 1999.