

By: Barnett (92nd)

To: Fees and Salaries of  
Public Officers;  
Appropriations

HOUSE BILL NO. 994

1 AN ACT TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE SALARIES OF CERTAIN ELECTED STATE AND DISTRICT  
3 OFFICIALS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF  
4 1972, WHICH ESTABLISHES THE SALARIES OF SHERIFFS; AND FOR RELATED  
5 PURPOSES.

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

7 SECTION 1. Section 25-3-31, Mississippi Code of 1972, is  
8 amended as follows:

9 25-3-31. The annual salaries of the following elected state  
10 and district officers are fixed as follows:

11	Governor.....	\$101,800.00
12	Attorney General.....	90,800.00
13	Secretary of State.....	<u>81,200.00</u>
14	Commissioner of Insurance.....	<u>81,200.00</u>
15	State Treasurer.....	<u>81,200.00</u>
16	State Auditor of Public Accounts.....	<u>81,200.00</u>
17	Commissioner of Agriculture and Commerce.....	<u>81,200.00</u>
18	Transportation Commissioners.....	<u>73,080.00</u>
19	Public Service Commissioners.....	<u>73,080.00</u>

20 The above fixed salary of the Governor shall be the reference  
21 amount utilized in computing average compensation and earned  
22 compensation pursuant to Section 25-11-103(f) and Section  
23 25-11-103(k) and to related sections which require such  
24 computations.

25 SECTION 2. Section 25-3-25, Mississippi Code of 1972, is  
26 brought forward as follows:

27 25-3-25. (1) Except as otherwise provided in subsections

28 (2) through (9), the salaries of sheriffs of the various counties  
29 are hereby fixed as full compensation for their services.

30 From and after October 1, 1998, the annual salary for each  
31 sheriff shall be based upon the total population of his county  
32 according to the latest federal decennial census in the following  
33 categories and for the following amounts; however, no sheriff  
34 shall be paid less than the salary authorized under this section  
35 to be paid the sheriff based upon the population of the county  
36 according to the 1980 federal decennial census:

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

40 (b) For counties with a total population of more than  
41 one hundred thousand (100,000) and not more than two hundred  
42 thousand (200,000), a salary of Seventy Thousand Dollars  
43 (\$70,000.00).

44 (c) For counties with a total population of more than  
45 forty-five thousand (45,000) and not more than one hundred  
46 thousand (100,000), a salary of Sixty-five Thousand Dollars  
47 (\$65,000.00).

48 (d) For counties with a total population of more than  
49 thirty-four thousand (34,000) and not more than forty-five  
50 thousand (45,000), a salary of Sixty Thousand Dollars  
51 (\$60,000.00).

52 (e) For counties with a total population of more than  
53 twenty-five thousand (25,000) and not more than thirty-four  
54 thousand (34,000), a salary of Fifty-two Thousand Dollars  
55 (\$52,000.00).

56 (f) For counties with a total population of more than  
57 fifteen thousand (15,000) and not more than twenty-five thousand  
58 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

59 (g) For counties with a total population of more than  
60 nine thousand five hundred (9,500) and not more than fifteen

61 thousand (15,000), a salary of Forty-seven Thousand Dollars  
62 (\$47,000.00).

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

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

70 (2) In addition to the salary provided for in subsection (1)  
71 of this section, the Board of Supervisors of Leflore County may,  
72 in its discretion, pay an annual supplement to the sheriff of the  
73 county in an amount not to exceed Ten Thousand Dollars  
74 (\$10,000.00). The Legislature finds and declares that the annual  
75 supplement authorized by this subsection is justified in such  
76 county for the following reasons:

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

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

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

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

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

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

92 (g) The increased activity of the Child Support  
93 Division of the Department of Human Services in enforcing in the

94 courts parental obligations has imposed additional duties on the  
95 sheriff; and

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

99           (3) In addition to the salary provided for in subsection (1)  
100 of this section, the Board of Supervisors of Rankin County may, in  
101 its discretion, pay an annual supplement to the sheriff of the  
102 county in an amount not to exceed Ten Thousand Dollars  
103 (\$10,000.00). The Legislature finds and declares that the annual  
104 supplement authorized by this subsection is justified in such  
105 county for the following reasons:

106           (a) The Mississippi Department of Corrections operates  
107 and maintains the Central Mississippi Correctional Facility within  
108 the county;

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

111           (c) Hudspeth Regional Center, a facility maintained for  
112 the care and treatment of the mentally retarded, is located within  
113 the county;

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

116           (e) The State Fire Academy is operated and maintained  
117 within the county;

118           (f) The Pearl River Valley Water Supply District,  
119 ordinarily known as the "Reservoir District," is located within  
120 the county;

121           (g) The Jackson International Airport is located within  
122 the county;

123           (h) The patrolling of the state properties located  
124 within the county has imposed additional duties on the sheriff;  
125 and

126           (i) The sheriff, in addition to providing security to

127 the nearly one hundred thousand (100,000) residents of the county,  
128 has the duty to investigate, solve and assist in the prosecution  
129 of any misdemeanor or felony committed upon any state property  
130 located in Rankin County.

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

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

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

146 (a) Hinds County has the greatest population of any  
147 county, two hundred fifty-four thousand four hundred forty-one  
148 (254,441) by the 1990 census, being almost one hundred thousand  
149 (100,000) more than the next most populous county;

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

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

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

157 (e) There are four (4) resident circuit judges, four  
158 (4) resident chancery judges, and three (3) resident county judges  
159 in Hinds County, the most of any county, with the sheriff acting

160 as chief executive officer and provider of bailiff services for  
161 all;

162 (f) The main offices for the clerk and most of the  
163 judges and magistrates for the United States District Court for  
164 the Southern District of Mississippi are located within the  
165 county;

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

168 (h) The University of Mississippi Medical Center,  
169 combining the medical school, dental school, nursing school and  
170 hospital, is located within the county;

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

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

175 (k) Hinds County has the largest criminal population in  
176 the state, such that the Hinds County Sheriff's Department  
177 operates the largest county jail system in the state, housing  
178 almost one thousand (1,000) inmates in three (3) separate  
179 detention facilities;

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

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

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

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

192 (7) In addition to the salary provided for in subsection (1)

193 of this section, the Board of Supervisors of Wilkinson County, in  
194 its discretion, may pay an annual supplement to the sheriff of the  
195 county in an amount not to exceed Ten Thousand Dollars  
196 (\$10,000.00). The Legislature finds and declares that the annual  
197 supplement authorized by this subsection is justified in such  
198 county because the Mississippi Department of Corrections contracts  
199 for the private incarceration of state inmates at a private  
200 correctional facility within the county.

201 (8) In addition to the salary provided for in subsection (1)  
202 of this section, the Board of Supervisors of Marshall County, in  
203 its discretion, may pay an annual supplement to the sheriff of the  
204 county in an amount not to exceed Ten Thousand Dollars  
205 (\$10,000.00). The Legislature finds and declares that the annual  
206 supplement authorized by this subsection is justified in such  
207 county because the Mississippi Department of Corrections contracts  
208 for the private incarceration of state inmates at a private  
209 correctional facility within the county.

210 (9) In addition to the salary provided in subsection (1) of  
211 this section, the Board of Supervisors of Greene County, in its  
212 discretion, may pay an annual supplement to the sheriff of the  
213 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 such  
216 county for the following reasons:

217 (a) The Mississippi Department of Corrections operates  
218 and maintains the South Mississippi Correctional Facility within  
219 the county;

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

224 (c) The patrolling of the state properties located  
225 within the county has imposed additional duties on the sheriff

226 justifying additional compensation.

227       (10) The salaries herein provided shall be payable monthly  
228 on the first day of each calendar month by chancery clerk's  
229 warrant drawn on the general fund of the county; however, the  
230 board of supervisors, by resolution duly adopted and entered on  
231 its minutes, may provide that such salaries shall be paid  
232 semimonthly on the first and fifteenth day of each month. If a  
233 pay date falls on a weekend or legal holiday, salary payments  
234 shall be made on the workday immediately preceding the weekend or  
235 legal holiday.

236       SECTION 3. The Attorney General of the State of Mississippi  
237 shall submit this act, immediately upon approval by the Governor,  
238 or upon approval by the Legislature subsequent to a veto, to the  
239 Attorney General of the United States or to the United States  
240 District Court for the District of Columbia in accordance with the  
241 provisions of the Voting Rights Act of 1965, as amended and  
242 extended.

243       SECTION 4. Section 1 of this act shall take effect and be in  
244 force from and after July 1, 2000, if it is effectuated on or  
245 before that date under Section 5 of the Voting Rights Act of 1965,  
246 as amended and extended. If Section 1 of this act is effectuated  
247 under Section 5 of the Voting Rights Act of 1965, as amended and  
248 extended, after July 1, 2000, this act shall take effect and be in  
249 force from and after the date it is effectuated under Section 5 of  
250 the Voting Rights Act of 1965, as amended and extended. Section 2  
251 of this act shall take effect and be in force from and after  
252 October 1, 2000, if it is effectuated on or before that date under  
253 Section 5 of the Voting Rights Act of 1965, as amended and  
254 extended. If Section 2 of this act is effectuated under Section 5  
255 of the Voting Rights Act of 1965, as amended and extended, after  
256 October 1, 2000, this act shall take effect and be in force from  
257 and after the date it is effectuated under Section 5 of the Voting  
258 Rights Act of 1965, as amended and extended.