

By: Representatives Robertson, Mayo,
McBride, Woods

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 941

1 AN ACT TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE SALARY OF THE COUNTY JUDGE IN DESOTO COUNTY; AND FOR
3 RELATED PURPOSES.

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

5 SECTION 1. Section 9-9-11, Mississippi Code of 1972, is
6 amended as follows:

7 9-9-11. (1) Except as otherwise provided in subsections (2)
8 through (4), the county court judge shall receive an annual salary
9 payable monthly out of the county treasury in an amount not to
10 exceed One Thousand Dollars (\$1,000.00) less than the salary which
11 is * * * provided for circuit and chancery judges of this state,
12 in the discretion of the board of supervisors of the county;
13 * * * however, * * * the salary of such judge shall not be
14 reduced during his term of office. * * * The office of county
15 court judge in any county receiving an annual salary of Thirty-six
16 Thousand Dollars (\$36,000.00) or more shall be a full-time
17 position, and the holder thereof shall not otherwise engage in the
18 practice of law.

19 (2) In the event of the establishment of a county court by
20 agreement between two (2) or more counties as provided in Section
21 9-9-3, the county judge of the court so established shall be paid
22 a salary equal to one and one-half (1-1/2) times that salary that
23 he would be paid if he were the judge of the smallest of such two
24 (2) or more counties, such salary to be paid in monthly
25 installments as provided by law; however, such salary shall not
26 exceed One Thousand Dollars (\$1,000.00) less than the salary of
27 the circuit and chancery judges of this state.

28 (3) The county court judge shall receive an annual salary
29 payable monthly out of the county treasury as follows:

30 (a) In any county having a population of seventy
31 thousand (70,000) or more according to the 1980 federal census,
32 the county judge shall receive an annual salary of One Thousand
33 Dollars (\$1,000.00) less than that paid to a circuit court judge.
34 The office of county judge shall be a full-time position, and the
35 holder thereof shall not otherwise engage in the practice of law.

36 (b) In any county having a population of sixty thousand
37 (60,000) or more but less than seventy thousand (70,000) according
38 to the 1980 federal census, the county judge shall receive an
39 annual salary of Forty Thousand Dollars (\$40,000.00). The office
40 of county judge shall be a full-time position, and the holder
41 thereof shall not otherwise engage in the practice of law. The
42 county judge shall not be eligible for any additional salary
43 except as may be authorized in subsection (4).

44 (c) In any county having a population of twenty-seven
45 thousand (27,000) or more but less than sixty thousand (60,000)
46 according to the 1980 federal census, the county judge shall
47 receive an annual salary of not less than Twelve Thousand Dollars
48 (\$12,000.00) but not more than Forty Thousand Dollars
49 (\$40,000.00), in the discretion of the board of supervisors of the
50 county. The county judge shall not be eligible for any additional
51 salary except as may be authorized in subsection (4). In the
52 event that the board of supervisors of the county elects to pay
53 such county judge an annual salary of Thirty Thousand Dollars
54 (\$30,000.00) or more, the office of county judge shall be a
55 full-time position, and the holder thereof shall not otherwise
56 engage in the practice of law.

57 (d) In any county having a population of less than
58 twenty-seven thousand (27,000) according to the 1980 federal
59 census, the county judge shall receive an annual salary of not
60 less than Four Thousand Two Hundred Dollars (\$4,200.00) and not

61 more than Eight Thousand Five Hundred Dollars (\$8,500.00), in the
62 discretion of the board of supervisors of the county. The county
63 judge shall not be eligible for any additional salary except as
64 may be authorized in subsection (4).

65 (4) The county judge of any county described in this
66 subsection shall be paid the compensation, and he shall be subject
67 to any restrictions, set forth in the following paragraphs:

68 (a) The county judge of any such Class 1 county with
69 population according to the latest federal decennial census of
70 forty-five thousand (45,000) or more and lying wholly within a
71 levee district and having two (2) judicial districts shall
72 receive, in the discretion of the board of supervisors of such
73 county, * * * an annual salary not exceeding Forty Thousand
74 Dollars (\$40,000.00), or a sum which is One Thousand Dollars
75 (\$1,000.00) less than the salary * * * provided for circuit and
76 chancery judges of the state, whichever is greater.

77 (b) The county judge of any Class 1 county having an
78 area in excess of nine hundred twenty-five (925) square miles
79 shall receive an annual salary of not less than Thirty Thousand
80 Dollars (\$30,000.00) but, in the discretion of the board of
81 supervisors of such county, such salary may be not more than Five
82 Hundred Dollars (\$500.00) less than the annual salary of a circuit
83 judge, payable monthly out of the county treasury, and the county
84 judge shall not practice law.

85 (c) The office of county judge in any such Class 1
86 county with a population according to the 1970 federal decennial
87 census of greater than thirty-nine thousand (39,000), and where
88 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive
89 an annual salary to be paid in monthly installments of not less
90 than an amount equal to ninety percent (90%) of the annual salary
91 which is * * * provided for circuit and chancery judges of the
92 state, as follows: The salary of the county judge shall be
93 increased by ten percent (10%) annually above the base salary of

94 the preceding year until such time as the judge's salary is equal
95 to the amount that is provided by this subsection. The office of
96 county judge shall be a full-time position and the holder thereof
97 shall not otherwise engage in the practice of law.

98 (d) In any Class 1 county bordering on the Mississippi
99 River and which has situated therein a national military park and
100 national military cemetery, the office of county judge shall be a
101 full-time position and the holder thereof shall not otherwise
102 engage in the practice of law. The salary for the county judge in
103 that county shall be fixed at a sum which is One Thousand Dollars
104 (\$1,000.00) less than the salary * * * provided for circuit and
105 chancery judges of this state.

106 (e) The county judge in any county having a population
107 of at least forty-two thousand one hundred eleven (42,111),
108 according to the 1970 census, and where U.S. Highway 49E and U.S.
109 Highway 82 intersect, shall receive an annual salary to be paid in
110 monthly installments of not less than Thirty Thousand Dollars
111 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars
112 (\$2,500.00) less than the annual salary of the circuit judge, in
113 the discretion of the board of supervisors of that county.

114 (f) The county judge in any Class 1 county bordering on
115 the Mississippi River and having an area of less than four hundred
116 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect
117 shall receive an annual salary of Four Thousand Dollars
118 (\$4,000.00) less than the annual salary of a circuit judge, and
119 such county judge shall not practice law in any manner. The
120 county judge in such county shall not be eligible to receive any
121 additional salary authorized by this section or from any other
122 source other than that set out and authorized by this paragraph.

123 (g) The county judge of any Class 1 county bordering on
124 the Mississippi River on the west and the State of Tennessee on
125 the north, and traversed north to south by Interstate Highway 55,
126 shall receive an annual salary of One Thousand Dollars (\$1,000.00)

127 less than the salary of the chancery and circuit judges of this
128 state * * *.

129 (h) The county judge of any Class 1 county with a
130 population of greater than sixty-nine thousand (69,000) according
131 to the 1980 federal decennial census, and wherein U.S. Highway 80
132 and Mississippi Highway 43 intersect, shall receive an annual
133 salary in an amount not greater than the sum of Five Hundred
134 Dollars (\$500.00) less than the salary * * * provided for circuit
135 and chancery judges of this state, in the discretion of the board
136 of supervisors of that county.

137 (i) The county judge of any county having a population
138 in excess of sixty-six thousand (66,000) according to the 1980
139 federal decennial census, wherein is located a state-supported
140 university and in which U.S. Highways 49 and 11 intersect, shall
141 receive an annual salary of One Thousand Dollars (\$1,000.00) less
142 than that paid to a circuit court judge. The office of such
143 county judge shall be a full-time position, and the holder thereof
144 shall not otherwise engage in the practice of law.

145 (j) The county judge of any county having two (2)
146 judicial districts, having a population in excess of sixty-one
147 thousand nine hundred (61,900) according to the 1980 federal
148 decennial census, in which U.S. Interstate Highway 59 intersects
149 with U.S. Highway 84, shall receive an annual salary of One
150 Thousand Dollars (\$1,000.00) less than the salary * * * to be paid
151 circuit and chancery court judges of this state. The office of
152 such county judge shall be a full-time position, and the holder
153 thereof shall not otherwise engage in the practice of law.

154 (k) The office of county judge of any Class I county
155 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a
156 full-time position and the holder thereof shall not otherwise
157 engage in the practice of law. The annual salary for the office
158 of county judge in that county may be fixed, in the discretion of
159 the board of supervisors of the county, at a sum not to exceed Two

160 Thousand Dollars (\$2,000.00) less than the salary * * * provided
161 for circuit and chancery judges of this state.

162 (l) The county judge of any county having a population
163 of more than forty-one thousand six hundred (41,600) but less than
164 forty-one thousand six hundred fifty (41,650) according to the
165 1980 federal census, and wherein U.S. Highway 49 intersects with
166 Mississippi Highway 22, shall receive an annual salary in an
167 amount established by the board of supervisors, but in no event to
168 exceed the salary provided * * * for circuit and chancery judges
169 of this state.

170 (m) The county judge of any county having a population
171 of more than fifty-seven thousand (57,000) but less than
172 fifty-seven thousand one hundred (57,100) according to the 1980
173 federal census, wherein U.S. Highway 45 intersects with
174 Mississippi Highway 6, shall receive an annual salary in an amount
175 established by the board of supervisors, but in no event to exceed
176 the salary provided * * * for circuit and chancery judges of this
177 state.

178 (n) The county judge of any county having a population
179 of more than fifty-seven thousand three hundred (57,300) according
180 to the 1980 federal decennial census, wherein is located a
181 state-supported university and wherein United States Highways 82
182 and 45 intersect, shall receive an annual salary in an amount
183 established by the board of supervisors, but in no event to exceed
184 the salary provided * * * for circuit and chancery judges of this
185 state.

186 (5) The salary of a county court judge or justice court
187 judge shall not be reduced during his term of office as a result
188 of a population decrease based upon the 1990 federal decennial
189 census.

190 (6) The salary of a sheriff shall not be reduced during his
191 term of office as a result of a population decrease based upon the
192 1990 federal decennial census.

193 (7) From and after October 1, 1993, * * * in addition to the
194 salaries set forth in this section, the board of supervisors of
195 any county, in its discretion, may pay any county court judge
196 whose salary is not established herein in relation to the salary
197 paid to chancery and circuit court judges, an additional amount
198 not to exceed ten percent (10%) of the maximum allowable salary
199 for that judge.

200 SECTION 2. The Attorney General of the State of Mississippi
201 shall submit this act, immediately upon approval by the Governor,
202 or upon approval by the Legislature subsequent to a veto, to the
203 Attorney General of the United States or to the United States
204 District Court for the District of Columbia in accordance with the
205 provisions of the Voting Rights Act of 1965, as amended and
206 extended.

207 SECTION 3. This act shall take effect and be in force from
208 and after October 1, 2001, if it is effectuated on or before that
209 date under Section 5 of the Voting Rights Act of 1965, as amended
210 and extended. If it is effectuated under Section 5 of the Voting
211 Rights Act of 1965, as amended and extended, after October 1,
212 2001, this act shall take effect and be in force from and after
213 the date it is effectuated under Section 5 of the Voting Rights
214 Act of 1965, as amended and extended.