

By: Senator(s) Turner

To: Judiciary;  
Appropriations

SENATE BILL NO. 2303

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

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

11 25-3-43. (1) When any chancery judge, county judge or  
12 circuit judge shall be required to travel in the performance of  
13 his official duties, such judge shall receive as expenses of such  
14 travel the mileage allowance and a reimbursement for other actual  
15 and necessary expenses incurred in such travel as provided for  
16 public officers and employees in Section 25-3-41, Mississippi Code  
17 of 1972. This shall be the entire travel allowances or travel  
18 expenses received by such judges.

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

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

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

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

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

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

46 9-4-13. (1) The judges of the Court of Appeals shall  
47 receive salaries as provided for in Section 25-3-35, shall be  
48 reimbursed for mileage expenses incurred in performing their  
49 duties at the rate authorized by law for public officials and  
50 employees as provided for in Section 25-3-41, and shall receive an  
51 expense allowance as provided for in Section 25-3-43.

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

55 SECTION 3. All new programs authorized under this Senate  
56 Bill No. 2303, 1999 Regular Session, shall be subject to the  
57 availability of funds specifically appropriated therefor by the  
58 Legislature.

59 SECTION 4. The Attorney General of the State of Mississippi  
60 shall submit this act, immediately upon approval by the Governor,  
61 or upon approval by the Legislature subsequent to a veto, to the  
62 Attorney General of the United States or to the United States  
63 District Court for the District of Columbia in accordance with the  
64 provisions of the Voting Rights Act of 1965, as amended and  
65 extended.

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