

By: Hyde-Smith

To: Fees, Salaries and  
Administration

## SENATE BILL NO. 2899

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:

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

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

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

28 in which he serves, one (1) report for the revenues and expenses  
29 of his office in his capacity as chancery or circuit clerk and a  
30 separate report for reporting the revenues collected and expenses  
31 incurred in his capacity as deputy circuit or deputy chancery  
32 clerk.

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35 constables with the Secretary of State, are hereby repealed.

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