

By: Senator(s) Stogner

To: Judiciary

SENATE BILL NO. 2832

1 AN ACT TO AMEND SECTION 9-7-42, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE AN ADDITIONAL JUDGE FOR THE FIFTEENTH CIRCUIT COURT
3 DISTRICT; TO AMEND SECTIONS 23-15-977 AND 23-15-983, MISSISSIPPI
4 CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 25-31-5, MISSISSIPPI
5 CODE OF 1972, TO REVISE THE NUMBER OF LEGAL ASSISTANTS TO THE
6 DISTRICT ATTORNEY OF THE FIFTEENTH CIRCUIT; TO AMEND SECTION
7 25-31-10, MISSISSIPPI CODE OF 1972 TO REVISE THE NUMBER OF
8 CRIMINAL INVESTIGATORS FOR THE FIFTEENTH CIRCUIT; AND FOR RELATED
9 PURPOSES.

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

11 **SECTION 1.** Section 9-7-42, Mississippi Code of 1972, is
12 amended as follows:

13 9-7-42. (1) There shall be two (2) judges for the Fifteenth
14 Circuit Court District; however, from and after January 1, 2003,
15 there shall be three (3) judges for the Fifteenth Circuit Court
16 District.

17 (2) For the purposes of the 2002 election only, any
18 candidates for the third position of Circuit Judge of the
19 Fifteenth Circuit Court District shall file intent to be a
20 candidate not later than thirty (30) days prior to the general
21 election. The qualification and election of the three (3)
22 judgeships shall otherwise be as provided by Sections 23-15-974
23 through 23-15-985.

24 (3) For the purposes of appointment and election the three
25 (3) judgeships shall be separate and distinct and denominated for
26 purposes of appointment and election only as "Place One," "Place
27 Two" and "Place Three."

28 **SECTION 2.** Section 23-15-977, Mississippi Code of 1972, is
29 amended as follows:



30 23-15-977. (1) Except as may be otherwise provided by law,
31 all candidates for judicial office as defined in Section 23-15-975
32 of this subarticle shall file their intent to be a candidate with
33 the proper officials not later than 5:00 p.m. on the first Friday
34 after the first Monday in May prior to the general election for
35 judicial office and shall pay to the proper officials the
36 following amounts:

37 (a) Candidates for Supreme Court judge and Court of
38 Appeals, the sum of Two Hundred Dollars (\$200.00).

39 (b) Candidates for circuit judge and chancellor, the
40 sum of One Hundred Dollars (\$100.00).

41 (c) Candidates for county judge and family court judge,
42 the sum of Fifteen Dollars (\$15.00).

43 (2) Candidates for judicial offices listed in paragraphs (a)
44 and (b) of subsection (1) of this section shall file their intent
45 to be a candidate with, and pay the proper assessment made
46 pursuant to subsection (1) of this section to, the State Board of
47 Election Commissioners.

48 (3) Candidates for judicial offices listed in paragraph (c)
49 of subsection (1) of this section shall file their intent to be a
50 candidate with, and pay the proper assessment made pursuant to
51 subsection (1) of this section to, the circuit clerk of the proper
52 county. The circuit clerk shall notify the county commissioners
53 of election of all persons who have filed their intent to be a
54 candidate filed with, and paid the proper assessment to, such
55 clerk. Such notification shall occur within two (2) business days
56 and shall contain all necessary information.

57 **SECTION 3.** Section 23-15-983, Mississippi Code of 1972, is
58 amended as follows:

59 23-15-983. At the general election, the candidates equal to
60 the number of positions to be filled and having the highest votes
61 shall be elected.



62 Any tie votes in the general election which must be resolved
63 in order to determine who is elected shall be resolved in the
64 manner prescribed by Sections 23-15-601 and 23-15-605.

65 The provisions of this section shall apply only to districts
66 and subdistricts which are multijudge districts except for the
67 Eighth, Tenth, Sixteenth and Twentieth Chancery Court Districts
68 and the Second, Eighth, Fifteenth and Nineteenth Circuit Court
69 Districts.

70 **SECTION 4.** Section 25-31-5, Mississippi Code of 1972, is
71 amended as follows:

72 25-31-5. (1) The following number of full-time legal
73 assistants are authorized in the following circuit court
74 districts:

75 (a) First Circuit Court District..... seven (7)
76 legal assistants.

77 (b) Second Circuit Court District..... nine (9)
78 legal assistants.

79 (c) Third Circuit Court District..... four (4)
80 legal assistants.

81 (d) Fourth Circuit Court District..... five (5)
82 legal assistants.

83 (e) Fifth Circuit Court District..... four (4)
84 legal assistants.

85 (f) Sixth Circuit Court District..... two (2)
86 legal assistants.

87 (g) Seventh Circuit Court District..... nine (9)
88 legal assistants.

89 (h) Eighth Circuit Court District..... two (2)
90 legal assistants.

91 (i) Ninth Circuit Court District..... two (2)
92 legal assistants.

93 (j) Tenth Circuit Court District..... four (4)
94 legal assistants.



- 95 (k) Eleventh Circuit Court District..... five (5)
96 legal assistants.
- 97 (l) Twelfth Circuit Court District..... three (3)
98 legal assistants.
- 99 (m) Thirteenth Circuit Court District..... two (2)
100 legal assistants.
- 101 (n) Fourteenth Circuit Court District..... three (3)
102 legal assistants.
- 103 (o) Fifteenth Circuit Court District..... six(6)
104 legal assistants.
- 105 (p) Sixteenth Circuit Court District..... four (4)
106 legal assistants.
- 107 (q) Seventeenth Circuit Court District..... five (5)
108 legal assistants.
- 109 (r) Eighteenth Circuit Court District..... two (2)
110 legal assistants.
- 111 (s) Nineteenth Circuit Court District..... four (4)
112 legal assistants.
- 113 (t) Twentieth Circuit Court District..... four (4)
114 legal assistants.
- 115 (u) Twenty-first Circuit Court District..... two (2)
116 legal assistants.
- 117 (v) Twenty-second Circuit Court District..... two (2)
118 legal assistants.

119 (2) In addition to any legal assistants authorized pursuant
120 to subsection (1) of this section, the following number of
121 full-time legal assistants are authorized (i) in the following
122 circuit court districts if funds are appropriated by the
123 Legislature to adequately fund the salaries, expenses and fringe
124 benefits of such legal assistants, or (ii) in any of the following
125 circuit court districts in which the board of supervisors of one
126 or more of the counties in a circuit court district adopts a
127 resolution to pay all of the salaries, supplemental pay, expenses



128 and fringe benefits of legal assistants authorized in such
129 district pursuant to this subsection:

130 (a) First Circuit Court District..... two (2)
131 legal assistants.

132 (b) Second Circuit Court District..... two (2)
133 legal assistants.

134 (c) Third Circuit Court District..... two (2)
135 legal assistants.

136 (d) Fourth Circuit Court District..... two (2)
137 legal assistants.

138 (e) Fifth Circuit Court District..... two (2)
139 legal assistants.

140 (f) Sixth Circuit Court District..... two (2)
141 legal assistants.

142 (g) Seventh Circuit Court District..... two (2)
143 legal assistants.

144 (h) Eighth Circuit Court District..... two (2)
145 legal assistants.

146 (i) Ninth Circuit Court District..... two (2)
147 legal assistants.

148 (j) Tenth Circuit Court District..... two (2)
149 legal assistants.

150 (k) Eleventh Circuit Court District..... two (2)
151 legal assistants.

152 (l) Twelfth Circuit Court District..... two (2)
153 legal assistants.

154 (m) Thirteenth Circuit Court District..... two (2)
155 legal assistants.

156 (n) Fourteenth Circuit Court District..... two (2)
157 legal assistants.

158 (o) Fifteenth Circuit Court District..... two (2)
159 legal assistants.

160 (p) Sixteenth Circuit Court District..... two (2)



161 legal assistants.

162 (q) Seventeenth Circuit Court District..... two (2)

163 legal assistants.

164 (r) Eighteenth Circuit Court District..... two (2)

165 legal assistants.

166 (s) Nineteenth Circuit Court District..... two (2)

167 legal assistants.

168 (t) Twentieth Circuit Court District..... two (2)

169 legal assistants.

170 (u) Twenty-first Circuit Court District..... two (2)

171 legal assistants.

172 (v) Twenty-second Circuit Court District..... two (2)

173 legal assistants.

174 (3) The board of supervisors of any county may pay all or a
175 part of the salary, supplemental pay, expenses and fringe benefits
176 of any district attorney or legal assistant authorized in the
177 circuit court district to which such county belongs pursuant to
178 this section.

179 **SECTION 5.** Section 25-31-10, Mississippi Code of 1972, is
180 amended as follows:

181 25-31-10. (1) Any district attorney may appoint a full-time
182 criminal investigator.

183 (2) The district attorneys of the Third, Fifth, Ninth,
184 Tenth, Eleventh, Twelfth, * * * Sixteenth, Seventeenth and
185 Twentieth Circuit Court Districts may appoint one (1) additional
186 full-time criminal investigator for a total of two (2) full-time
187 criminal investigators.

188 (3) The district attorneys of the First, Second,
189 Fourth * * *, Fifteenth and Nineteenth Circuit Court
190 Districts may appoint two (2) additional full-time criminal
191 investigators for a total of three (3) full-time criminal
192 investigators.



193 (4) No district attorney or assistant district attorney
194 shall accept any private employment, civil or criminal, in any
195 matter investigated by such criminal investigators.

196 (5) The full and complete compensation for all public duties
197 rendered by said criminal investigators shall be not more than
198 Forty-five Thousand Dollars (\$45,000.00) per annum, to be
199 determined at the discretion of the district attorney based upon
200 the qualifications, education and experience of the criminal
201 investigator, plus necessary travel and other expenses, to be paid
202 in accordance with Section 25-31-8. However, the maximum salary
203 under this subsection for a criminal investigator who has a law
204 degree may be supplemented by the district attorney from other
205 available funds, but not to exceed the maximum salary for a legal
206 assistant to a district attorney.

207 (6) Any criminal investigator may be designated by the
208 district attorney to attend the Law Enforcement Officers Training
209 Program set forth in Section 45-6-1 et seq., Mississippi Code of
210 1972. The total expenses associated with attendance by criminal
211 investigators at the Law Enforcement Officers Training Program
212 shall be paid out of the funds of the appropriate district
213 attorney.

214 **SECTION 6.** The Attorney General of the State of Mississippi
215 shall submit this act, immediately upon approval by the Governor,
216 or upon approval by the Legislature subsequent to a veto, to the
217 Attorney General of the United States or to the United States
218 District Court for the District of Columbia in accordance with the
219 provisions of the Voting Rights Act of 1965, as amended and
220 extended.

221 **SECTION 7.** This act shall take effect and be in force from
222 and after the date it is effectuated under Section 5 of the Voting
223 Rights Act of 1965, as amended and extended.

