HOUSE BILL NO. 152

AN ACT TO AMEND SECTION 47-5-935, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY SHERIFF THAT CONTRACTS TO PROVIDE ADDITIONAL MANAGEMENT SUPPORT FOR A REGIONAL CORRECTIONAL FACILITY SHALL RECEIVE ADDITIONAL COMPENSATION EQUAL TO TWENTY-FIVE PERCENT OF THE AMOUNT PAID TO THE CHIEF CORRECTIONS OFFICER; TO AMEND SECTION 47-5-937, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY OR COUNTIES CONTRACTING FOR A REGIONAL CORRECTIONAL FACILITY SHALL PROVIDE THE LAW ENFORCEMENT PERSONNEL THAT ARE NEEDED TO STAFF THE FACILITY; TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 47-5-935, Mississippi Code of 1972, is amended as follows:

47-5-935. Concurrent with the execution of a contract for housing of state offenders as authorized by Sections 47-5-931 through 47-5-941, the sheriff of a county where the facility is located is designated as the Chief Corrections Officer for the facility housing state offenders, and in that capacity, shall assume responsibility for management of the corrections facility and for the provision of the care and control of the state offenders housed therein. The sheriff shall be subject to the direction of the department for management of the correctional facility. In addition to the compensation provided by Section 25-3-25, the sheriff shall receive Fifteen Thousand Six Hundred Dollars ($15,600.00) as compensation for the duties specified in Sections 47-5-931 through 47-5-941. If the Chief Corrections Officer for a correctional facility created under Section 47-5-931, contracts with a sheriff of another county to provide additional management support for the facility, then the sheriff who is providing the additional support for the facility shall...
receive, in addition to the compensation provided by Section
25-3-25, a yearly amount equal to twenty-five percent (25%) of the
pay authorized in this section for the Chief Corrections Officer.

SECTION 2. Section 47-5-937, Mississippi Code of 1972, is
amended as follows:

47-5-937. Sections 47-5-931 through 47-5-941 shall be full
and complete authority for the exercise of all powers and
authority granted herein and no requirements or restrictions of
law which would otherwise be applicable to acts of the county or
sheriff or the Department of Corrections shall be applicable
except as expressly provided herein. The sheriff is expressly
authorized to employ counsel to represent the facility to be paid
a salary within the range allowed for a legal assistant to a
district attorney with the employment to continue for a period of
time not to exceed the duration of the indebtedness incurred for
construction of the facility. The county or counties shall pay
this cost and other costs incurred in the operation of the
facility from the proceeds of the funds derived from the financing
of the project and the housing of offenders. The county or
counties also shall supply all law enforcement personnel that are
needed to staff a facility created under Sections 47-5-931 through
47-5-941.

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

25-3-25. (1) Except as otherwise provided in subsections
(2) through (9) of this section and Section 47-5-935, the salaries
of sheriffs of the various counties are hereby fixed as full
compensation for their services.

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

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

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

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

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

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

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

(g) For counties with a total population of more than
nine thousand five hundred (9,500) and not more than fifteen
thousand (15,000), a salary of Forty-seven Thousand Dollars
($47,000.00).

(h) For counties with a total population of more than
seven thousand five hundred (7,500) and not more than nine
thousand five hundred (9,500), a salary of Forty-five Thousand
Dollars ($45,000.00).
(i) For counties with a total population of not more than seven thousand five hundred (7,500), a salary of Forty-two Thousand Dollars ($42,000.00).

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

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

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

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

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

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

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

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

(h) The dispatchers of the enhanced E-911 system in place in Leflore County has been placed under the direction and control of the sheriff.
(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County may, in its discretion, pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

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

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

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

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

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

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

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

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

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.
(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars ($10,000.00).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 4. This act shall take effect and be in force from and after July 1, 2002.