

By: Hyde-Smith

To: Fees, Salaries and
Administration

SENATE BILL NO. 3048

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE METHOD OF CALCULATION FOR THE ANNUAL SALARIES OF COUNTY
3 SHERIFFS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 25-3-25, Mississippi Code of 1972, is
6 amended as follows:[JMR1]

7 25-3-25. (1) Except as otherwise provided in subsections
8 (2) through (9), the salaries of sheriffs of the various counties
9 are hereby fixed as full compensation for their services.

10 From and after October 1, 1998, the annual salary for each
11 sheriff shall be based upon the total population of his county
12 according to the latest federal decennial census in the following
13 categories and for the following amounts; however, no sheriff
14 shall be paid less than the salary authorized under this section
15 to be paid the sheriff based upon the population of the county
16 according to the 1980 federal decennial census:

17 (a) For counties with a total population of less than
18 twenty-five thousand (25,000), a salary of Sixty-five Thousand
19 Dollars (\$65,000.00).

20 (b) For counties with a total population of more than
21 twenty-five thousand (25,000) and not more than seventy-five
22 thousand (75,000), a salary of Eighty Thousand Dollars
23 (\$80,000.00).

24 (c) For counties with a total population of more than
25 seventy-five thousand (75,000), a salary of Ninety-five Thousand
26 Dollars (\$95,000.00).

27 * * *

28 (2) In addition to the salary provided for in subsection (1)
29 of this section, the Board of Supervisors of Leflore County may,
30 in its discretion, pay an annual supplement to the sheriff of the
31 county in an amount not to exceed Ten Thousand Dollars
32 (\$10,000.00). The Legislature finds and declares that the annual
33 supplement authorized by this subsection is justified in such
34 county for the following reasons:

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

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

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

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

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

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

50 (g) The increased activity of the Child Support
51 Division of the Department of Human Services in enforcing in the
52 courts parental obligations has imposed additional duties on the
53 sheriff; and

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

57 (3) In addition to the salary provided for in subsection (1)
58 of this section, the Board of Supervisors of Rankin County may, in
59 its discretion, pay an annual supplement to the sheriff of the
60 county in an amount not to exceed Ten Thousand Dollars
61 (\$10,000.00). The Legislature finds and declares that the annual
62 supplement authorized by this subsection is justified in such
63 county for the following reasons:

64 (a) The Mississippi Department of Corrections operates
65 and maintains the Central Mississippi Correctional Facility within
66 the county;

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

69 (c) Hudspeth Regional Center, a facility maintained for
70 the care and treatment of the mentally retarded, is located within
71 the county;

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

74 (e) The State Fire Academy is operated and maintained
75 within the county;

76 (f) The Pearl River Valley Water Supply District,
77 ordinarily known as the "Reservoir District," is located within
78 the county;

79 (g) The Jackson International Airport is located within
80 the county;

81 (h) The patrolling of the state properties located
82 within the county has imposed additional duties on the sheriff;
83 and

84 (i) The sheriff, in addition to providing security to
85 the nearly one hundred thousand (100,000) residents of the county,
86 has the duty to investigate, solve and assist in the prosecution
87 of any misdemeanor or felony committed upon any state property
88 located in Rankin County.

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

93 (5) In addition to the salary provided for in subsection (1)
94 of this section, the Board of Supervisors of Tunica County may, in
95 their discretion, pay an annual supplement to the sheriff of the
96 county an amount equal to Ten Thousand Dollars (\$10,000.00),

97 payable beginning April 1, 1997.

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

104 (a) Hinds County has the greatest population of any
105 county, two hundred fifty-four thousand four hundred forty-one
106 (254,441) by the 1990 census, being almost one hundred thousand
107 (100,000) more than the next most populous county;

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

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

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

115 (e) There are four (4) resident circuit judges, four
116 (4) resident chancery judges, and three (3) resident county judges
117 in Hinds County, the most of any county, with the sheriff acting
118 as chief executive officer and provider of bailiff services for
119 all;

120 (f) The main offices for the clerk and most of the
121 judges and magistrates for the United States District Court for
122 the Southern District of Mississippi are located within the
123 county;

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

126 (h) The University of Mississippi Medical Center,
127 combining the medical school, dental school, nursing school and
128 hospital, is located within the county;

129 (i) Mississippi Veterans Memorial Stadium, the state's

130 largest sports arena, is located within the county;

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

133 (k) Hinds County has the largest criminal population in
134 the state, such that the Hinds County Sheriff's Department
135 operates the largest county jail system in the state, housing
136 almost one thousand (1,000) inmates in three (3) separate
137 detention facilities;

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

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

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

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

150 (7) In addition to the salary provided for in subsection (1)
151 of this section, the Board of Supervisors of Wilkinson County, in
152 its discretion, may pay an annual supplement to the sheriff of the
153 county in an amount not to exceed Ten Thousand Dollars
154 (\$10,000.00). The Legislature finds and declares that the annual
155 supplement authorized by this subsection is justified in such
156 county because the Mississippi Department of Corrections contracts
157 for the private incarceration of state inmates at a private
158 correctional facility within the county.

159 (8) In addition to the salary provided for in subsection (1)
160 of this section, the Board of Supervisors of Marshall County, in
161 its discretion, may pay an annual supplement to the sheriff of the
162 county in an amount not to exceed Ten Thousand Dollars

163 (\$10,000.00). The Legislature finds and declares that the annual
164 supplement authorized by this subsection is justified in such
165 county because the Mississippi Department of Corrections contracts
166 for the private incarceration of state inmates at a private
167 correctional facility within the county.

168 (9) In addition to the salary provided in subsection (1) of
169 this section, the Board of Supervisors of Greene County, in its
170 discretion, may pay an annual supplement to the sheriff of the
171 county in an amount not to exceed Ten Thousand Dollars
172 (\$10,000.00). The Legislature finds and declares that the annual
173 supplement authorized by this subsection is justified in such
174 county for the following reasons:

175 (a) The Mississippi Department of Corrections operates
176 and maintains the South Mississippi Correctional Facility within
177 the county;

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

182 (c) The patrolling of the state properties located
183 within the county has imposed additional duties on the sheriff
184 justifying additional compensation.

185 (10) The salaries herein provided shall be payable monthly
186 on the first day of each calendar month by chancery clerk's
187 warrant drawn on the general fund of the county; however, the
188 board of supervisors, by resolution duly adopted and entered on
189 its minutes, may provide that such salaries shall be paid
190 semimonthly on the first and fifteenth day of each month. If a
191 pay date falls on a weekend or legal holiday, salary payments
192 shall be made on the workday immediately preceding the weekend or
193 legal holiday.

194 SECTION 2. The Attorney General of the State of Mississippi
195 shall submit this act, immediately upon approval by the Governor,

196 or upon approval by the Legislature subsequent to a veto, to the
197 Attorney General of the United States or to the United States
198 District Court for the District of Columbia in accordance with the
199 provisions of the Voting Rights Act of 1965, as amended and
200 extended.

201 SECTION 3. This act shall take effect and be in force from
202 and after the date it is effectuated under Section 5 of the Voting
203 Rights Act of 1965, as amended and extended, or October 1, 2000,
204 whichever occurs later.