

By: Senator(s) Thames, Gordon, Harvey

To: Fees, Salaries and Administration

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2754

1 AN ACT TO INCREASE THE SALARIES OF CERTAIN COUNTY OFFICIALS;
2 TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO REVISE THE
3 SALARY SCALE FOR TAX COLLECTORS AND TAX ASSESSORS; TO AMEND
4 SECTION 25-3-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES
5 OF THE COUNTY PROSECUTING ATTORNEYS IN CERTAIN COUNTIES; TO AMEND
6 SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE
7 SALARIES OF MEMBERS OF COUNTY BOARDS OF SUPERVISORS; TO AMEND
8 SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE
9 SALARIES OF SHERIFFS AND TO AUTHORIZE THE BOARD OF SUPERVISORS OF
10 ANY COUNTY TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE
11 COUNTY UPON CERTAIN CONDITIONS; TO AMEND SECTION 25-3-36,
12 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF JUSTICE
13 COURT JUDGES; TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972,
14 TO INCREASE THE SALARIES OF CERTAIN COUNTY COURT JUDGES; TO AMEND
15 SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARY
16 ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS AND CHIEF COUNTY
17 MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 9-13-19,
18 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COURT
19 REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO
20 INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING BAILIFFS; TO
21 AMEND SECTION 25-11-125, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
22 BOARDS OF SUPERVISORS TO PAY THE REQUIRED EMPLOYER CONTRIBUTION TO
23 THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR ALL CIRCUIT AND
24 CHANCERY CLERKS OF THE COUNTY; TO REPEAL SECTION 25-3-5,
25 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX
26 ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES
27 HAVE BEEN SEPARATED; AND FOR RELATED PURPOSES.

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

29 **SECTION 1.** Section 25-3-3, Mississippi Code of 1972, is
30 amended as follows:

31 25-3-3. (1) The term "total assessed valuation" as used in
32 this section only refers to the ad valorem assessment for the
33 county and, in addition, in counties where oil or gas is produced,
34 the actual value of oil at the point of production, as certified
35 to the counties by the State Tax Commission under the provisions
36 of Sections 27-25-501 through 27-25-525, and the actual value of
37 gas as certified by the State Tax Commission under the provisions
38 of Sections 27-25-701 through 27-25-723.



39 (2) The salary of assessors and collectors of the various
40 counties is * * * fixed as full compensation for their services as
41 county assessors or tax collectors, or both if the office of
42 assessor has been combined with the office of tax collector. The
43 annual salary of each assessor or tax collector, or both if the
44 offices have been combined, shall be based upon the total assessed
45 valuation of his respective county for the preceding taxable year
46 in the following categories and for the following amounts:

47 (a) For counties having a total assessed valuation of
48 One Billion Dollars (\$1,000,000,000.00) or more, a salary of
49 Sixty-five Thousand Dollars (\$65,000.00);

50 (b) For counties having a total assessed valuation of
51 at least Five Hundred Million Dollars (\$500,000,000.00) but less
52 than One Billion Dollars (\$1,000,000,000.00), a salary of Sixty
53 Thousand Dollars (\$60,000.00);

54 (c) For counties having a total assessed valuation of
55 at least Two Hundred Million Dollars (\$200,000,000.00) but less
56 than Five Hundred Million Dollars (\$500,000,000.00), a salary of
57 Fifty-five Thousand Dollars (\$55,000.00);

58 (d) For counties having a total assessed valuation of
59 at least Seventy-five Million Dollars (\$75,000,000.00) but less
60 than Two Hundred Million Dollars (\$200,000,000.00), a salary of
61 Fifty Thousand Dollars (\$50,000.00);

62 (e) For counties having a total assessed valuation of
63 at least Thirty-five Million Dollars (\$35,000,000.00) but less
64 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
65 Forty-five Thousand Dollars (\$45,000.00);

66 (f) For counties having a total assessed valuation of
67 less than Thirty-five Million Dollars (\$35,000,000.00), a salary
68 of Forty Thousand Dollars (\$40,000.00).

69 (3) In addition to all other compensation paid pursuant to
70 this section, the board of supervisors shall pay to a person



71 serving as both the tax assessor and tax collector in their county
72 an additional Five Thousand Dollars (\$5,000.00) per year.

73 (4) The annual salary established for * * * assessors and
74 tax collectors shall not be reduced as a result of a reduction in
75 total assessed valuation. The salaries shall be increased as a
76 result of an increase in total assessed valuation.

77 (5) In addition to all other compensation paid to assessors
78 and tax collectors in counties having two (2) judicial districts,
79 the board of supervisors shall pay such assessors and tax
80 collectors * * * an additional Three Thousand Five Hundred Dollars
81 (\$3,500.00) per year. In addition to all other compensation paid
82 to assessors or tax collectors, in counties maintaining two (2)
83 full-time offices, the board of supervisors shall pay the assessor
84 or tax collector * * * an additional Three Thousand Five Hundred
85 Dollars (\$3,500.00) per year.

86 (6) In addition to all other compensation paid to assessors
87 and tax collectors, the board of supervisors of a county shall
88 allow for such assessor or tax collector, or both, to be paid
89 additional compensation when there is a contract between the
90 county and one or more municipalities providing that the assessor
91 or tax collector, or both, shall assess * * * or collect taxes, or
92 both, for the municipality or municipalities; and such assessor or
93 tax collector, or both, shall be authorized to receive such
94 additional compensation from the county and/or the municipality or
95 municipalities in any amount allowed by the county and/or the
96 municipality or municipalities for performing those services.

97 (7) When any tax assessor holds a valid certificate of
98 educational recognition from the International Association of
99 Assessing Officers or is a licensed appraiser under Section
100 73-34-1 et seq., he shall receive an additional One Thousand Five
101 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
102 year after completion. When any tax assessor is a licensed state
103 certified Residential Appraiser (RA) or licensed state certified



104 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
105 any tax assessor holds a valid designation from the International
106 Association of Assessing Officers as a Cadastral Mapping
107 Specialist (CMS) or Personal Property Specialist (PPS) or
108 Residential Evaluation Specialist (RES), he shall receive an
109 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
110 beginning the next fiscal year after completion. When any tax
111 assessor holds the valid designation of Certified Assessment
112 Evaluator (CAE) from the International Association of Assessing
113 Officers or is a state certified General Real Estate Appraiser
114 (GA) under Section 73-34-1 et seq., he shall receive an additional
115 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
116 the next fiscal year after completion.

117 (8) The salaries provided for in this section shall be the
118 total funds paid to the county assessors and tax collectors and
119 shall be full compensation for their services, with any fees being
120 paid to the county general fund.

121 (9) The salaries * * * provided for in this section shall be
122 payable monthly on the first day of each calendar month by
123 chancery clerk's warrant drawn on the general fund of the county;
124 however, the board of supervisors, by resolution duly adopted and
125 entered on its minutes, may provide that such salaries shall be
126 paid semimonthly on the first and fifteenth day of each month. If
127 a pay date falls on a weekend or legal holiday, salary payments
128 shall be made on the workday immediately preceding the weekend or
129 legal holiday.

130 * * *

131 **SECTION 2.** Section 25-3-9, Mississippi Code of 1972, is
132 amended as follows:

133 25-3-9. (1) Except as provided in subsections (2) and (3)
134 of this section, the county prosecuting attorney may receive for
135 his services an annual salary to be paid by the board of
136 supervisors as follows:



137 (a) For counties with a total population of more than
138 two hundred thousand (200,000), a salary not to exceed Thirty-one
139 Thousand Three Hundred Fifty Dollars (\$31,350.00).

140 (b) For counties with a total population of more than
141 one hundred thousand (100,000) and not more than two hundred
142 thousand (200,000), a salary not to exceed Twenty-nine Thousand
143 One Hundred Fifty Dollars (\$29,150.00).

144 (c) For counties with a total population of more than
145 fifty thousand (50,000) and not more than one hundred thousand
146 (100,000), a salary not to exceed Twenty-three Thousand Eight
147 Hundred Seventy Dollars (\$23,870.00).

148 (d) For counties with a total population of more than
149 thirty-five thousand (35,000) and not more than fifty thousand
150 (50,000), a salary not to exceed Twenty-two Thousand Four Hundred
151 Forty Dollars (\$22,440.00).

152 (e) For counties with a total population of more than
153 twenty-five thousand (25,000) and not more than thirty-five
154 thousand (35,000), a salary not to exceed Twenty-one Thousand Two
155 Hundred Thirty Dollars (\$21,230.00).

156 (f) For counties with a total population of more than
157 fifteen thousand (15,000) and not more than twenty-five thousand
158 (25,000), a salary not to exceed Nineteen Thousand Four Hundred
159 Seventy Dollars (\$19,470.00).

160 (g) For counties with a total population of more than
161 ten thousand (10,000) and not more than fifteen thousand (15,000),
162 a salary not to exceed Seventeen Thousand Seven Hundred Ten
163 Dollars (\$17,710.00).

164 (h) For counties with a total population of more than
165 six thousand (6,000) and not more than ten thousand (10,000), a
166 salary not to exceed Fifteen Thousand Nine Hundred Fifty Dollars
167 (\$15,950.00).

168 (i) For counties with a total population of six
169 thousand (6,000) or less, the board of supervisors, in its



170 discretion, may appoint a county prosecuting attorney, and it may
171 pay such county prosecuting attorney an annual salary not to
172 exceed Fourteen Thousand One Hundred Ninety Dollars (\$14,190.00).

173 In all cases of conviction there shall be taxed against the
174 convicted defendant, as an item of cost, the sum of Three Dollars
175 (\$3.00), which shall be turned in to the county treasury as a part
176 of the general county funds; however, the Three Dollars (\$3.00)
177 shall not be taxed in any case in which it is not the specific
178 duty of the county attorney to appear and prosecute.

179 * * * In addition to the salaries provided for in this
180 subsection, the board of supervisors of any county, in its
181 discretion, may pay the county prosecuting attorney an additional
182 amount not to exceed ten percent (10%) of the maximum allowable
183 salary prescribed in this subsection.

184 (2) In the following counties, the county prosecuting
185 attorney shall receive for his services an annual salary to be
186 paid by the board of supervisors, as follows:

187 (a) In any county bordering upon the Mississippi River
188 and having a population of not less than thirty thousand (30,000)
189 and not more than thirty-five thousand five hundred (35,500)
190 according to the federal census of 1990, and in counties having a
191 population of not more than thirty-seven thousand (37,000)
192 according to the federal census of 1990 in which Interstate
193 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
194 attorney shall receive a salary equal to the justice court judge
195 of such county; and in any county wherein is located the state's
196 oldest state-supported institution of higher learning and wherein
197 Mississippi State Highways 7 and 6 intersect, the county
198 prosecuting attorney shall receive an annual salary equal to that
199 of a member of the board of supervisors of such county.

200 (b) In counties having a population in excess of fifty
201 thousand (50,000) in the 1960 federal census, wherein is located a
202 state-supported university and in which U.S. Highways 49 and 11



203 intersect, the salary of the county prosecuting attorney shall be
204 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
205 per year. The Board of Supervisors of Forrest County,
206 Mississippi, may, in its discretion, and by agreement with the
207 county prosecuting attorney, employ the county prosecuting
208 attorney as a full-time elected official during his/her term of
209 office, designate additional duties and responsibilities of the
210 office and pay additional compensation up to, but not in excess
211 of, ninety percent (90%) of the annual compensation and salary of
212 the county court judge and the youth court judge of Forrest County
213 as authorized by law and provide a reasonable office and
214 reasonable office expenses to the county prosecuting attorney.
215 The salary authorized by this paragraph (b) for the county
216 prosecuting attorney shall be the sole and complete salary for
217 such prosecuting attorney in each county to which this paragraph
218 applies, notwithstanding any other provision of law to the
219 contrary.

220 (c) In any county wherein is housed the seat of state
221 government, wherein U.S. Highways 80 and 49 intersect, and having
222 two (2) judicial districts, the board of supervisors, in its
223 discretion, may pay the county prosecuting attorney an annual
224 salary equal to the annual salary of members of the board of
225 supervisors in the county.

226 (d) In any county which has two (2) judicial districts
227 and wherein Highway 8 and Highway 15 intersect, having a
228 population of greater than seventeen thousand (17,000), according
229 to the 1980 federal decennial census, the board of supervisors
230 shall pay the county prosecuting attorney a salary equal to that
231 of a member of the board of supervisors of such county; provided
232 that if such county prosecuting attorney is paid a sum for the
233 purpose of defraying office or secretarial expenses, then the
234 salary prescribed herein shall be reduced by that amount.



235 (e) In any county bordering the State of Tennessee and
236 in which Mississippi Highways No. 4 and 15 intersect, and having a
237 population of less than twenty thousand (20,000) in the 1970
238 federal census, the salary of the county prosecuting attorney
239 shall be no less than Six Thousand Dollars (\$6,000.00).

240 (f) In any county having a population of more than
241 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45
242 intersect, the salary of the county attorney shall be paid not
243 less than Eight Thousand Dollars (\$8,000.00).

244 In addition, such county prosecuting attorney shall receive
245 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month
246 for the purpose of defraying secretarial expense.

247 (g) In any county wherein I-20 and State Highway 15
248 intersect; and in any county wherein I-20 and State Highway 35
249 intersect, the salary of the county prosecuting attorney shall be
250 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

251 (h) In any Class 1 county bordering on the Mississippi
252 River, lying in whole or in part within a levee district, wherein
253 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
254 and Stales Bayou, the board of supervisors, in its discretion, may
255 pay an annual salary equal to the annual salary of members of the
256 board of supervisors in the county. In addition, such county
257 prosecuting attorney shall receive the sum of One Thousand Dollars
258 (\$1,000.00) per month for the purpose of defraying secretarial
259 expenses.

260 (i) In any county bordering on the Gulf of Mexico
261 having two (2) judicial districts, and wherein U.S. Highways 90
262 and 49 intersect, the salary of the county prosecuting attorney
263 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
264 year. The Board of Supervisors of Harrison County, Mississippi,
265 may, in its discretion, and by agreement with the county
266 prosecuting attorney, employ the county prosecuting attorney and
267 his/her assistant during his/her term of office, and designate



268 additional duties and responsibilities of the office and pay
269 additional compensation up to, but not in excess of, ninety
270 percent (90%) of the annual compensation and salary of the county
271 court judges of Harrison County as authorized by law and provide
272 adequate office space and reasonable office expenses to the county
273 prosecuting attorney and his/her assistant. The salary authorized
274 by this paragraph (i) for the county prosecuting attorney and
275 his/her assistant shall be the sole and complete salary paid by
276 the county for such prosecuting attorney and his/her assistant in
277 each county to which this paragraph applies, notwithstanding any
278 other provision of law to the contrary.

279 (j) In any county bordering on the State of Alabama,
280 having a population in excess of seventy-five thousand (75,000)
281 according to the 1980 decennial census in which is located an
282 institution of higher learning and a United States military
283 installation and which is traversed by an interstate highway, the
284 salary of the county prosecuting attorney shall not be less than
285 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
286 the annual salary received by a member of the board of supervisors
287 of that county.

288 (k) In any county with a land area wherein Mississippi
289 Highways 8 and 9 intersect, the salary of the county prosecuting
290 attorney shall be not less than Eight Thousand Five Hundred
291 Dollars (\$8,500.00) per year.

292 (l) In any Class 2 county wherein Mississippi Highways
293 6 and 3 intersect, the salary of the county prosecuting attorney
294 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
295 year nor more than the amount of the annual salary received by a
296 member of the board of supervisors of that county.

297 (m) In any county wherein Interstate Highway 55 and
298 State Highway 8 intersect, the salary of the county prosecuting
299 attorney shall be not less than Twelve Thousand Dollars
300 (\$12,000.00) per year.



301 (n) In any county wherein U.S. Highway 51 intersects
302 Mississippi Highway 6, and having two (2) judicial districts, the
303 salary of the county prosecuting attorney shall be not less than
304 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

305 (o) In any county bordering on the Alabama state line,
306 having a population of greater than fifteen thousand (15,000)
307 according to the 1970 federal decennial census, wherein U.S.
308 Highway 45 and Mississippi Highway 18 intersect, the salary of the
309 county prosecuting attorney shall be not less than Three Thousand
310 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
311 of the board of supervisors of such county. All prior acts,
312 orders and resolutions of the board of supervisors of such county
313 which authorized the payment of the salary in conformity with the
314 provisions of this paragraph, whether or not heretofore
315 specifically authorized by law are hereby ratified, approved and
316 confirmed.

317 (p) In any county wherein is located a state-supported
318 institution of higher learning and wherein U.S. Highway 82 and
319 Mississippi Highway 389 intersect, the board of supervisors, in
320 its discretion, may pay the county prosecuting attorney an annual
321 salary equal to the annual salary of members of the board of
322 supervisors in the county.

323 (q) In any county having two (2) judicial districts
324 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the
325 salary of the county prosecuting attorney shall be not less than
326 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

327 (r) In any county traversed by the Natchez Trace
328 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
329 intersect, the board of supervisors, in its discretion, may pay
330 the county prosecuting attorney an annual salary equal to the
331 annual salary of justice court judges in the county.

332 (s) In any county having a population of more than
333 fourteen thousand (14,000) according to the 1970 census and which



334 county is bordered on the north by the State of Tennessee and on
335 the east by the State of Alabama and in which U.S. Highway No. 72
336 and Highway No. 25 intersect, the board of supervisors, in its
337 discretion, may pay the county prosecuting attorney an annual
338 salary equal to the annual salary of justice court judges in the
339 county.

340 (t) (i) In any county wherein Interstate Highway 55
341 and State Highway 22 intersect, and which is also traversed in
342 whole or part by U.S. Highways 49 and 51, and State Highways 16,
343 17, 43 and the Natchez Trace Parkway, and also containing a part
344 of a public lake or reservoir, in excess of thirty thousand
345 (30,000) acres, the board of supervisors, in its discretion, may
346 pay the county prosecuting attorney an annual salary in the amount
347 of Twenty-eight Thousand Dollars (\$28,000.00).

348 (ii) From and after October 1, 1993, in addition
349 to the salary provided for subparagraph (i) of this paragraph, the
350 board of supervisors, in its discretion, may pay the county
351 prosecuting attorney an additional amount not to exceed ten
352 percent (10%) of the maximum allowable salary prescribed herein.

353 (u) In any county having a population in the 1970
354 census in excess of thirty-five thousand (35,000) and in which
355 U.S. Highways 49W and 82 intersect, and in which is located a
356 state penitentiary, the annual salary of a county prosecuting
357 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
358 (\$30,420.00).

359 (v) In any county wherein Mississippi Highway 50
360 intersects U.S. Highway 45-Alternate, and having a population
361 greater than twenty thousand (20,000) according to the 1980
362 federal decennial census, a salary equal to that of a member of
363 the board of supervisors of such county; provided that if such
364 county prosecuting attorney is paid a sum for the purpose of
365 defraying office or secretarial expenses, then the salary
366 prescribed herein shall be reduced by that amount.



367 (w) In any county in which the 1975 assessed valuation
368 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred
369 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and
370 Mississippi Highway 8 intersect, the salary of the county
371 prosecuting attorney shall be equal to that of a member of the
372 board of supervisors of such county.

373 (x) In any county bordering on the Mississippi River
374 having a population greater than fifty thousand (50,000) according
375 to the 1980 federal decennial census and also having a national
376 military park and national cemetery, an annual salary of
377 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
378 that of a member of the board of supervisors in such county,
379 whichever is greater. In addition, such county prosecuting
380 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
381 per month for the purpose of defraying secretarial expenses.

382 (y) In any county bordering on the Alabama state line,
383 traversed by the Chickasawhay River, and wherein U.S. Highway 45
384 and U.S. Highway 84 intersect, a salary that shall be equal to the
385 annual salary of a member of the board of supervisors of such
386 county. All prior acts, orders and resolutions of the board of
387 supervisors of such county which authorize the payment of the
388 salary of the county prosecuting attorney in conformity with the
389 provisions of this section as it existed immediately prior to the
390 effective date of Chapter 506, Laws of 1985, are hereby ratified,
391 approved, confirmed and validated.

392 (z) In any county having a population greater than
393 sixty-five thousand five hundred eighty (65,580) but less than
394 sixty-five thousand five hundred ninety (65,590) according to the
395 1990 federal decennial census, wherein U.S. Highway 45 intersects
396 with Mississippi Highway 6, an annual salary equal to Thirty
397 Thousand Dollars (\$30,000.00).

398 (aa) In any county where an institution of higher
399 learning is located and wherein U.S. Highway 82 and U.S. Highway



400 45 intersect, the salary of county prosecuting attorney shall be
401 not less than that of a member of the board of supervisors in such
402 county, and the board of supervisors may, in its discretion, pay
403 such county prosecuting attorney a salary in an amount not to
404 exceed the amount of the salary of the District Attorney for the
405 Sixteenth Judicial District of Mississippi.

406 (bb) In any county having a population greater than six
407 thousand (6,000) according to the federal decennial census and
408 wherein U.S. Highway 61 and Highway 24 intersect, the board of
409 supervisors, in its discretion, may pay the county prosecuting
410 attorney an annual salary equal to the annual salary of members of
411 the board of supervisors in the county.

412 (cc) In any county having a population greater than
413 thirty-one thousand (31,000) according to the 1990 federal
414 decennial census and wherein U.S. Highway 61 and U.S. Highway 49
415 intersect, a salary of not less than the annual salary of justice
416 court judges in the county.

417 (dd) In any county having a population greater than
418 eighty-seven thousand (87,000) but less than eighty-seven thousand
419 two hundred (87,200) according to the 1990 federal census, in
420 which is located an international airport, an annual salary of
421 Twenty-nine Thousand Dollars (\$29,000.00). In addition, such
422 county prosecuting attorney shall receive the sum of One Thousand
423 Dollars (\$1,000.00) per month for the purpose of defraying
424 secretarial expenses.

425 (ee) In any county having a population greater than
426 eight thousand (8,000) but less than eight thousand two hundred
427 (8,200) according to the 1990 federal census, and in which U.S.
428 Highway 61 and Mississippi Highway 4 intersect, the board of
429 supervisors may, in its discretion, pay the county prosecuting
430 attorney an amount not to exceed Fourteen Thousand Dollars
431 (\$14,000.00), in addition to the maximum allowable salary for that
432 attorney under subsection (1), beginning on April 1, 1997.



433 (ff) In any county having a population greater than
434 thirty thousand three hundred (30,300) but less than thirty
435 thousand four hundred (30,400) according to the 1990 federal
436 census, and in which U.S. Highway 78 and Mississippi Highway 7
437 intersect, a salary of not less than the annual salary of a member
438 of the board of supervisors in such county.

439 (gg) In any county having a population greater than
440 thirteen thousand three hundred (13,300) but less than thirteen
441 thousand four hundred (13,400) according to the 1990 federal
442 census, and in which Mississippi Highway 24 and Mississippi
443 Highway 48 intersect, the board of supervisors may, in its
444 discretion, pay the county prosecuting attorney an additional
445 amount not to exceed ten percent (10%) of the maximum allowable
446 salary for that attorney under subsection (1).

447 (hh) In any county having a population greater than
448 eight thousand three hundred (8,300) but less than eight thousand
449 four hundred (8,400) according to the 1990 federal census, and in
450 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
451 supervisors may, in its discretion, pay the county prosecuting
452 attorney an additional amount not to exceed ten percent (10%) of
453 the maximum allowable salary for that attorney under subsection
454 (1).

455 (ii) After September 30, 1993, in any county having a
456 population of more than thirty thousand four hundred (30,400) and
457 which is traversed in whole or part by I-59, U.S. Highways 98 and
458 11 and State Highway 13, the annual salary of the county
459 prosecuting attorney shall be Twenty-five Thousand Dollars
460 (\$25,000.00). In addition, such county prosecuting attorney shall
461 receive after September 30, 1993, the sum of Seven Hundred Fifty
462 Dollars (\$750.00) per month for the purpose of defraying office or
463 secretarial expenses.

464 (jj) In any county having a population greater than
465 twenty thousand (20,000) according to the 1990 federal census and



466 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
467 board of supervisors, in its discretion, may pay the county
468 prosecuting attorney an annual salary equal to the annual salary
469 of justice court judges in the county.

470 (kk) In any county having a population greater than
471 twelve thousand four hundred (12,400) but less than twelve
472 thousand five hundred (12,500) according to the 1990 federal
473 census, and in which U.S. Highway 84 and Mississippi Highway 27
474 intersect, the board of supervisors may, in its discretion, pay
475 the county prosecuting attorney an additional amount not to exceed
476 ten percent (10%) of the maximum allowable salary for that
477 attorney under subsection (1).

478 (ll) In any county having a population greater than
479 thirty thousand two hundred (30,200) but less than thirty thousand
480 three hundred (30,300) according to the 1990 federal census, and
481 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,
482 the board of supervisors may, in its discretion, pay the county
483 prosecuting attorney an additional amount not to exceed ten
484 percent (10%) of the maximum allowable salary for that attorney
485 under subsection (1).

486 (mm) In any county on the Mississippi River levee,
487 having a population greater than forty-one thousand eight hundred
488 (41,800) but less than forty-one thousand nine hundred (41,900)
489 according to the 1990 federal census wherein U.S. Highway 61 and
490 Mississippi Highway 8 intersect, the board of supervisors, in its
491 discretion, may pay the county prosecuting attorney an annual
492 salary equal to the annual salary of members of the board of
493 supervisors in the county. In addition, the board of supervisors,
494 in its discretion, may pay the county prosecuting attorney the sum
495 of One Thousand Dollars (\$1,000.00) per month for the purpose of
496 defraying secretarial expenses.

497 (nn) In any county having a population greater than
498 twenty-four thousand seven hundred (24,700) and less than



499 twenty-four thousand nine hundred (24,900) according to the 1990
500 federal census, wherein Mississippi Highways 15 and 16 intersect,
501 the board of supervisors, in its discretion, may pay the county
502 prosecuting attorney an annual salary equal to the annual salary
503 of members of the board of supervisors in the county.

504 (oo) In any county having a population greater than
505 thirty-seven thousand (37,000) but less than thirty-eight thousand
506 (38,000) according to the 1990 federal census, in which is located
507 a state supported institution of higher learning, and in which
508 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
509 supervisors may, in its discretion, pay the county prosecuting
510 attorney a salary in an amount not to exceed the amount of the
511 salary of the District Attorney for the Fourth Judicial District
512 of Mississippi.

513 (pp) In any county in which U.S. Highway 78 and
514 Mississippi Highway 15 intersect and which is traversed by the
515 Tallahatchie River, a salary equal to that of members of the board
516 of supervisors of the county, which salary shall be in addition to
517 any sums received for the purpose of defraying office or
518 secretarial expenses and sums received as youth court prosecutor
519 fees.

520 (qq) In any county bordering on the State of Tennessee
521 and the State of Arkansas, wherein Interstate Highway 55 and
522 Mississippi Highway 302 intersect, the board of supervisors, in
523 its discretion, may pay the county prosecuting attorney an annual
524 salary equal to the annual salary of justice court judges in the
525 county.

526 (rr) In any county that is traversed by the Natchez
527 Trace Parkway and in which Mississippi Highway 35 and Mississippi
528 Highway 12 intersect, the board of supervisors, in its discretion,
529 may pay the county prosecuting attorney an annual salary in the
530 amount of the annual salary of justice court judges in the county.



531 (ss) In any county in which Mississippi Highway 14 and
532 Mississippi Highway 25 intersect, the board of supervisors, in its
533 discretion, may pay the county prosecuting attorney an annual
534 salary in the amount of Twenty-four Thousand Two Hundred Dollars
535 (\$24,200.00).

536 (tt) In any county in which Interstate Highway 59 and
537 U.S. Highway 84 intersect, the board of supervisors, in its
538 discretion, may pay the county prosecuting attorney an annual
539 salary equal to the annual salary of members of the board of
540 supervisors in the county.

541 (3) In any case where a salary, expense allowance or other
542 sum is authorized or paid by the board of supervisors pursuant to
543 this section, that salary, expense allowance or other sum shall
544 not be reduced or terminated during the term for which the county
545 attorney was elected.

546 **SECTION 3.** Section 25-3-13, Mississippi Code of 1972, is
547 amended as follows:

548 25-3-13. The salaries of the members of the boards of
549 supervisors of the various counties are * * * fixed as full
550 compensation for their services.

551 The annual salary of each member of the board of supervisors
552 shall be based upon the total assessed valuation of his respective
553 county for the preceding taxable year in the following categories
554 and for the following amounts:

555 (a) For counties having a total assessed valuation of
556 less than Twenty Million Dollars (\$20,000,000.00), a salary of
557 Twenty-five Thousand Eight Hundred Eighty-two Dollars
558 (\$25,882.00);

559 (b) For counties having a total assessed valuation of
560 at least Twenty Million Dollars (\$20,000,000.00), but less than
561 Twenty-five Million Dollars (\$25,000,000.00), a salary of
562 Twenty-six Thousand Five Hundred Fifty-one Dollars (\$26,551.00);



563 (c) For counties having a total assessed valuation of
564 at least Twenty-five Million Dollars (\$25,000,000.00), but less
565 than Thirty-five Million Dollars (\$35,000,000.00), a salary of
566 Twenty-seven Thousand Two Hundred Nineteen Dollars (\$27,219.00);

567 (d) For counties having a total assessed valuation of
568 at least Thirty-five Million Dollars (\$35,000,000.00), but less
569 than Fifty Million Dollars (\$50,000,000.00), a salary of
570 Twenty-nine Thousand Five Hundred Fifty-six Dollars (\$29,556.00);

571 (e) For counties having a total assessed valuation of
572 at least Fifty Million Dollars (\$50,000,000.00), but less than
573 Seventy-five Million Dollars (\$75,000,000.00), a salary of Thirty
574 Thousand Eight Hundred Ninety-one Dollars (\$30,891.00);

575 (f) For counties having a total assessed valuation of
576 at least Seventy-five Million Dollars (\$75,000,000.00), but less
577 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
578 salary of Thirty-one Thousand Eight Hundred Ninety-three Dollars
579 (\$31,893.00);

580 (g) For counties having a total assessed valuation of
581 One Hundred Twenty-five Million Dollars (\$125,000,000.00), but
582 less than Three Hundred Million Dollars (\$300,000,000.00), a
583 salary of Thirty-six Thousand Nine Hundred Three Dollars
584 (\$36,903.00);

585 (h) For counties having a total assessed valuation of
586 Three Hundred Million Dollars (\$300,000,000.00) or more, a salary
587 of Forty-one Thousand Seventy-seven Dollars (\$41,077.00).

588 The salary of the members of the board of supervisors shall
589 not be increased under this section until the board of supervisors
590 shall have passed a resolution stating the amount of the increase
591 and spread it on its minutes.

592 **SECTION 4.** Section 25-3-25, Mississippi Code of 1972, is
593 amended as follows:



594 25-3-25. (1) Except as otherwise provided in subsections
595 (2) through (9), the salaries of sheriffs of the various counties
596 are * * * fixed as full compensation for their services.

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

604 (a) For counties with a total population of more than
605 two hundred thousand (200,000), a salary of Eighty-two Thousand
606 Five Hundred Dollars (\$82,500.00).

607 (b) For counties with a total population of more than
608 one hundred thousand (100,000) and not more than two hundred
609 thousand (200,000), a salary of Seventy-seven Thousand Dollars
610 (\$77,000.00).

611 (c) For counties with a total population of more than
612 forty-five thousand (45,000) and not more than one hundred
613 thousand (100,000), a salary of Seventy-one Thousand Five Hundred
614 Dollars (\$71,500.00).

615 (d) For counties with a total population of more than
616 thirty-four thousand (34,000) and not more than forty-five
617 thousand (45,000), a salary of Sixty-six Thousand Dollars
618 (\$66,000.00).

619 (e) For counties with a total population of more than
620 twenty-five thousand (25,000) and not more than thirty-four
621 thousand (34,000), a salary of Fifty-seven Thousand Two Hundred
622 Dollars (\$57,200.00).

623 (f) For counties with a total population of more than
624 fifteen thousand (15,000) and not more than twenty-five thousand
625 (25,000), a salary of Fifty-five Thousand Dollars (\$55,000.00).



626 (g) For counties with a total population of more than
627 nine thousand five hundred (9,500) and not more than fifteen
628 thousand (15,000), a salary of Fifty-one Thousand Seven Hundred
629 Dollars (\$51,700.00).

630 (h) For counties with a total population of more than
631 seven thousand five hundred (7,500) and not more than nine
632 thousand five hundred (9,500), a salary of Forty-nine Thousand
633 Five Hundred Dollars (\$49,500.00).

634 (i) For counties with a total population of not more
635 than seven thousand five hundred (7,500), a salary of Forty-six
636 Thousand Two Hundred Dollars (\$46,200.00).

637 (2) In addition to the salary provided for in subsection (1)
638 of this section, the Board of Supervisors of Leflore County * * *,
639 in its discretion, may pay an annual supplement to the sheriff of
640 the county in an amount not to exceed Ten Thousand Dollars
641 (\$10,000.00). The Legislature finds and declares that the annual
642 supplement authorized by this subsection is justified in such
643 county for the following reasons:

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

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

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

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

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

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



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

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

666 (3) In addition to the salary provided for in subsection (1)
667 of this section, the Board of Supervisors of Rankin County * * *,
668 in its discretion, may pay an annual supplement to the sheriff of
669 the county in an amount not to exceed Ten Thousand Dollars
670 (\$10,000.00). The Legislature finds and declares that the annual
671 supplement authorized by this subsection is justified in such
672 county for the following reasons:

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

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

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

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

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

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

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



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

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

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

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

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

713 (a) Hinds County has the greatest population of any
714 county, two hundred fifty-four thousand four hundred forty-one
715 (254,441) by the 1990 census, being almost one hundred thousand
716 (100,000) more than the next most populous county;

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

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



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

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

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

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

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

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

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

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

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

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

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



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

759 (7) In addition to the salary provided for in subsection (1)
760 of this section, the Board of Supervisors of Wilkinson County, in
761 its discretion, may pay an annual supplement to the sheriff of the
762 county in an amount not to exceed Ten Thousand Dollars
763 (\$10,000.00). The Legislature finds and declares that the annual
764 supplement authorized by this subsection is justified in such
765 county because the Mississippi Department of Corrections contracts
766 for the private incarceration of state inmates at a private
767 correctional facility within the county.

768 (8) In addition to the salary provided for in subsection (1)
769 of this section, the Board of Supervisors of Marshall County, in
770 its discretion, may pay an annual supplement to the sheriff of the
771 county in an amount not to exceed Ten Thousand Dollars
772 (\$10,000.00). The Legislature finds and declares that the annual
773 supplement authorized by this subsection is justified in such
774 county because the Mississippi Department of Corrections contracts
775 for the private incarceration of state inmates at a private
776 correctional facility within the county.

777 (9) In addition to the salary provided in subsection (1) of
778 this section, the Board of Supervisors of Greene County, in its
779 discretion, may pay an annual supplement to the sheriff of the
780 county in an amount not to exceed Ten Thousand Dollars
781 (\$10,000.00). The Legislature finds and declares that the annual
782 supplement authorized by this subsection is justified in such
783 county for the following reasons:

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



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

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

794 (10) In addition to the salary provided in subsection (1) of
795 this section, the board of supervisors of any county, in its
796 discretion, may pay an annual supplement to the sheriff of the
797 county in an amount not to exceed Ten Thousand Dollars
798 (\$10,000.00) if within the county there is located a facility or
799 institution that has imposed additional duties on the sheriff.
800 The board of supervisors shall not pay the annual supplement to
801 the sheriff until it has passed a resolution stating the
802 justifications for the supplement and has spread it on its
803 minutes. The annual supplement authorized in this subsection
804 shall not be in addition to the annual supplements authorized in
805 subsections (2) through (9).

806 (11) The salaries * * * provided in this section shall be
807 payable monthly on the first day of each calendar month by
808 chancery clerk's warrant drawn on the general fund of the county;
809 however, the board of supervisors, by resolution duly adopted and
810 entered on its minutes, may provide that such salaries shall be
811 paid semimonthly on the first and fifteenth day of each month. If
812 a pay date falls on a weekend or legal holiday, salary payments
813 shall be made on the workday immediately preceding the weekend or
814 legal holiday.

815 **SECTION 5.** Section 25-3-36, Mississippi Code of 1972, is
816 amended as follows:

817 25-3-36. (1) From and after October 1, 1998, every justice
818 court judge shall receive as full compensation for his or her
819 services and in lieu of any and all other fees, costs or



820 compensation heretofore authorized for such justice court judge,
821 an annual salary based upon the population of his or her county
822 according to the 1990 federal decennial census; however, no
823 justice court judge shall be paid less than the salary authorized
824 under this section to be paid the justice court judge based upon
825 the population of the county according to the 1980 federal
826 decennial census. The amount of which salary shall be determined
827 as follows:

828 (a) In counties with a population of more than two
829 hundred thousand (200,000), a salary of Fifty Thousand Nine
830 Hundred Twenty-nine Dollars (\$50,929.00).

831 (b) In counties with a population of more than one
832 hundred fifty thousand (150,000) but not more than two hundred
833 thousand (200,000), a salary of Forty-six Thousand Seven Hundred
834 Fifty-five Dollars (\$46,755.00).

835 (c) In counties with a population of more than
836 seventy-five thousand (75,000) but not more than one hundred fifty
837 thousand (150,000), a salary of Forty-two Thousand Five Hundred
838 Eighty Dollars (\$42,580.00).

839 (d) In counties with a population of more than
840 forty-nine thousand (49,000) but not more than seventy-five
841 thousand (75,000), a salary of Thirty-six Thousand Seven Hundred
842 Thirty-six Dollars (\$36,736.00).

843 (e) In counties with a population of more than
844 thirty-four thousand (34,000) but not more than forty-nine
845 thousand (49,000), a salary of Thirty-one Thousand Seven Hundred
846 Twenty-six Dollars (\$31,726.00).

847 (f) In counties with a population of more than
848 twenty-four thousand five hundred (24,500) but not more than
849 thirty-four thousand (34,000), a salary of Thirty Thousand
850 Fifty-six Dollars (\$30,056.00).

851 (g) In counties with a population of more than
852 twenty-one thousand (21,000) but not more than twenty-four



853 thousand five hundred (24,500), a salary of Twenty-six Thousand
854 Seven Hundred Seventeen Dollars (\$26,717.00).

855 (h) In counties with a population of more than sixteen
856 thousand five hundred (16,500) but not more than twenty-one
857 thousand (21,000), a salary of Twenty-three Thousand Three Hundred
858 Seventy-seven Dollars (\$23,377.00).

859 (i) In counties with a population of more than twelve
860 thousand (12,000) but not more than sixteen thousand five hundred
861 (16,500), a salary of Twenty Thousand Thirty-eight Dollars
862 (\$20,038.00).

863 (j) In counties with a population of more than eight
864 thousand (8,000) but not more than twelve thousand (12,000), a
865 salary of Sixteen Thousand Five Hundred Dollars (\$16,500.00).

866 (k) In counties with a population of eight thousand
867 (8,000) or less, a salary of Thirteen Thousand Two Hundred Dollars
868 (\$13,200.00).

869 The board of supervisors of any county having two (2)
870 judicial districts and two (2) justice court judges for the county
871 shall pay each justice court judge an amount equal to that * * *
872 provided in this subsection for judges in the next higher
873 population category per year, if the justice court judge maintains
874 regular office hours and is personally present in the office they
875 maintain for at least thirty (30) hours per week.

876 In any county having a population greater than eight thousand
877 (8,000) but less than eight thousand five hundred (8,500)
878 according to the 1990 federal decennial census and in which U.S.
879 Highway 61 and Mississippi Highway 4 intersect, the board of
880 supervisors * * *, in its discretion, may pay such justice court
881 judges an additional amount not to exceed the sum of Eleven
882 Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable
883 beginning April 1, 1997.

884 In any county having a population greater than ten thousand
885 (10,000) but less than ten thousand five hundred (10,500)



886 according to the 1990 federal decennial census and in which
887 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
888 board of supervisors * * *, in its discretion, may pay such
889 justice court judges an additional amount not to exceed One
890 Thousand Four Hundred Fifty Dollars (\$1,450.00) per year, payable
891 beginning April 1, 1997.

892 In any county having a population greater than twenty-four
893 thousand seven hundred (24,700) and less than twenty-four thousand
894 nine hundred (24,900), according to the 1990 federal census,
895 wherein Mississippi Highways 15 and 16 intersect, the board of
896 supervisors shall pay such justice court judge an additional
897 amount equal to Two Thousand Five Hundred Dollars (\$2,500.00) per
898 year.

899 (2) Notwithstanding the provisions of subsection (1) of this
900 section, in the event that the number of justice court judges
901 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
902 the provisions of Section 9-11-2(4), the aggregate of the salaries
903 paid to the justice court judges of such a county shall not exceed
904 the amount sufficient to pay the number of justice court judges
905 authorized pursuant to Section 9-11-2(1), and such amount shall be
906 equally divided among those justice court judges continuing to
907 hold office under the provisions of Section 9-11-2(4).

908 (3) From and after January 1, 1984, all fees, costs, fines
909 and penalties charged and collected in the justice court shall be
910 paid to the clerk of the justice court for deposit, along with
911 monies from cash bonds and other monies which have been forfeited
912 in criminal cases, into the general fund of the county as provided
913 in Section 9-11-19; and the clerk of the board of supervisors
914 shall be authorized and empowered, upon approval by the board of
915 supervisors, to make disbursements and withdrawals from the
916 general fund of the county in order to pay any reasonable and
917 necessary expenses incurred in complying with this section,
918 including payment of the salaries of justice court judges as



919 provided by subsection (1) of this section. The provisions of
920 this subsection shall not, except as to cash bonds and other
921 monies which have been forfeited in criminal cases, apply to
922 monies required to be deposited in the justice court clerk
923 clearing account as provided in Section 9-11-18, Mississippi Code
924 of 1972.

925 (4) The salaries provided for in * * * this section shall be
926 payable monthly by warrant drawn by the clerk of the board of
927 supervisors on the general fund of the county; however, the board
928 of supervisors, by resolution duly adopted and entered on its
929 minutes, may provide that such salaries shall be paid semimonthly
930 on the first and fifteenth day of each month. If a pay date falls
931 on a weekend or legal holiday, salary payments shall be made on
932 the workday immediately preceding the weekend or legal holiday.

933 (5) * * * The salary of a justice court judge shall not be
934 reduced during his term of office as a result of a population
935 change following a federal decennial census.

936 (6) Any justice court judge who is unable to attend and hold
937 court by reason of being under suspension by the Commission on
938 Judicial Performance or the Mississippi Supreme Court shall not
939 receive a salary while under such suspension.

940 **SECTION 6.** Section 9-9-11, Mississippi Code of 1972, is
941 amended as follows:

942 9-9-11. (1) Except as otherwise provided in subsections (2)
943 and (3), the county court judge shall receive an annual salary
944 payable monthly out of the county treasury in an amount not to
945 exceed One Thousand Dollars (\$1,000.00) less than the salary which
946 is now or shall hereafter be provided for circuit and chancery
947 judges of this state, in the discretion of the board of
948 supervisors of that county; * * * however, * * * the salary of
949 such judge shall not be reduced during his term of office. * * *
950 Further, * * * the office of county court judge in any county
951 receiving an annual salary of Thirty-six Thousand Dollars



952 (\$36,000.00) or more shall be a full-time position, and the holder
953 thereof shall not otherwise engage in the practice of law.

954 (2) In the event of the establishment of a county court by
955 agreement between two (2) or more counties as provided in Section
956 9-9-3, the county judge of the court so established shall be paid
957 a salary equal to one and one-half (1-1/2) times that salary that
958 he would be paid if he were the judge of the smallest of such two
959 (2) or more counties, such salary to be paid in monthly
960 installments as provided by law; provided that such salary shall
961 not exceed One Thousand Dollars (\$1,000.00) less than the salary
962 of the circuit and chancery judges of this state.

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

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

971 (b) In any county having a population of sixty thousand
972 (60,000) or more but less than seventy thousand (70,000) according
973 to the 1980 federal census, the county judge shall receive an
974 annual salary of Forty-four Thousand Dollars (\$44,000.00). The
975 office of county judge shall be a full-time position, and the
976 holder thereof shall not otherwise engage in the practice of law.
977 The county judge shall not be eligible for any additional salary
978 except as may be authorized in subsection (4).

979 (c) In any county having a population of twenty-seven
980 thousand (27,000) or more but less than sixty thousand (60,000)
981 according to the 1980 federal census, the county judge shall
982 receive an annual salary of not less than Thirteen Thousand Two
983 Hundred Dollars (\$13,200.00) but not more than Forty-four Thousand
984 Dollars (\$44,000.00), in the discretion of the board of



985 supervisors of that county. The county judge shall not be
986 eligible for any additional salary except as may be authorized in
987 subsection (4). In the event that the board of supervisors of
988 said county elects to pay such county judge an annual salary of
989 Thirty Thousand Dollars (\$30,000.00) or more, the office of county
990 judge shall be a full-time position, and the holder thereof shall
991 not otherwise engage in the practice of law.

992 (d) In any county having a population of less than
993 twenty-seven thousand (27,000) according to the 1980 federal
994 census, the county judge shall receive an annual salary of not
995 less than Four Thousand Six Hundred Twenty Dollars (\$4,620.00) and
996 not more than Nine Thousand Three Hundred Fifty Dollars
997 (\$9,350.00), in the discretion of the board of supervisors of that
998 county. The county judge shall not be eligible for any additional
999 salary except as may be authorized in subsection (4).

1000 (4) The county judge of any county described in this
1001 subsection shall be paid the compensation, and he shall be subject
1002 to any restrictions, set forth in the following paragraphs:

1003 (a) The county judge of any such Class 1 county with
1004 population according to the latest federal decennial census of
1005 forty-five thousand (45,000) or more and lying wholly within a
1006 levee district and having two (2) judicial districts * * *, in the
1007 discretion of the board of supervisors of such county, shall
1008 receive an annual salary not exceeding Forty Thousand Dollars
1009 (\$40,000.00), or a sum which is One Thousand Dollars (\$1,000.00)
1010 less than the salary which is now or shall hereafter be provided
1011 for circuit and chancery judges of the state, whichever is
1012 greater.

1013 (b) The county judge of any Class 1 county having an
1014 area in excess of nine hundred twenty-five (925) square miles
1015 shall receive an annual salary of not less than Thirty Thousand
1016 Dollars (\$30,000.00) but, in the discretion of the board of
1017 supervisors of such county, such salary may be not more than Five



1018 Hundred Dollars (\$500.00) less than the annual salary of a circuit
1019 judge, payable monthly out of the county treasury, and the county
1020 judge shall not practice law.

1021 (c) The office of county judge in any such Class 1
1022 county with a population according to the 1970 federal decennial
1023 census of greater than thirty-nine thousand (39,000), and where
1024 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive
1025 an annual salary to be paid in monthly installments of not less
1026 than an amount equal to ninety percent (90%) of the annual salary
1027 which is now or shall hereafter be provided for circuit and
1028 chancery judges of the state, as follows: The salary of the
1029 county judge shall be increased by ten percent (10%) annually
1030 above the base salary of the preceding year until such time as the
1031 judge's salary is equal to the amount that is provided by this
1032 subsection. The office of county judge shall be a full-time
1033 position and the holder thereof shall not otherwise engage in the
1034 practice of law.

1035 (d) In any Class 1 county bordering on the Mississippi
1036 River and which has situated therein a national military park and
1037 national military cemetery, the office of county judge shall be a
1038 full-time position and the holder thereof shall not otherwise
1039 engage in the practice of law. The salary for the county judge in
1040 said county shall be fixed at a sum which is One Thousand Dollars
1041 (\$1,000.00) less than the salary which is now or shall hereafter
1042 be provided for circuit and chancery judges of this state.

1043 (e) The county judge in any county having a population
1044 of at least forty-two thousand one hundred eleven (42,111),
1045 according to the 1970 census, and where U.S. Highway 49E and U.S.
1046 Highway 82 intersect, shall receive an annual salary to be paid in
1047 monthly installments of not less than Thirty Thousand Dollars
1048 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars
1049 (\$2,500.00) less than the annual salary of the circuit judge, in
1050 the discretion of the board of supervisors of that county.



1051 (f) The county judge in any Class 1 county bordering on
1052 the Mississippi River and having an area of less than four hundred
1053 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect
1054 shall receive an annual salary of Four Thousand Dollars
1055 (\$4,000.00) less than the annual salary of a circuit judge, and
1056 such county judge shall not practice law in any manner. The
1057 county judge in such county shall not be eligible to receive any
1058 additional salary authorized by this section or from any other
1059 source other than that set out and authorized by this paragraph.

1060 (g) The county judge of any Class 1 county bordering on
1061 the Mississippi River on the west and the State of Tennessee on
1062 the north, and traversed north to south by Interstate Highway 55,
1063 shall receive an annual salary of One Thousand Dollars (\$1,000.00)
1064 less than that paid to a circuit court judge * * * . The office of
1065 county judge shall be a full-time position, and the holder thereof
1066 shall not otherwise engage in the practice of law.

1067 (h) The county judge of any Class 1 county with a
1068 population of greater than sixty-nine thousand (69,000) according
1069 to the 1980 federal decennial census, and wherein U.S. Highway 80
1070 and Mississippi Highway 43 intersect, shall receive an annual
1071 salary in an amount not greater than the sum of Five Hundred
1072 Dollars (\$500.00) less than the salary which is now or shall
1073 hereafter be provided for circuit and chancery judges of this
1074 state, in the discretion of the board of supervisors of that
1075 county.

1076 (i) The county judge of any county having a population
1077 in excess of sixty-six thousand (66,000) according to the 1980
1078 federal decennial census, wherein is located a state-supported
1079 university and in which U.S. Highways 49 and 11 intersect, shall
1080 receive an annual salary of One Thousand Dollars (\$1,000.00) less
1081 than that paid to a circuit court judge. The office of such
1082 county judge shall be a full-time position, and the holder thereof
1083 shall not otherwise engage in the practice of law.



1084 (j) The county judge of any county having two (2)
1085 judicial districts, having a population in excess of sixty-one
1086 thousand nine hundred (61,900) according to the 1980 federal
1087 decennial census, in which U.S. Interstate Highway 59 intersects
1088 with U.S. Highway 84, shall receive an annual salary of One
1089 Thousand Dollars (\$1,000.00) less than the salary which is now or
1090 hereafter authorized to be paid circuit and chancery court judges
1091 of this state. The office of such county judge shall be a
1092 full-time position, and the holder thereof shall not otherwise
1093 engage in the practice of law.

1094 (k) The office of county judge of any Class I county
1095 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a
1096 full-time position and the holder thereof shall not otherwise
1097 engage in the practice of law. The annual salary for the office
1098 of county judge in that county may be fixed, in the discretion of
1099 the board of supervisors of the county, at a sum not to exceed Two
1100 Thousand Dollars (\$2,000.00) less than the salary which is now or
1101 shall hereafter be provided for circuit and chancery judges of
1102 this state.

1103 (l) The county judge of any county having a population
1104 of more than forty-one thousand six hundred (41,600) but less than
1105 forty-one thousand six hundred fifty (41,650) according to the
1106 1980 federal census, and wherein U.S. Highway 49 intersects with
1107 Mississippi Highway 22, shall receive an annual salary in an
1108 amount established by the board of supervisors, but in no event to
1109 exceed the salary provided now or hereafter for circuit and
1110 chancery judges of this state.

1111 (m) The county judge of any county having a population
1112 of more than fifty-seven thousand (57,000) but less than
1113 fifty-seven thousand one hundred (57,100) according to the 1980
1114 federal census, wherein U.S. Highway 45 intersects with
1115 Mississippi Highway 6, shall receive an annual salary in an amount
1116 established by the board of supervisors, but in no event to exceed



1117 the salary provided now or hereafter for circuit and chancery
1118 judges of this state.

1119 (n) The county judge of any county having a population
1120 of more than fifty-seven thousand three hundred (57,300) according
1121 to the 1980 federal decennial census, wherein is located a
1122 state-supported university and wherein United States Highways 82
1123 and 45 intersect, shall receive an annual salary in an amount
1124 established by the board of supervisors, but in no event to exceed
1125 the salary provided now or hereafter for circuit and chancery
1126 judges of this state.

1127 (5) The salary of a county court judge or justice court
1128 judge shall not be reduced during his term of office as a result
1129 of a population decrease based upon the 1990 federal decennial
1130 census.

1131 * * *

1132 (6) From and after October 1, 1993, * * * in addition to the
1133 salaries set forth in this section, the board of supervisors of
1134 any county, in its discretion, may pay any county court judge
1135 whose salary is not established herein in relation to the salary
1136 paid to chancery and circuit court judges, an additional amount
1137 not to exceed ten percent (10%) of the maximum allowable salary
1138 for that judge.

1139 **SECTION 7.** Section 41-61-59, Mississippi Code of 1972, is
1140 amended as follows:

1141 41-61-59. (1) A person's death which affects the public
1142 interest as specified in subsection (2) of this section shall be
1143 promptly reported to the medical examiner by the physician in
1144 attendance, any hospital employee, any law enforcement officer
1145 having knowledge of the death, the embalmer or other funeral home
1146 employee, any emergency medical technician, any relative or any
1147 other person present. The appropriate medical examiner shall
1148 notify the municipal or state law enforcement agency or sheriff
1149 and take charge of the body.



1150 (2) A death affecting the public interest includes, but is
1151 not limited to, any of the following:

1152 (a) Violent death, including homicidal, suicidal or
1153 accidental death.

1154 (b) Death caused by thermal, chemical, electrical or
1155 radiation injury.

1156 (c) Death caused by criminal abortion, including
1157 self-induced abortion, or abortion related to or by sexual abuse.

1158 (d) Death related to disease thought to be virulent or
1159 contagious which may constitute a public hazard.

1160 (e) Death that has occurred unexpectedly or from an
1161 unexplained cause.

1162 (f) Death of a person confined in a prison, jail or
1163 correctional institution.

1164 (g) Death of a person where a physician was not in
1165 attendance within thirty-six (36) hours preceding death, or in
1166 prediagnosed terminal or bedfast cases, within thirty (30) days
1167 preceding death.

1168 (h) Death of a person where the body is not claimed by
1169 a relative or a friend.

1170 (i) Death of a person where the identity of the
1171 deceased is unknown.

1172 (j) Death of a child under the age of two (2) years
1173 where death results from an unknown cause or where the
1174 circumstances surrounding the death indicate that sudden infant
1175 death syndrome may be the cause of death.

1176 (k) Where a body is brought into this state for
1177 disposal and there is reason to believe either that the death was
1178 not investigated properly or that there is not an adequate
1179 certificate of death.

1180 (l) Where a person is presented to a hospital emergency
1181 room unconscious and/or unresponsive, with cardiopulmonary
1182 resuscitative measures being performed, and dies within



1183 twenty-four (24) hours of admission without regaining
1184 consciousness or responsiveness, unless a physician was in
1185 attendance within thirty-six (36) hours preceding presentation to
1186 the hospital, or in cases in which the decedent had a prediagnosed
1187 terminal or bedfast condition, unless a physician was in
1188 attendance within thirty (30) days preceding presentation to the
1189 hospital.

1190 (3) The State Medical Examiner is empowered to investigate
1191 deaths, under the authority hereinafter conferred, in any and all
1192 political subdivisions of the state. The county medical examiners
1193 and county medical examiner investigators, while appointed for a
1194 specific county, may serve other counties on a regular basis with
1195 written authorization by the State Medical Examiner, or may serve
1196 other counties on an as-needed basis upon the request of the
1197 ranking officer of the investigating law enforcement agency. The
1198 county medical examiner or county medical examiner investigator of
1199 any county which has established a regional medical examiner
1200 district under subsection (4) of Section 41-61-77 may serve other
1201 counties which are parties to the agreement establishing the
1202 district, in accordance with the terms of the agreement, and may
1203 contract with counties which are not part of the district to
1204 provide medical examiner services for such counties. If a death
1205 affecting the public interest takes place in a county other than
1206 the one where injuries or other substantial causal factors leading
1207 to the death have occurred, jurisdiction for investigation of the
1208 death may be transferred, by mutual agreement of the respective
1209 medical examiners of the counties involved, to the county where
1210 such injuries or other substantial causal factors occurred, and
1211 the costs of autopsy or other studies necessary to the further
1212 investigation of the death shall be borne by the county assuming
1213 jurisdiction.

1214 (4) The chief county medical examiner or chief county
1215 medical examiner investigator may receive from the county in which



1216 he serves a salary of Eight Hundred Twenty-five Dollars (\$825.00)
1217 per month, in addition to the fees specified in Sections 41-61-69
1218 and 41-61-75, provided that no county shall pay the chief county
1219 medical examiner or chief county medical examiner investigator
1220 less than One Hundred Dollars (\$100.00) per month as a salary, in
1221 addition to other compensation provided by law. In any county
1222 having one or more deputy medical examiners or deputy medical
1223 examiner investigators, each deputy may receive from the county in
1224 which he serves, in the discretion of the board of supervisors, a
1225 salary of not more than Eight Hundred Twenty-five Dollars
1226 (\$825.00) per month, in addition to the fees specified in Sections
1227 41-61-69 and 41-61-75. For this salary the chief shall assure
1228 twenty-four-hour daily and readily available death investigators
1229 for the county, and shall maintain copies of all medical examiner
1230 death investigations for the county for at least the previous five
1231 (5) years. He shall coordinate his office and duties and
1232 cooperate with the State Medical Examiner, and the State Medical
1233 Examiner shall cooperate with him.

1234 (5) A body composed of the State Medical Examiner, whether
1235 appointed on a permanent or interim basis, the Director of the
1236 State Board of Health or his designee, the Attorney General or his
1237 designee, the President of the Mississippi Coroners' Association
1238 (or successor organization) or his designee, and a certified
1239 pathologist appointed by the Mississippi State Medical Association
1240 shall adopt, promulgate, amend and repeal rules and regulations as
1241 may be deemed necessary by them from time to time for the proper
1242 enforcement, interpretation and administration of Sections
1243 41-61-51 through 41-61-79, in accordance with the provisions of
1244 the Mississippi Administrative Procedures Law, being Sections
1245 25-43-1 through 25-43-19.

1246 **SECTION 8.** Section 9-13-19, Mississippi Code of 1972, is
1247 amended as follows:



1248 9-13-19. (1) Court reporters for circuit and chancery
1249 courts shall be paid an annual salary of Forty-one Thousand Eight
1250 Hundred Dollars (\$41,800.00) payable by the Administrative Office
1251 of Courts. In addition, any court reporter performing the duties
1252 of a court administrator in the same judicial district in which
1253 the person is employed as a court reporter may be paid additional
1254 compensation for performing the court administrator duties. The
1255 annual amount of the additional compensation shall be set by vote
1256 of the judges and chancellors for whom the court administrator
1257 duties are performed, with consideration given to the number of
1258 hours per month devoted by the court reporter to performing the
1259 duties of a court administrator. The additional compensation
1260 shall be submitted to the Administrative Office of Courts for
1261 approval.

1262 (2) The several counties in each respective court district
1263 shall transfer from the general funds of those county treasuries
1264 to the Administrative Office of Courts a proportionate amount to
1265 be paid toward the annual compensation of the court reporter,
1266 including any additional compensation paid for the performance of
1267 court administrator duties. The amount to be paid by each county
1268 shall be determined by the number of weeks in which court is held
1269 in each county in proportion to the total number of weeks court is
1270 held in the district. For purposes of this section, the term
1271 "compensation" means the gross salary plus all amounts paid for
1272 benefits, or otherwise, as a result of employment or as required
1273 by employment, but does not include transcript fees otherwise
1274 authorized to be paid by or through the counties. However, only
1275 salary earned for services rendered shall be reported and credited
1276 for retirement purposes. Amounts paid for transcript fees,
1277 benefits or otherwise, including reimbursement for travel
1278 expenses, shall not be reported or credited for retirement
1279 purposes.



1280 For example, if there are thirty-eight (38) scheduled court
1281 weeks in a particular district, a county in which court is
1282 scheduled five (5) weeks out of the year would have to pay
1283 five-thirty-eighths (5/38) of the total annual compensation.

1284 (3) The salary and any additional compensation for the
1285 performance of court administrator duties shall be paid in twelve
1286 (12) installments on the last working day of each month after it
1287 has been duly authorized by the appointing judge or chancellor and
1288 an order duly placed on the minutes of the court. Each county
1289 shall transfer to the Administrative Office of Courts one-twelfth
1290 (1/12) of the amount required to be paid pursuant to subsection
1291 (2) of this section by the twentieth day of each month for the
1292 salary that is to be paid on the last working day of the month.
1293 The Administrative Office of Courts shall pay to the court
1294 reporter the total amount of salary due for that month. Any
1295 county may pay, in the discretion of the board of supervisors, by
1296 the twentieth day of January of any year, the amount due for a
1297 full twelve (12) months.

1298 (4) From and after October 1, 1996, all circuit and chancery
1299 court reporters will be employees of the Administrative Office of
1300 Courts.

1301 (5) No circuit or chancery court reporter shall be entitled
1302 to any compensation for any special or extended term of court
1303 after passage of this section.

1304 (6) No chancery or circuit court reporter shall practice law
1305 in the court within which he or she is the court reporter.

1306 (7) For all travel required in the performance of official
1307 duties, the circuit or chancery court reporter shall be paid
1308 mileage by the county in which the duties were performed at the
1309 same rate as provided for state employees in Section 25-3-41. The
1310 court reporter shall file in the office of the clerk of the court
1311 which he serves a certificate of mileage expense incurred during



1312 that term and payment of such expense to the court reporter shall
1313 be paid on allowance by the judge of such court.

1314 **SECTION 9.** Section 19-25-31, Mississippi Code of 1972, is
1315 amended as follows:

1316 19-25-31. Each judge of a circuit, chancery or county court,
1317 or a court of eminent domain may, in the judge's discretion, by
1318 order entered on the minutes of the court, allow the sheriff
1319 riding bailiffs to serve in the respective court of such judge,
1320 not to exceed four (4) bailiffs. Any such person so employed
1321 shall be paid by the county on allowances of the court on issuance
1322 of a warrant therefor in an amount of Sixty Dollars (\$60.00) for
1323 each day, or part thereof, for which he serves as bailiff when the
1324 court is in session. No full-time deputy sheriff shall be paid as
1325 a riding bailiff of any court. County court judges shall be
1326 limited to one (1) bailiff per each court day.

1327 **SECTION 10.** Section 25-11-125, Mississippi Code of 1972, is
1328 amended as follows:

1329 25-11-125. The board of supervisors, in their discretion,
1330 may appropriate and include in its budget for public purposes a
1331 sufficient sum to pay the required employer contribution to the
1332 Public Employees' Retirement System for all fee-paid elected
1333 officials in judicial capacities of the county and supervisors
1334 districts, and for all circuit and chancery clerks of the county.
1335 Such contributions shall be included by the clerk of the board in
1336 his regular reports and remittals to the Executive Secretary of
1337 the Public Employees' Retirement System for other county officers
1338 and regular county employees whose employer contributions are not
1339 included in and paid from the annual county budget.

1340 **SECTION 11.** Section 25-3-5, Mississippi Code of 1972, which
1341 establishes the salaries of tax assessors and tax collectors in
1342 counties where the two offices have been separated, is repealed.

1343 **SECTION 12.** The Attorney General of the State of Mississippi
1344 shall submit this act, immediately upon approval by the Governor,



1345 or upon approval by the Legislature subsequent to a veto, to the
1346 Attorney General of the United States or to the United States
1347 District Court for the District of Columbia in accordance with the
1348 provisions of the Voting Rights Act of 1965, as amended and
1349 extended.

1350 **SECTION 13.** This act shall take effect and be in force from
1351 and after October 1, 2002, if effectuated on or before that date
1352 under Section 5 of the Voting Rights Act of 1965, as amended and
1353 extended. If effectuated under Section 5 of the Voting Rights Act
1354 of 1965, as amended and extended, after October 1, 2002, this act
1355 shall take effect and be in force from and after the date
1356 effectuated under Section 5 of the Voting Rights Act of 1965, as
1357 amended and extended.

