

By: Representatives Robertson, Mitchell

To: Fees and Salaries of
Public Officers; County
Affairs

HOUSE BILL NO. 1296

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. The office of the county judge shall be a full-time
129 position, and the holder thereof shall not otherwise engage in the
130 practice of law.

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

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

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

156 (k) The office of county judge of any Class I county
157 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a
158 full-time position and the holder thereof shall not otherwise
159 engage in the practice of law. The annual salary for the office



160 of county judge in that county may be fixed, in the discretion of
161 the board of supervisors of the county, at a sum not to exceed Two
162 Thousand Dollars (\$2,000.00) less than the salary * * * provided
163 for circuit and chancery judges of this state.

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

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

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

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



192 (6) The salary of a sheriff shall not be reduced during his
193 term of office as a result of a population decrease based upon the
194 1990 federal decennial census.

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

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

209 **SECTION 3.** This act shall take effect and be in force from
210 and after the date it is effectuated under Section 5 of the Voting
211 Rights Act of 1965, as amended and extended.

