

By: Senator(s) Jackson

To: Judiciary; Fees,
Salaries and
Administration

SENATE BILL NO. 2493

1 AN ACT TO AMEND SECTION 9-1-45, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE CONSTABLES TO FILE CERTAIN ANNUAL REPORTS WITH THE STATE
3 AUDITOR; TO REPEAL SECTIONS 7-3-45 AND 7-3-47, MISSISSIPPI CODE OF
4 1972, WHICH REQUIRE CERTAIN ANNUAL REPORTS TO BE FILED BY
5 CONSTABLES WITH THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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8 SECTION 1. Section 9-1-45, Mississippi Code of 1972, is
9 amended as follows:

10 9-1-45. Each chancery and circuit clerk and constable shall
11 file, not later than April 15 of each year, with the State Auditor
12 of Public Accounts a true and accurate annual report on a form to
13 be designed and supplied to each clerk by the State Auditor of
14 Public Accounts immediately after January 1 of each year. The
15 form shall include the following information: (a) all fees
16 received by constables; (b) revenues subject to the salary cap,
17 including fees; (c) revenues not subject to the salary cap; and
18 (d) expenses of office, including any salary paid to a clerk's
19 spouse or children. Each chancery and circuit clerk and constable
20 shall provide any additional information requested by the Public
21 Employees' Retirement System for the purpose of retirement
22 calculations.

23 In any county having two (2) judicial districts, a separate
24 report may be filed by the chancery clerk and circuit clerk for
25 each judicial district. Whenever the chancery clerk serves as
26 deputy to the circuit clerk in one (1) judicial district and the
27 circuit clerk serves as deputy to the chancery clerk in the other
28 judicial district, each clerk may file, for the judicial district
29 in which he serves, one (1) report for the revenues and expenses

30 of his office in his capacity as chancery or circuit clerk and a
31 separate report for reporting the revenues collected and expenses
32 incurred in his capacity as deputy circuit or deputy chancery
33 clerk.

34 SECTION 2. Sections 7-3-45 and 7-3-47, Mississippi Code of
35 1972, which require certain annual reports to be filed by
36 constables with the Secretary of State, are hereby repealed.

37 SECTION 3. This act shall take effect and be in force from
38 and after its passage.