

By: Senator(s) Turner

To: Judiciary;
Appropriations

SENATE BILL NO. 2303
(As Passed the Senate)

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; TO CREATE A NEW CODE SECTION TO PROVIDE THAT PUBLIC
8 SERVICE AND TRANSPORTATION COMMISSIONERS SHALL RECEIVE A DAILY
9 EXPENSE ALLOWANCE IN THE SAME AMOUNT AS THE FEDERAL EXPENSE
10 ALLOWANCE RATE, WHICH SHALL BE IN ADDITION TO THEIR REGULAR SALARY
11 AND MILEAGE REIMBURSEMENT; AND FOR RELATED PURPOSES.

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

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

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

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

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

31 (4) In any county in which is located a State Penitentiary,
32 the board of supervisors, in order to compensate the justice court
33 judges who are required to travel to the State Penitentiary, is
34 authorized to reimburse justice court judges' mileage in the
35 amount authorized by Section 25-3-41, but not to exceed One
36 Hundred Dollars (\$100.00) per month, such monies to be paid from
37 the general county fund of such county.

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

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

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

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

59 SECTION 3. In addition to the regular salary provided by
60 Section 25-3-31 and the mileage reimbursement provided by Section
61 25-3-41, each Public Service Commissioner and Transportation
62 Commissioner shall receive an expense allowance as specified in
63 this section. The expense allowance shall be equal to the maximum

64 daily expense rate allowable to employees of the federal
65 government for travel in the high rate geographical area of
66 Jackson, Mississippi, as may be established by federal
67 regulations, per day, for each day while attending to commission
68 duties, up to a maximum of twenty (20) days per month.

69 SECTION 4. All new programs authorized under this Senate
70 Bill No. 2303, 1999 Regular Session, shall be subject to the
71 availability of funds specifically appropriated therefor by the
72 Legislature.

73 SECTION 5. The Attorney General of the State of Mississippi
74 shall submit this act, immediately upon approval by the Governor,
75 or upon approval by the Legislature subsequent to a veto, to the
76 Attorney General of the United States or to the United States
77 District Court for the District of Columbia in accordance with the
78 provisions of the Voting Rights Act of 1965, as amended and
79 extended.

80 SECTION 6. This act shall take effect and be in force from
81 and after July 1, 1999, or the date it is effectuated under
82 Section 5 of the Voting Rights Act of 1965, as amended and
83 extended, whichever date is later.