

By: Representative Fillingane

To: Fees and Salaries of
Public Officers; County
Affairs

HOUSE BILL NO. 947

1 AN ACT TO INCREASE THE SALARIES OF CERTAIN COUNTY OFFICIALS;
2 TO AMEND SECTIONS 25-3-3 AND 25-3-5, MISSISSIPPI CODE OF 1972, TO
3 INCREASE THE SALARIES OF COUNTY TAX COLLECTORS AND TAX ASSESSORS;
4 TO AMEND SECTION 25-3-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE
5 SALARIES OF THE COUNTY PROSECUTING ATTORNEYS IN CERTAIN COUNTIES;
6 TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE
7 THE SALARIES OF MEMBERS OF COUNTY BOARDS OF SUPERVISORS AND TO
8 DELETE THE REQUIREMENT THAT BOARDS OF SUPERVISORS MUST ADOPT A
9 RESOLUTION IN ORDER FOR THEIR SALARY INCREASES TO TAKE EFFECT; TO
10 AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE
11 SALARIES OF SHERIFFS; TO AMEND SECTION 25-3-36, MISSISSIPPI CODE
12 OF 1972, TO INCREASE THE SALARIES OF JUSTICE COURT JUDGES; TO
13 AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE
14 SALARIES OF CERTAIN COUNTY COURT JUDGES; TO AMEND SECTION
15 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 23-15-225, MISSISSIPPI CODE OF 1972, TO INCREASE THE
22 SALARIES OF COUNTY REGISTRARS; TO BRING FORWARD SECTIONS 21-1-27,
23 21-1-29, 21-1-31, 21-1-33, 21-1-35, 21-1-37 AND 21-1-39,
24 MISSISSIPPI CODE OF 1972, RELATING TO MUNICIPAL ANNEXATION; AND
25 FOR RELATED PURPOSES.

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

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

29 25-3-3. The term "total assessed valuation" as used in this
30 section only refers to the ad valorem assessment for the county
31 and, in addition, in counties where oil or gas is produced, the
32 actual value of oil at the point of production, as certified to
33 the counties by the State Tax Commission under the provisions of
34 Sections 27-25-501 through 27-25-525, and the actual value of gas
35 as certified by the State Tax Commission under the provisions of
36 Sections 27-25-701 through 27-25-723.

37 The salary of assessors of the various counties is * * *
38 fixed as full compensation for their services as county assessors



39 and tax collectors. The annual salary of each assessor shall be
40 based upon the total assessed valuation of his respective county
41 for the preceding taxable year in the following categories and for
42 the following amounts:

43 (a) For counties with a total assessed valuation of Two
44 Hundred Fifty Million Dollars (\$250,000,000.00) or more, a salary
45 of Fifty-one Thousand Eight Hundred Ninety-five Dollars
46 (\$51,895.00);

47 (b) For counties having a total assessed valuation of
48 at least Seventy-five Million Dollars (\$75,000,000.00) but less
49 than Two Hundred Fifty Million Dollars (\$250,000,000.00), a salary
50 of Fifty Thousand Forty-four Dollars (\$50,044.00);

51 (c) For counties having a total assessed valuation of
52 at least Thirty-five Million Dollars (\$35,000,000.00) but less
53 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
54 Forty-six Thousand Six Hundred Eleven Dollars (\$46,611.00);

55 (d) For counties having a total assessed valuation of
56 at least Twenty Million Dollars (\$20,000,000.00) but less than
57 Thirty-five Million Dollars (\$35,000,000.00), a salary of
58 Forty-three Thousand One Hundred Twenty Dollars (\$43,120.00);

59 (e) For counties having a total assessed valuation of
60 at least Twelve Million Five Hundred Thousand Dollars
61 (\$12,500,000.00) but less than Twenty Million Dollars
62 (\$20,000,000.00), a salary of Thirty-nine Thousand Six Hundred
63 Twenty-eight Dollars (\$39,628.00);

64 (f) For counties having a total assessed valuation of
65 less than Twelve Million Five Hundred Thousand Dollars
66 (\$12,500,000.00), a salary of Thirty-six Thousand One Hundred
67 Thirty-seven Dollars (\$36,137.00).

68 The annual salary established for the assessor-tax collector
69 shall not be reduced as a result of a reduction in total assessed
70 valuation. The salaries may be increased as a result of an
71 increase in total assessed valuation.



72 In addition to all other compensation paid to assessor-tax
73 collectors in counties having two (2) judicial districts, the
74 board of supervisors shall allow that * * * assessor-tax collector
75 to be paid an additional Three Thousand Five Hundred Dollars
76 (\$3,500.00) per year. In addition to all other compensation paid
77 to assessors or tax collectors, in counties maintaining two (2)
78 full-time offices, the board of supervisors may allow that * * *
79 assessor or tax collector to be paid an additional Three Thousand
80 Five Hundred Dollars (\$3,500.00) per year.

81 In addition to all other compensation paid to assessor-tax
82 collectors, the board of supervisors of a county shall allow for
83 such assessor-tax collector to be paid additional compensation
84 when there is a contract between the county and one or more
85 municipalities providing that the assessor-tax collector shall
86 assess and/or collect taxes for the municipality or
87 municipalities; and such assessor-tax collector shall be
88 authorized to receive such additional compensation from the county
89 and/or the municipality or municipalities in any amount allowed by
90 the county and the municipality or municipalities for performing
91 those services.

92 When any tax assessor holds a valid certificate of
93 educational recognition from the International Association of
94 Assessing Officers or is a licensed appraiser under Section
95 73-34-1 et seq., he shall receive an additional One Thousand Five
96 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
97 year after completion. When any tax assessor is a licensed state
98 certified Residential Appraiser (RA) or licensed state certified
99 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
100 any tax assessor holds a valid designation from the International
101 Association of Assessing Officers as a Cadastral Mapping
102 Specialist (CMS) or Personal Property Specialist (PPS) or
103 Residential Evaluation Specialist (RES), he shall receive an
104 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually



105 beginning the next fiscal year after completion. When any tax
106 assessor holds the valid designation of Certified Assessment
107 Evaluator (CAE) from the International Association of Assessing
108 Officers or is a state certified General Real Estate Appraiser
109 (GA) under Section 73-34-1 et seq., he shall receive an additional
110 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
111 the next fiscal year after completion.

112 The salaries * * * set out in this section shall be the total
113 funds paid to the county assessors and tax collectors and shall be
114 full compensation for their services, with any fees being paid to
115 the county general fund.

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

125 The salary scale in this section shall not apply in any
126 county in which the office of assessor has been separated from
127 that of tax collector. In the event of such separation, the
128 salary scale set forth in Section 25-3-5 shall control.

129 **SECTION 2.** Section 25-3-5, Mississippi Code of 1972, is
130 amended as follows:

131 25-3-5. In any county where the office of tax collector has
132 been separated from the office of tax assessor, the annual salary
133 of the assessor or tax collector shall be based upon the assessed
134 valuation of his respective county for the preceding taxable year
135 in the following categories and for the following amounts:



136 (a) For counties with a total assessed valuation of Two
137 Hundred Fifty Million Dollars (\$250,000,000.00) or more, a salary
138 of Fifty-seven Thousand Eighty-five Dollars (\$57,085.00);

139 (b) For counties having a total assessed valuation of
140 at least Two Hundred Million Dollars (\$200,000,000.00) but less
141 than Two Hundred Fifty Million Dollars (\$250,000,000.00), a salary
142 of Fifty-three Thousand Five Hundred Ninety-four Dollars
143 (\$53,594.00);

144 (c) For counties having a total assessed valuation of
145 at least One Hundred Fifty Million Dollars (\$150,000,000.00) but
146 less than Two Hundred Million Dollars (\$200,000,000.00), a salary
147 of Fifty Thousand One Hundred Three Dollars (\$50,103.00);

148 (d) For counties having a total assessed valuation of
149 at least One Hundred Million Dollars (\$100,000,000.00) but less
150 than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary
151 of Forty-six Thousand Six Hundred Eleven Dollars (\$46,611.00);

152 (e) For counties having a total assessed valuation of
153 at least Seventy-five Million Dollars (\$75,000,000.00) but less
154 than One Hundred Million Dollars (\$100,000,000.00), a salary of
155 Forty-three Thousand One Hundred Twenty Dollars (\$43,120.00);

156 (f) For counties with a total assessed valuation of
157 less than Seventy-five Million Dollars (\$75,000,000.00), a salary
158 of Thirty-nine Thousand Six Hundred Twenty-eight Dollars
159 (\$39,628.00).

160 The annual salary established for the tax assessor or tax
161 collector shall not be reduced as a result of a reduction in total
162 assessed valuation. The salaries may be increased as a result of
163 an increase in total assessed valuation.

164 In addition to all other compensation paid to assessors or
165 tax collectors, in counties having two (2) judicial districts, the
166 board of supervisors shall allow that * * * assessor or tax
167 collector to be paid an additional Three Thousand Five Hundred
168 Dollars (\$3,500.00) per year. In addition to all other



169 compensation paid to assessors or tax collectors, in counties
170 maintaining two (2) full-time offices, the board of supervisors
171 may allow that * * * assessor or tax collector to be paid an
172 additional Three Thousand Five Hundred Dollars (\$3,500.00) per
173 year.

174 In addition to all other compensation paid to tax assessors
175 and tax collectors, the board of supervisors of a county shall
176 allow for such tax assessor and/or tax collector to be paid
177 additional compensation when there is a contract between the
178 county and one or more municipalities providing that the tax
179 assessor shall assess taxes and/or tax collector shall collect
180 taxes for the municipality or municipalities; and such tax
181 assessor and/or tax collector shall be authorized to receive such
182 additional compensation from the county and/or the municipality or
183 municipalities in any amount allowed by the county and the
184 municipality or municipalities for performing those services.
185 When any tax assessor holds a valid certificate of educational
186 recognition from the International Association of Assessing
187 Officers or is a licensed appraiser under Section 73-34-1 et seq.,
188 he shall receive an additional One Thousand Five Hundred Dollars
189 (\$1,500.00) annually beginning the next fiscal year after
190 completion. When any tax assessor is a licensed state certified
191 Residential Appraiser (RA) or licensed state certified Timberland
192 Appraiser (TA) under Section 73-34-1 et seq., or when any tax
193 assessor holds a valid designation from the International
194 Association of Assessing Officers as a Cadastral Mapping
195 Specialist (CMS) or Personal Property Specialist (PPS) or
196 Residential Evaluation Specialist (RES), he shall receive an
197 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
198 beginning the next fiscal year after completion. When any tax
199 assessor holds the valid designation of Certified Assessment
200 Evaluator (CAE) from the International Association of Assessing
Officers or is a state certified General Real Estate Appraiser



202 (GA) under Section 73-34-1 et seq., he shall receive an additional
203 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
204 the next fiscal year after completion.

205 The salaries * * * set out in this section shall be the total
206 funds paid to the county assessors or tax collectors and shall be
207 full compensation for their services, with any fees being paid to
208 the county general fund.

209 The salaries * * * provided in this section shall be payable
210 monthly on the first day of each calendar month by chancery
211 clerk's warrant drawn on the general fund of the county; however,
212 the board of supervisors, by resolution duly adopted and entered
213 on its minutes, may provide that such salaries shall be paid
214 semimonthly on the first and fifteenth day of each month. If a
215 pay date falls on a weekend or legal holiday, salary payments
216 shall be made on the workday immediately preceding the weekend or
217 legal holiday.

218 **SECTION 3.** Section 25-3-9, Mississippi Code of 1972, is
219 amended as follows:

220 25-3-9. (1) Except as provided in subsections (2) and (3)
221 of this section, the county prosecuting attorney may receive for
222 his services an annual salary to be paid by the board of
223 supervisors as follows:

224 (a) For counties with a total population of more than
225 two hundred thousand (200,000), a salary not to exceed Thirty-two
226 Thousand Seven Hundred Seventy-five Dollars (\$32,775.00).

227 (b) For counties with a total population of more than
228 one hundred thousand (100,000) and not more than two hundred
229 thousand (200,000), a salary not to exceed Thirty Thousand Four
230 Hundred Seventy-five Dollars (\$30,475.00).

231 (c) For counties with a total population of more than
232 fifty thousand (50,000) and not more than one hundred thousand
233 (100,000), a salary not to exceed Twenty-four Thousand Nine
234 Hundred Fifty-five Dollars (\$24,955.00).



235 (d) For counties with a total population of more than
236 thirty-five thousand (35,000) and not more than fifty thousand
237 (50,000), a salary not to exceed Twenty-three Thousand Four
238 Hundred Sixty Dollars (\$23,470.00).

239 (e) For counties with a total population of more than
240 twenty-five thousand (25,000) and not more than thirty-five
241 thousand (35,000), a salary not to exceed Twenty-two Thousand One
242 Hundred Ninety-five Dollars (\$22,195.00).

243 (f) For counties with a total population of more than
244 fifteen thousand (15,000) and not more than twenty-five thousand
245 (25,000), a salary not to exceed Twenty Thousand Three Hundred
246 Fifty-five Dollars (\$20,355.00).

247 (g) For counties with a total population of more than
248 ten thousand (10,000) and not more than fifteen thousand (15,000),
249 a salary not to exceed Eighteen Thousand Five Hundred Fifteen
250 Dollars (\$18,515.00).

251 (h) For counties with a total population of more than
252 six thousand (6,000) and not more than ten thousand (10,000), a
253 salary not to exceed Sixteen Thousand Six Hundred Seventy-five
254 Dollars (\$16,675.00).

255 (i) For counties with a total population of six
256 thousand (6,000) or less, the board of supervisors, in its
257 discretion, may appoint a county prosecuting attorney, and it may
258 pay such county prosecuting attorney an annual salary not to
259 exceed Fourteen Thousand Eight Hundred Thirty-five Dollars
260 (\$14,835.00).

261 In all cases of conviction there shall be taxed against the
262 convicted defendant, as an item of cost, the sum of Three Dollars
263 (\$3.00), which shall be turned in to the county treasury as a part
264 of the general county funds; however, the Three Dollars (\$3.00)
265 shall not be taxed in any case in which it is not the specific
266 duty of the county attorney to appear and prosecute.



267 * * * In addition to the salaries provided for in this
268 subsection, the board of supervisors of any county, in its
269 discretion, may pay the county prosecuting attorney an additional
270 amount not to exceed ten percent (10%) of the maximum allowable
271 salary prescribed in this subsection.

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

275 (a) In any county bordering upon the Mississippi River
276 and having a population of not less than thirty thousand (30,000)
277 and not more than thirty-five thousand five hundred (35,500)
278 according to the federal census of 1990, and in counties having a
279 population of not more than thirty-seven thousand (37,000)
280 according to the federal census of 1990 in which Interstate
281 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
282 attorney shall receive a salary equal to the justice court judge
283 of such county; and in any county wherein is located the state's
284 oldest state-supported institution of higher learning and wherein
285 Mississippi State Highways 7 and 6 intersect, the county
286 prosecuting attorney shall receive an annual salary equal to that
287 of a member of the board of supervisors of such county.

288 (b) In counties having a population in excess of fifty
289 thousand (50,000) in the 1960 federal census, wherein is located a
290 state-supported university and in which U.S. Highways 49 and 11
291 intersect, the salary of the county prosecuting attorney shall be
292 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
293 per year. The Board of Supervisors of Forrest County,
294 Mississippi, may, in its discretion, and by agreement with the
295 county prosecuting attorney, employ the county prosecuting
296 attorney as a full-time elected official during his/her term of
297 office, designate additional duties and responsibilities of the
298 office and pay additional compensation up to, but not in excess
299 of, ninety percent (90%) of the annual compensation and salary of



300 the county court judge and the youth court judge of Forrest County
301 as authorized by law and provide a reasonable office and
302 reasonable office expenses to the county prosecuting attorney.

303 The salary authorized by this paragraph (b) for the county
304 prosecuting attorney shall be the sole and complete salary for
305 such prosecuting attorney in each county to which this paragraph
306 applies, notwithstanding any other provision of law to the
307 contrary.

308 (c) In any county wherein is housed the seat of state
309 government, wherein U.S. Highways 80 and 49 intersect, and having
310 two (2) judicial districts, the board of supervisors, in its
311 discretion, may pay the county prosecuting attorney an annual
312 salary equal to the annual salary of members of the board of
313 supervisors in the county.

314 (d) In any county which has two (2) judicial districts
315 and wherein Highway 8 and Highway 15 intersect, having a
316 population of greater than seventeen thousand (17,000), according
317 to the 1980 federal decennial census, the board of supervisors
318 shall pay the county prosecuting attorney a salary equal to that
319 of a member of the board of supervisors of such county; provided
320 that if such county prosecuting attorney is paid a sum for the
321 purpose of defraying office or secretarial expenses, then the
322 salary prescribed herein shall be reduced by that amount.

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

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



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

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

339 (h) In any Class 1 county bordering on the Mississippi
340 River, lying in whole or in part within a levee district, wherein
341 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
342 and Stales Bayou, the board of supervisors, in its discretion, may
343 pay an annual salary equal to the annual salary of members of the
344 board of supervisors in the county. In addition, such county
345 prosecuting attorney shall receive the sum of One Thousand Dollars
346 (\$1,000.00) per month for the purpose of defraying secretarial
347 expenses.

348 (i) In any county bordering on the Gulf of Mexico
349 having two (2) judicial districts, and wherein U.S. Highways 90
350 and 49 intersect, the salary of the county prosecuting attorney
351 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
352 year. The Board of Supervisors of Harrison County, Mississippi,
353 may, in its discretion, and by agreement with the county
354 prosecuting attorney, employ the county prosecuting attorney and
355 his/her assistant during his/her term of office, and designate
356 additional duties and responsibilities of the office and pay
357 additional compensation up to, but not in excess of, ninety
358 percent (90%) of the annual compensation and salary of the county
359 court judges of Harrison County as authorized by law and provide
360 adequate office space and reasonable office expenses to the county
361 prosecuting attorney and his/her assistant. The salary authorized
362 by this paragraph (i) for the county prosecuting attorney and
363 his/her assistant shall be the sole and complete salary paid by
364 the county for such prosecuting attorney and his/her assistant in



365 each county to which this paragraph applies, notwithstanding any
366 other provision of law to the contrary.

367 (j) In any county bordering on the State of Alabama,
368 having a population in excess of seventy-five thousand (75,000)
369 according to the 1980 decennial census in which is located an
370 institution of higher learning and a United States military
371 installation and which is traversed by an interstate highway, the
372 salary of the county prosecuting attorney shall not be less than
373 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
374 the annual salary received by a member of the board of supervisors
375 of that county.

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

380 (l) In any Class 2 county wherein Mississippi Highways
381 6 and 3 intersect, the salary of the county prosecuting attorney
382 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
383 year nor more than the amount of the annual salary received by a
384 member of the board of supervisors of that county.

385 (m) In any county wherein Interstate Highway 55 and
386 State Highway 8 intersect, the salary of the county prosecuting
387 attorney shall be not less than Twelve Thousand Dollars
388 (\$12,000.00) per year.

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

393 (o) In any county bordering on the Alabama state line,
394 having a population of greater than fifteen thousand (15,000)
395 according to the 1970 federal decennial census, wherein U.S.
396 Highway 45 and Mississippi Highway 18 intersect, the salary of the
397 county prosecuting attorney shall be not less than Three Thousand



398 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
399 of the board of supervisors of such county. All prior acts,
400 orders and resolutions of the board of supervisors of such county
401 which authorized the payment of the salary in conformity with the
402 provisions of this paragraph, whether or not heretofore
403 specifically authorized by law are hereby ratified, approved and
404 confirmed.

405 (p) In any county wherein is located a state-supported
406 institution of higher learning and wherein U.S. Highway 82 and
407 Mississippi Highway 389 intersect, the board of supervisors, in
408 its discretion, may pay the county prosecuting attorney an annual
409 salary equal to the annual salary of members of the board of
410 supervisors in the county.

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

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

420 (s) In any county having a population of more than
421 fourteen thousand (14,000) according to the 1970 census and which
422 county is bordered on the north by the State of Tennessee and on
423 the east by the State of Alabama and in which U.S. Highway No. 72
424 and Highway No. 25 intersect, the board of supervisors, in its
425 discretion, may pay the county prosecuting attorney an annual
426 salary equal to the annual salary of justice court judges in the
427 county.

428 (t) (i) In any county wherein Interstate Highway 55
429 and State Highway 22 intersect, and which is also traversed in
430 whole or part by U.S. Highways 49 and 51, and State Highways 16,



431 17, 43 and the Natchez Trace Parkway, and also containing a part
432 of a public lake or reservoir, in excess of thirty thousand
433 (30,000) acres, the board of supervisors, in its discretion, may
434 pay the county prosecuting attorney an annual salary in the amount
435 of Twenty-eight Thousand Dollars (\$28,000.00).

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

441 (u) In any county having a population in the 1970
442 census in excess of thirty-five thousand (35,000) and in which
443 U.S. Highways 49W and 82 intersect, and in which is located a
444 state penitentiary, the annual salary of a county prosecuting
445 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
446 (\$30,420.00).

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

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

461 (x) In any county bordering on the Mississippi River
462 having a population greater than fifty thousand (50,000) according
463 to the 1980 federal decennial census and also having a national



464 military park and national cemetery, an annual salary of
465 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
466 that of a member of the board of supervisors in such county,
467 whichever is greater. In addition, such county prosecuting
468 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
469 per month for the purpose of defraying secretarial expenses.

470 (y) In any county bordering on the Alabama state line,
471 traversed by the Chickasawhay River, and wherein U.S. Highway 45
472 and U.S. Highway 84 intersect, a salary that shall be equal to the
473 annual salary of a member of the board of supervisors of such
474 county. All prior acts, orders and resolutions of the board of
475 supervisors of such county which authorize the payment of the
476 salary of the county prosecuting attorney in conformity with the
477 provisions of this section as it existed immediately prior to the
478 effective date of Chapter 506, Laws of 1985, are hereby ratified,
479 approved, confirmed and validated.

480 (z) In any county having a population greater than
481 sixty-five thousand five hundred eighty (65,580) but less than
482 sixty-five thousand five hundred ninety (65,590) according to the
483 1990 federal decennial census, wherein U.S. Highway 45 intersects
484 with Mississippi Highway 6, an annual salary equal to Thirty
485 Thousand Dollars (\$30,000.00).

486 (aa) In any county where an institution of higher
487 learning is located and wherein U.S. Highway 82 and U.S. Highway
488 45 intersect, the salary of county prosecuting attorney shall be
489 not less than that of a member of the board of supervisors in such
490 county, and the board of supervisors may, in its discretion, pay
491 such county prosecuting attorney a salary in an amount not to
492 exceed the amount of the salary of the District Attorney for the
493 Sixteenth Judicial District of Mississippi.

494 (bb) In any county having a population greater than six
495 thousand (6,000) according to the federal decennial census and
496 wherein U.S. Highway 61 and Highway 24 intersect, the board of



497 supervisors, in its discretion, may pay the county prosecuting
498 attorney an annual salary equal to the annual salary of members of
499 the board of supervisors in the county.

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

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

513 (ee) In any county having a population greater than
514 eight thousand (8,000) but less than eight thousand two hundred
515 (8,200) according to the 1990 federal census, and in which U.S.
516 Highway 61 and Mississippi Highway 4 intersect, the board of
517 supervisors may, in its discretion, pay the county prosecuting
518 attorney an amount not to exceed Fourteen Thousand Dollars
519 (\$14,000.00), in addition to the maximum allowable salary for that
520 attorney under subsection (1), beginning on April 1, 1997.

521 (ff) In any county having a population greater than
522 thirty thousand three hundred (30,300) but less than thirty
523 thousand four hundred (30,400) according to the 1990 federal
524 census, and in which U.S. Highway 78 and Mississippi Highway 7
525 intersect, a salary of not less than the annual salary of a member
526 of the board of supervisors in such county.

527 (gg) In any county having a population greater than
528 thirteen thousand three hundred (13,300) but less than thirteen
529 thousand four hundred (13,400) according to the 1990 federal



530 census, and in which Mississippi Highway 24 and Mississippi
531 Highway 48 intersect, the board of supervisors may, in its
532 discretion, pay the county prosecuting attorney an additional
533 amount not to exceed ten percent (10%) of the maximum allowable
534 salary for that attorney under subsection (1).

535 (hh) In any county having a population greater than
536 eight thousand three hundred (8,300) but less than eight thousand
537 four hundred (8,400) according to the 1990 federal census, and in
538 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
539 supervisors may, in its discretion, pay the county prosecuting
540 attorney an additional amount not to exceed ten percent (10%) of
541 the maximum allowable salary for that attorney under subsection
542 (1).

543 (ii) After September 30, 1993, in any county having a
544 population of more than thirty thousand four hundred (30,400) and
545 which is traversed in whole or part by I-59, U.S. Highways 98 and
546 11 and State Highway 13, the annual salary of the county
547 prosecuting attorney shall be Twenty-five Thousand Dollars
548 (\$25,000.00). In addition, such county prosecuting attorney shall
549 receive after September 30, 1993, the sum of Seven Hundred Fifty
550 Dollars (\$750.00) per month for the purpose of defraying office or
551 secretarial expenses.

552 (jj) In any county having a population greater than
553 twenty thousand (20,000) according to the 1990 federal census and
554 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
555 board of supervisors, in its discretion, may pay the county
556 prosecuting attorney an annual salary equal to the annual salary
557 of justice court judges in the county.

558 (kk) In any county having a population greater than
559 twelve thousand four hundred (12,400) but less than twelve
560 thousand five hundred (12,500) according to the 1990 federal
561 census, and in which U.S. Highway 84 and Mississippi Highway 27
562 intersect, the board of supervisors may, in its discretion, pay



563 the county prosecuting attorney an additional amount not to exceed
564 ten percent (10%) of the maximum allowable salary for that
565 attorney under subsection (1).

566 (11) In any county having a population greater than
567 thirty thousand two hundred (30,200) but less than thirty thousand
568 three hundred (30,300) according to the 1990 federal census, and
569 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,
570 the board of supervisors may, in its discretion, pay the county
571 prosecuting attorney an additional amount not to exceed ten
572 percent (10%) of the maximum allowable salary for that attorney
573 under subsection (1).

574 (mm) In any county on the Mississippi River levee,
575 having a population greater than forty-one thousand eight hundred
576 (41,800) but less than forty-one thousand nine hundred (41,900)
577 according to the 1990 federal census wherein U.S. Highway 61 and
578 Mississippi Highway 8 intersect, the board of supervisors, in its
579 discretion, may pay the county prosecuting attorney an annual
580 salary equal to the annual salary of members of the board of
581 supervisors in the county. In addition, the board of supervisors,
582 in its discretion, may pay the county prosecuting attorney the sum
583 of One Thousand Dollars (\$1,000.00) per month for the purpose of
584 defraying secretarial expenses.

585 (nn) In any county having a population greater than
586 twenty-four thousand seven hundred (24,700) and less than
587 twenty-four thousand nine hundred (24,900) according to the 1990
588 federal census, wherein Mississippi Highways 15 and 16 intersect,
589 the board of supervisors, in its discretion, may pay the county
590 prosecuting attorney an annual salary equal to the annual salary
591 of members of the board of supervisors in the county.

592 (oo) In any county having a population greater than
593 thirty-seven thousand (37,000) but less than thirty-eight thousand
594 (38,000) according to the 1990 federal census, in which is located
595 a state supported institution of higher learning, and in which



596 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
597 supervisors may, in its discretion, pay the county prosecuting
598 attorney a salary in an amount not to exceed the amount of the
599 salary of the District Attorney for the Fourth Judicial District
600 of Mississippi.

601 (pp) In any county in which U.S. Highway 78 and
602 Mississippi Highway 15 intersect and which is traversed by the
603 Tallahatchie River, a salary equal to that of members of the board
604 of supervisors of the county, which salary shall be in addition to
605 any sums received for the purpose of defraying office or
606 secretarial expenses and sums received as youth court prosecutor
607 fees.

608 (qq) In any county bordering on the State of Tennessee
609 and the State of Arkansas, wherein Interstate Highway 55 and
610 Mississippi Highway 302 intersect, the board of supervisors, in
611 its discretion, may pay the county prosecuting attorney an annual
612 salary equal to the annual salary of justice court judges in the
613 county.

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

619 (ss) In any county in which Mississippi Highway 14 and
620 Mississippi Highway 25 intersect, the board of supervisors, in its
621 discretion, may pay the county prosecuting attorney an annual
622 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

623 (tt) In any county in which Interstate Highway 59 and
624 U.S. Highway 84 intersect, the board of supervisors, in its
625 discretion, may pay the county prosecuting attorney an annual
626 salary equal to the annual salary of members of the board of
627 supervisors in the county.



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

633 **SECTION 4.** Section 25-3-13, Mississippi Code of 1972, is
634 amended as follows:

635 25-3-13. The salaries of the members of the boards of
636 supervisors of the various counties are * * * fixed as full
637 compensation for their services.

638 The annual salary of each member of the board of supervisors
639 shall be based upon the total assessed valuation of his respective
640 county for the preceding taxable year in the following categories
641 and for the following amounts:

642 (a) For counties having a total assessed valuation of
643 less than Twenty Million Dollars (\$20,000,000.00), a salary of
644 Twenty-seven Thousand Fifty-nine Dollars (\$27,059.00);

645 (b) For counties having a total assessed valuation of
646 at least Twenty Million Dollars (\$20,000,000.00), but less than
647 Twenty-five Million Dollars (\$25,000,000.00), a salary of
648 Twenty-seven Thousand Seven Hundred Fifth-eight Dollars
649 (\$27,758.00);

650 (c) For counties having a total assessed valuation of
651 at least Twenty-five Million Dollars (\$25,000,000.00), but less
652 than Thirty-five Million Dollars (\$35,000,000.00), a salary of
653 Twenty-eight Thousand Four Hundred Fifty-six Dollars (\$28,456.00);

654 (d) For counties having a total assessed valuation of
655 at least Thirty-five Million Dollars (\$35,000,000.00), but less
656 than Fifty Million Dollars (\$50,000,000.00), a salary of Thirty
657 Thousand Nine Hundred Dollars (\$30,900.00);

658 (e) For counties having a total assessed valuation of
659 at least Fifty Million Dollars (\$50,000,000.00), but less than



660 Seventy-five Million Dollars (\$75,000,000.00), a salary of
661 Thirty-two Thousand Two Hundred Ninety-six Dollars (\$32,296.00);
662 (f) For counties having a total assessed valuation of
663 at least Seventy-five Million Dollars (\$75,000,000.00), but less
664 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
665 salary of Thirty-three Thousand Three Hundred Forty-four Dollars
666 (\$33,344.00);
667 (g) For counties having a total assessed valuation of
668 One Hundred Twenty-five Million Dollars (\$125,000,000.00), but
669 less than Three Hundred Million Dollars (\$300,000,000.00), a
670 salary of Thirty-eight Thousand Five Hundred Eighty-one Dollars
671 (\$38,581.00);
672 (h) For counties having a total assessed valuation of
673 Three Hundred Million Dollars (\$300,000,000.00) or more, a salary
674 of Forty-two Thousand Nine Hundred Forty-five Dollars
675 (\$47,945.00).

676 * * *

677 **SECTION 5.** Section 25-3-25, Mississippi Code of 1972, is
678 amended as follows:

679 25-3-25. (1) Except as otherwise provided in subsections
680 (2) through (9), the salaries of sheriffs of the various counties
681 are * * * fixed as full compensation for their services.

682 From and after October 1, 1998, the annual salary for each
683 sheriff shall be based upon the total population of his county
684 according to the latest federal decennial census in the following
685 categories and for the following amounts; however, no sheriff
686 shall be paid less than the salary authorized under this section
687 to be paid the sheriff based upon the population of the county
688 according to the 1980 federal decennial census, and the salary of
689 a sheriff may not be reduced during his term of office due to a
690 population decrease based upon the 1990 federal decennial census
691 or the 2000 federal decennial census:



692 (a) For counties with a total population of more than
693 two hundred thousand (200,000), a salary of Eighty-six Thousand
694 Two Hundred Fifty Dollars (\$86,250.00).

695 (b) For counties with a total population of more than
696 one hundred thousand (100,000) and not more than two hundred
697 thousand (200,000), a salary of Eighty Thousand Five Hundred
698 Dollars (\$80,500.00).

699 (c) For counties with a total population of more than
700 forty-five thousand (45,000) and not more than one hundred
701 thousand (100,000), a salary of Seventy-four Thousand Seven
702 Hundred Fifty Dollars (\$74,750.00).

703 (d) For counties with a total population of more than
704 thirty-four thousand (34,000) and not more than forty-five
705 thousand (45,000), a salary of Sixty-nine Thousand Dollars
706 (\$69,000.00).

707 (e) For counties with a total population of more than
708 twenty-five thousand (25,000) and not more than thirty-four
709 thousand (34,000), a salary of Fifty-nine Thousand Eight Hundred
710 Dollars (\$59,800.00).

711 (f) For counties with a total population of more than
712 fifteen thousand (15,000) and not more than twenty-five thousand
713 (25,000), a salary of Fifty-seven Thousand Five Hundred Dollars
714 (\$57,500.00).

715 (g) For counties with a total population of more than
716 nine thousand five hundred (9,500) and not more than fifteen
717 thousand (15,000), a salary of Fifty-four Thousand Fifty Dollars
718 (\$54,050.00).

719 (h) For counties with a total population of more than
720 seven thousand five hundred (7,500) and not more than nine
721 thousand five hundred (9,500), a salary of Fifty-one Thousand
722 Seven Hundred Fifty Dollars (\$51,750.00).



723 (i) For counties with a total population of not more
724 than seven thousand five hundred (7,500), a salary of Forty-eight
725 Thousand Three Hundred Dollars (\$48,300.00).

726 (2) In addition to the salary provided for in subsection (1)
727 of this section, the Board of Supervisors of Leflore County * * *,
728 in its discretion, may pay an annual supplement to the sheriff of
729 the county in an amount not to exceed Ten Thousand Dollars
730 (\$10,000.00). The Legislature finds and declares that the annual
731 supplement authorized by this subsection is justified in such
732 county for the following reasons:

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

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

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

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

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

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

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

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



755 (3) In addition to the salary provided for in subsection (1)
756 of this section, the Board of Supervisors of Rankin County * * *,
757 in its discretion, may pay an annual supplement to the sheriff of
758 the county in an amount not to exceed Ten Thousand Dollars
759 (\$10,000.00). The Legislature finds and declares that the annual
760 supplement authorized by this subsection is justified in such
761 county for the following reasons:

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

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

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

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

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

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

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

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

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



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

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

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

802 (a) Hinds County has the greatest population of any
803 county, two hundred fifty-four thousand four hundred forty-one
804 (254,441) by the 1990 census, being almost one hundred thousand
805 (100,000) more than the next most populous county;

806 (b) Hinds County is home to the State Capitol and the
807 seat of all state government offices;

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

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

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

818 (f) The main offices for the clerk and most of the
819 judges and magistrates for the United States District Court for



820 the Southern District of Mississippi are located within the
821 county;

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

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

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

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

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

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

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

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

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

848 (7) In addition to the salary provided for in subsection (1)
849 of this section, the Board of Supervisors of Wilkinson County, in
850 its discretion, may pay an annual supplement to the sheriff of the
851 county in an amount not to exceed Ten Thousand Dollars
852 (\$10,000.00). The Legislature finds and declares that the annual



853 supplement authorized by this subsection is justified in such
854 county because the Mississippi Department of Corrections contracts
855 for the private incarceration of state inmates at a private
856 correctional facility within the county.

857 (8) In addition to the salary provided for in subsection (1)
858 of this section, the Board of Supervisors of Marshall County, in
859 its discretion, may pay an annual supplement to the sheriff of the
860 county in an amount not to exceed Ten Thousand Dollars
861 (\$10,000.00). The Legislature finds and declares that the annual
862 supplement authorized by this subsection is justified in such
863 county because the Mississippi Department of Corrections contracts
864 for the private incarceration of state inmates at a private
865 correctional facility within the county.

866 (9) In addition to the salary provided in subsection (1) of
867 this section, the Board of Supervisors of Greene County, in its
868 discretion, may pay an annual supplement to the sheriff of the
869 county in an amount not to exceed Ten Thousand Dollars
870 (\$10,000.00). The Legislature finds and declares that the annual
871 supplement authorized by this subsection is justified in such
872 county for the following reasons:

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

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

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

883 (10) The salaries * * * provided in this section shall be
884 payable monthly on the first day of each calendar month by
885 chancery clerk's warrant drawn on the general fund of the county;



886 however, the board of supervisors, by resolution duly adopted and
887 entered on its minutes, may provide that such salaries shall be
888 paid semimonthly on the first and fifteenth day of each month. If
889 a pay date falls on a weekend or legal holiday, salary payments
890 shall be made on the workday immediately preceding the weekend or
891 legal holiday.

892 **SECTION 6.** Section 25-3-36, Mississippi Code of 1972, is
893 amended as follows:

894 25-3-36. (1) From and after October 1, 1998, every justice
895 court judge shall receive as full compensation for his or her
896 services and in lieu of any and all other fees, costs or
897 compensation heretofore authorized for such justice court judge,
898 an annual salary based upon the population of his or her county
899 according to the 1990 federal decennial census; however, no
900 justice court judge shall be paid less than the salary authorized
901 under this section to be paid the justice court judge based upon
902 the population of the county according to the 1980 federal
903 decennial census. The amount of a justice court judge's salary
904 shall be determined as follows:

905 (a) In counties with a population of more than two
906 hundred thousand (200,000), a salary of Fifty-three Thousand Two
907 Hundred Forty-four Dollars (\$53,244.00).

908 (b) In counties with a population of more than one
909 hundred fifty thousand (150,000) but not more than two hundred
910 thousand (200,000), a salary of Forty-eight Thousand Eight Hundred
911 Eighty Dollars (\$48,880.00).

912 (c) In counties with a population of more than
913 seventy-five thousand (75,000) but not more than one hundred fifty
914 thousand (150,000), a salary of Forty-four Thousand Five Hundred
915 Sixteen Dollars (\$44,516.00).

916 (d) In counties with a population of more than
917 forty-nine thousand (49,000) but not more than seventy-five



918 thousand (75,000), a salary of Thirty-eight Thousand Four Hundred
919 Six Dollars (\$38,406.00).

920 (e) In counties with a population of more than
921 thirty-four thousand (34,000) but not more than forty-nine
922 thousand (49,000), a salary of Thirty-three Thousand One Hundred
923 Sixty-nine Dollars (\$33,169.00).

924 (f) In counties with a population of more than
925 twenty-four thousand five hundred (24,500) but not more than
926 thirty-four thousand (34,000), a salary of Thirty-one Thousand
927 Four Hundred Twenty-three Dollars (\$31,423.00).

928 (g) In counties with a population of more than
929 twenty-one thousand (21,000) but not more than twenty-four
930 thousand five hundred (24,500), a salary of Twenty-seven Thousand
931 Nine Hundred Thirty-two Dollars (\$27,932.00).

932 (h) In counties with a population of more than sixteen
933 thousand five hundred (16,500) but not more than twenty-one
934 thousand (21,000), a salary of Twenty-four Thousand Four Hundred
935 Forty Dollars (\$24,440.00).

936 (i) In counties with a population of more than twelve
937 thousand (12,000) but not more than sixteen thousand five hundred
938 (16,500), a salary of Twenty Thousand Nine Hundred Forty-nine
939 Dollars (\$20,949.00).

940 (j) In counties with a population of more than eight
941 thousand (8,000) but not more than twelve thousand (12,000), a
942 salary of Seventeen Thousand Two Hundred Fifty Dollars
943 (\$17,250.00).

944 (k) In counties with a population of eight thousand
945 (8,000) or less, a salary of Thirteen Thousand Eight Hundred
946 Dollars (\$13,800.00).

947 The board of supervisors of any county having two (2)
948 judicial districts and two (2) justice court judges for the county
949 shall pay each justice court judge an amount equal to that * * *
950 provided in this subsection for judges in the next higher



951 population category per year, if the justice court judge maintains
952 regular office hours and is personally present in the office he
953 maintainsfor at least thirty (30) hours per week. In any county
954 having a population greater than eight thousand (8,000) but less
955 than eight thousand five hundred (8,500) according to the 1990
956 federal decennial census and in which U.S. Highway 61 and
957 Mississippi Highway 4 intersect, the board of supervisors * * *,
958 in its discretion, may pay such justice court judges an additional
959 amount not to exceed the sum of Eleven Thousand Five Hundred Fifty
960 Dollars (\$11,550.00) per year, payable beginning April 1, 1997.
961 In any county having a population greater than ten thousand
962 (10,000) but less than ten thousand five hundred (10,500)
963 according to the 1990 federal decennial census and in which
964 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
965 board of supervisors * * *, in its discretion, may pay such
966 justice court judges an additional amount not to exceed One
967 Thousand Four Hundred Fifty Dollars (\$1,450.00) per year, payable
968 beginning April 1, 1997. In any county having a population
969 greater than twenty-four thousand seven hundred (24,700) and less
970 than twenty-four thousand nine hundred (24,900), according to the
971 1990 federal census, wherein Mississippi Highways 15 and 16
972 intersect, the board of supervisors shall pay such justice court
973 judge an additional amount equal to Two Thousand Five Hundred
974 Dollars (\$2,500.00) per year.

975 (2) Notwithstanding the provisions of subsection (1) of this
976 section, in the event that the number of justice court judges
977 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
978 the provisions of Section 9-11-2(4), the aggregate of the salaries
979 paid to the justice court judges of such a county shall not exceed
980 the amount sufficient to pay the number of justice court judges
981 authorized pursuant to Section 9-11-2(1), and such amount shall be
982 equally divided among those justice court judges continuing to
983 hold office under the provisions of Section 9-11-2(4).



984 (3) From and after January 1, 1984, all fees, costs, fines
985 and penalties charged and collected in the justice court shall be
986 paid to the clerk of the justice court for deposit, along with
987 monies from cash bonds and other monies which have been forfeited
988 in criminal cases, into the general fund of the county as provided
989 in Section 9-11-19; and the clerk of the board of supervisors
990 shall be authorized and empowered, upon approval by the board of
991 supervisors, to make disbursements and withdrawals from the
992 general fund of the county in order to pay any reasonable and
993 necessary expenses incurred in complying with this section,
994 including payment of the salaries of justice court judges as
995 provided by subsection (1) of this section. The provisions of
996 this subsection shall not, except as to cash bonds and other
997 monies which have been forfeited in criminal cases, apply to
998 monies required to be deposited in the justice court clerk
999 clearing account as provided in Section 9-11-18.

1000 (4) The salaries provided for in * * * this section shall be
1001 payable monthly by warrant drawn by the clerk of the board of
1002 supervisors on the general fund of the county; however, the board
1003 of supervisors, by resolution duly adopted and entered on its
1004 minutes, may provide that such salaries shall be paid semimonthly
1005 on the first and fifteenth day of each month. If a pay date falls
1006 on a weekend or legal holiday, salary payments shall be made on
1007 the workday immediately preceding the weekend or legal holiday.

1008 (5) * * * The salary of a justice court judge shall not be
1009 reduced during his term of office as a result of a population
1010 change following a federal decennial census.

1011 (6) Any justice court judge who is unable to attend and hold
1012 court by reason of being under suspension by the Commission on
1013 Judicial Performance or the Mississippi Supreme Court shall not
1014 receive a salary while under such suspension.

1015 **SECTION 7.** Section 9-9-11, Mississippi Code of 1972, is
1016 amended as follows:



1017 9-9-11. (1) Except as otherwise provided in subsections (2)
1018 and (3), the county court judge shall receive an annual salary
1019 payable monthly out of the county treasury in an amount not to
1020 exceed One Thousand Dollars (\$1,000.00) less than the salary which
1021 is now or shall hereafter be provided for circuit and chancery
1022 judges of this state, in the discretion of the board of
1023 supervisors of that county; * * * however, * * * the salary of
1024 such judge shall not be reduced during his term of office. * * *
1025 Further, * * * the office of county court judge in any county
1026 receiving an annual salary of Thirty-six Thousand Dollars
1027 (\$36,000.00) or more shall be a full-time position, and the holder
1028 thereof shall not otherwise engage in the practice of law.

1029 (2) In the event of the establishment of a county court by
1030 agreement between two (2) or more counties as provided in Section
1031 9-9-3, the county judge of the court so established shall be paid
1032 a salary equal to one and one-half (1-1/2) times that salary that
1033 he would be paid if he were the judge of the smallest of such two
1034 (2) or more counties, such salary to be paid in monthly
1035 installments as provided by law; provided that such salary shall
1036 not exceed One Thousand Dollars (\$1,000.00) less than the salary
1037 of the circuit and chancery judges of this state.

1038 (3) The county court judge shall receive an annual salary
1039 payable monthly out of the county treasury as follows:

1040 (a) In any county having a population of seventy
1041 thousand (70,000) or more according to the 1980 federal census,
1042 the county judge shall receive an annual salary of One Thousand
1043 Dollars (\$1,000.00) less than that paid to a circuit court judge.
1044 The office of county judge shall be a full-time position, and the
1045 holder thereof shall not otherwise engage in the practice of law.

1046 (b) In any county having a population of sixty thousand
1047 (60,000) or more but less than seventy thousand (70,000) according
1048 to the 1980 federal census, the county judge shall receive an
1049 annual salary of Forty-six Thousand Dollars (\$46,000.00). The



1050 office of county judge shall be a full-time position, and the
1051 holder thereof shall not otherwise engage in the practice of law.
1052 The county judge shall not be eligible for any additional salary
1053 except as may be authorized in subsection (4).

1054 (c) In any county having a population of twenty-seven
1055 thousand (27,000) or more but less than sixty thousand (60,000)
1056 according to the 1980 federal census, the county judge shall
1057 receive an annual salary of not less than Thirteen Thousand Eight
1058 Hundred Dollars (\$13,800.00) but not more than Forty-six Thousand
1059 Dollars (\$46,000.00), in the discretion of the board of
1060 supervisors of said county. The county judge shall not be
1061 eligible for any additional salary except as may be authorized in
1062 subsection (4). In the event that the board of supervisors of
1063 that county elects to pay such county judge an annual salary of
1064 Thirty Thousand Dollars (\$30,000.00) or more, the office of county
1065 judge shall be a full-time position, and the holder thereof shall
1066 not otherwise engage in the practice of law.

1067 (d) In any county having a population of less than
1068 twenty-seven thousand (27,000) according to the 1980 federal
1069 census, the county judge shall receive an annual salary of not
1070 less than Four Thousand Eight Hundred Thirty Dollars (\$4,830.00)
1071 and not more than Nine Thousand Seven Hundred Seventy-five Dollars
1072 (\$9,775.00), in the discretion of the board of supervisors of that
1073 county. The county judge shall not be eligible for any additional
1074 salary except as may be authorized in subsection (4).

1075 (4) The county judge of any county described in this
1076 subsection shall be paid the compensation, and he shall be subject
1077 to any restrictions, set forth in the following paragraphs:

1078 (a) The county judge of any such Class 1 county with
1079 population according to the latest federal decennial census of
1080 forty-five thousand (45,000) or more and lying wholly within a
1081 levee district and having two (2) judicial districts * * *, in the
1082 discretion of the board of supervisors of such county, shall



1083 receive an annual salary not exceeding Forty Thousand Dollars
1084 (\$40,000.00), or a sum which is One Thousand Dollars (\$1,000.00)
1085 less than the salary which is now or shall hereafter be provided
1086 for circuit and chancery judges of the state, whichever is
1087 greater.

1088 (b) The county judge of any Class 1 county having an
1089 area in excess of nine hundred twenty-five (925) square miles
1090 shall receive an annual salary of not less than Thirty Thousand
1091 Dollars (\$30,000.00) but, in the discretion of the board of
1092 supervisors of such county, such salary may be not more than Five
1093 Hundred Dollars (\$500.00) less than the annual salary of a circuit
1094 judge, payable monthly out of the county treasury, and the county
1095 judge shall not practice law.

1096 (c) The office of county judge in any such Class 1
1097 county with a population according to the 1970 federal decennial
1098 census of greater than thirty-nine thousand (39,000), and where
1099 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive
1100 an annual salary to be paid in monthly installments of not less
1101 than an amount equal to ninety percent (90%) of the annual salary
1102 which is now or shall hereafter be provided for circuit and
1103 chancery judges of the state, as follows: The salary of the
1104 county judge shall be increased by ten percent (10%) annually
1105 above the base salary of the preceding year until such time as the
1106 judge's salary is equal to the amount that is provided by this
1107 subsection. The office of county judge shall be a full-time
1108 position and the holder thereof shall not otherwise engage in the
1109 practice of law.

1110 (d) In any Class 1 county bordering on the Mississippi
1111 River and which has situated therein a national military park and
1112 national military cemetery, the office of county judge shall be a
1113 full-time position and the holder thereof shall not otherwise
1114 engage in the practice of law. The salary for the county judge in
1115 that county shall be fixed at a sum which is One Thousand Dollars



1116 (\$1,000.00) less than the salary which is now or shall hereafter
1117 be provided for circuit and chancery judges of this state.

1118 (e) The county judge in any county having a population
1119 of at least forty-two thousand one hundred eleven (42,111),
1120 according to the 1970 census, and where U.S. Highway 49E and U.S.
1121 Highway 82 intersect, shall receive an annual salary to be paid in
1122 monthly installments of not less than Thirty Thousand Dollars
1123 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars
1124 (\$2,500.00) less than the annual salary of the circuit judge, in
1125 the discretion of the board of supervisors of that county.

1126 (f) The county judge in any Class 1 county bordering on
1127 the Mississippi River and having an area of less than four hundred
1128 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect
1129 shall receive an annual salary of Four Thousand Dollars
1130 (\$4,000.00) less than the annual salary of a circuit judge, and
1131 such county judge shall not practice law in any manner. The
1132 county judge in such county shall not be eligible to receive any
1133 additional salary authorized by this section or from any other
1134 source other than that set out and authorized by this paragraph.

1135 (g) The county judge of any Class 1 county bordering on
1136 the Mississippi River on the west and the State of Tennessee on
1137 the north, and traversed north to south by Interstate Highway 55,
1138 shall receive an annual salary of ninety percent (90%) of the
1139 salary which is now or shall hereafter be provided for chancery
1140 and circuit judges of this state, but in any event not less than
1141 Sixty Thousand Two Hundred Dollars (\$60,200.00).

1142 (h) The county judge of any Class 1 county with a
1143 population of greater than sixty-nine thousand (69,000) according
1144 to the 1980 federal decennial census, and wherein U.S. Highway 80
1145 and Mississippi Highway 43 intersect, shall receive an annual
1146 salary in an amount not greater than the sum of Five Hundred
1147 Dollars (\$500.00) less than the salary which is now or shall
1148 hereafter be provided for circuit and chancery judges of this



1149 state, in the discretion of the board of supervisors of that
1150 county.

1151 (i) The county judge of any county having a population
1152 in excess of sixty-six thousand (66,000) according to the 1980
1153 federal decennial census, wherein is located a state-supported
1154 university and in which U.S. Highways 49 and 11 intersect, shall
1155 receive an annual salary of One Thousand Dollars (\$1,000.00) less
1156 than that paid to a circuit court judge. The office of such
1157 county judge shall be a full-time position, and the holder thereof
1158 shall not otherwise engage in the practice of law.

1159 (j) The county judge of any county having two (2)
1160 judicial districts, having a population in excess of sixty-one
1161 thousand nine hundred (61,900) according to the 1980 federal
1162 decennial census, in which U.S. Interstate Highway 59 intersects
1163 with U.S. Highway 84, shall receive an annual salary of One
1164 Thousand Dollars (\$1,000.00) less than the salary which is now or
1165 hereafter authorized to be paid circuit and chancery court judges
1166 of this state. The office of such county judge shall be a
1167 full-time position, and the holder thereof shall not otherwise
1168 engage in the practice of law.

1169 (k) The office of county judge of any Class I county
1170 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a
1171 full-time position and the holder thereof shall not otherwise
1172 engage in the practice of law. The annual salary for the office
1173 of county judge in that county may be fixed, in the discretion of
1174 the board of supervisors of the county, at a sum not to exceed Two
1175 Thousand Dollars (\$2,000.00) less than the salary which is now or
1176 shall hereafter be provided for circuit and chancery judges of
1177 this state.

1178 (l) The county judge of any county having a population
1179 of more than forty-one thousand six hundred (41,600) but less than
1180 forty-one thousand six hundred fifty (41,650) according to the
1181 1980 federal census, and wherein U.S. Highway 49 intersects with



1182 Mississippi Highway 22, shall receive an annual salary in an
1183 amount established by the board of supervisors, but in no event to
1184 exceed the salary provided now or hereafter for circuit and
1185 chancery judges of this state.

1186 (m) The county judge of any county having a population
1187 of more than fifty-seven thousand (57,000) but less than
1188 fifty-seven thousand one hundred (57,100) according to the 1980
1189 federal census, wherein U.S. Highway 45 intersects with
1190 Mississippi Highway 6, shall receive an annual salary in an amount
1191 established by the board of supervisors, but in no event to exceed
1192 the salary provided now or hereafter for circuit and chancery
1193 judges of this state.

1194 (n) The county judge of any county having a population
1195 of more than fifty-seven thousand three hundred (57,300) according
1196 to the 1980 federal decennial census, wherein is located a
1197 state-supported university and wherein United States Highways 82
1198 and 45 intersect, shall receive an annual salary in an amount
1199 established by the board of supervisors, but in no event to exceed
1200 the salary provided now or hereafter for circuit and chancery
1201 judges of this state.

1202 (5) The salary of a county court judge or justice court
1203 judge shall not be reduced during his term of office as a result
1204 of a population decrease based upon the 1990 federal decennial
1205 census.

1206 * * *

1207 (6) From and after October 1, 1993, * * * in addition to the
1208 salaries set forth in this section, the board of supervisors of
1209 any county, in its discretion, may pay any county court judge
1210 whose salary is not established herein in relation to the salary
1211 paid to chancery and circuit court judges, an additional amount
1212 not to exceed ten percent (10%) of the maximum allowable salary
1213 for that judge.



1214 **SECTION 8.** Section 41-61-59, Mississippi Code of 1972, is
1215 amended as follows:

1216 41-61-59. (1) A person's death which affects the public
1217 interest as specified in subsection (2) of this section shall be
1218 promptly reported to the medical examiner by the physician in
1219 attendance, any hospital employee, any law enforcement officer
1220 having knowledge of the death, the embalmer or other funeral home
1221 employee, any emergency medical technician, any relative or any
1222 other person present. The appropriate medical examiner shall
1223 notify the municipal or state law enforcement agency or sheriff
1224 and take charge of the body.

1225 (2) A death affecting the public interest includes, but is
1226 not limited to, any of the following:

1227 (a) Violent death, including homicidal, suicidal or
1228 accidental death.

1229 (b) Death caused by thermal, chemical, electrical or
1230 radiation injury.

1231 (c) Death caused by criminal abortion, including
1232 self-induced abortion, or abortion related to or by sexual abuse.

1233 (d) Death related to disease thought to be virulent or
1234 contagious which may constitute a public hazard.

1235 (e) Death that has occurred unexpectedly or from an
1236 unexplained cause.

1237 (f) Death of a person confined in a prison, jail or
1238 correctional institution.

1239 (g) Death of a person where a physician was not in
1240 attendance within thirty-six (36) hours preceding death, or in
1241 prediagnosed terminal or bedfast cases, within thirty (30) days
1242 preceding death.

1243 (h) Death of a person where the body is not claimed by
1244 a relative or a friend.

1245 (i) Death of a person where the identity of the
1246 deceased is unknown.



1247 (j) Death of a child under the age of two (2) years
1248 where death results from an unknown cause or where the
1249 circumstances surrounding the death indicate that sudden infant
1250 death syndrome may be the cause of death.

1251 (k) Where a body is brought into this state for
1252 disposal and there is reason to believe either that the death was
1253 not investigated properly or that there is not an adequate
1254 certificate of death.

1255 (l) Where a person is presented to a hospital emergency
1256 room unconscious and/or unresponsive, with cardiopulmonary
1257 resuscitative measures being performed, and dies within
1258 twenty-four (24) hours of admission without regaining
1259 consciousness or responsiveness, unless a physician was in
1260 attendance within thirty-six (36) hours preceding presentation to
1261 the hospital, or in cases in which the decedent had a prediagnosed
1262 terminal or bedfast condition, unless a physician was in
1263 attendance within thirty (30) days preceding presentation to the
1264 hospital.

1265 (3) The State Medical Examiner is empowered to investigate
1266 deaths, under the authority hereinafter conferred, in any and all
1267 political subdivisions of the state. The county medical examiners
1268 and county medical examiner investigators, while appointed for a
1269 specific county, may serve other counties on a regular basis with
1270 written authorization by the State Medical Examiner, or may serve
1271 other counties on an as-needed basis upon the request of the
1272 ranking officer of the investigating law enforcement agency. The
1273 county medical examiner or county medical examiner investigator of
1274 any county which has established a regional medical examiner
1275 district under subsection (4) of Section 41-61-77 may serve other
1276 counties which are parties to the agreement establishing the
1277 district, in accordance with the terms of the agreement, and may
1278 contract with counties which are not part of the district to
1279 provide medical examiner services for such counties. If a death



1280 affecting the public interest takes place in a county other than
1281 the one where injuries or other substantial causal factors leading
1282 to the death have occurred, jurisdiction for investigation of the
1283 death may be transferred, by mutual agreement of the respective
1284 medical examiners of the counties involved, to the county where
1285 such injuries or other substantial causal factors occurred, and
1286 the costs of autopsy or other studies necessary to the further
1287 investigation of the death shall be borne by the county assuming
1288 jurisdiction.

1289 (4) The chief county medical examiner or chief county
1290 medical examiner investigator may receive from the county in which
1291 he serves a salary of Eight Hundred Sixty-three Dollars (\$863.00)
1292 per month, in addition to the fees specified in Sections 41-61-69
1293 and 41-61-75, provided that no county shall pay the chief county
1294 medical examiner or chief county medical examiner investigator
1295 less than One Hundred Dollars (\$100.00) per month as a salary, in
1296 addition to other compensation provided by law. In any county
1297 having one or more deputy medical examiners or deputy medical
1298 examiner investigators, each deputy may receive from the county in
1299 which he serves, in the discretion of the board of supervisors, a
1300 salary of not more than Eight Hundred Sixty-three Dollars
1301 (\$863.00) per month, in addition to the fees specified in Sections
1302 41-61-69 and 41-61-75. For this salary the chief shall assure
1303 twenty-four-hour daily and readily available death investigators
1304 for the county, and shall maintain copies of all medical examiner
1305 death investigations for the county for at least the previous five
1306 (5) years. He shall coordinate his office and duties and
1307 cooperate with the State Medical Examiner, and the State Medical
1308 Examiner shall cooperate with him.

1309 (5) A body composed of the State Medical Examiner, whether
1310 appointed on a permanent or interim basis, the Director of the
1311 State Board of Health or his designee, the Attorney General or his
1312 designee, the President of the Mississippi Coroners' Association



1313 (or successor organization) or his designee, and a certified
1314 pathologist appointed by the Mississippi State Medical Association
1315 shall adopt, promulgate, amend and repeal rules and regulations as
1316 may be deemed necessary by them from time to time for the proper
1317 enforcement, interpretation and administration of Sections
1318 41-61-51 through 41-61-79, in accordance with the provisions of
1319 the Mississippi Administrative Procedures Law, being Sections
1320 25-43-1 through 25-43-19.

1321 **SECTION 9.** Section 9-13-19, Mississippi Code of 1972, is
1322 amended as follows:

1323 9-13-19. (1) Court reporters for circuit and chancery
1324 courts shall be paid an annual salary of Forty-three Thousand
1325 Seven Hundred Dollars (\$43,700.00) payable by the Administrative
1326 Office of Courts. In addition, any court reporter performing the
1327 duties of a court administrator in the same judicial district in
1328 which the person is employed as a court reporter may be paid
1329 additional compensation for performing the court administrator
1330 duties. The annual amount of the additional compensation shall be
1331 set by vote of the judges and chancellors for whom the court
1332 administrator duties are performed, with consideration given to
1333 the number of hours per month devoted by the court reporter to
1334 performing the duties of a court administrator. The additional
1335 compensation shall be submitted to the Administrative Office of
1336 Courts for approval.

1337 (2) The several counties in each respective court district
1338 shall transfer from the general funds of those county treasuries
1339 to the Administrative Office of Courts a proportionate amount to
1340 be paid toward the annual compensation of the court reporter,
1341 including any additional compensation paid for the performance of
1342 court administrator duties. The amount to be paid by each county
1343 shall be determined by the number of weeks in which court is held
1344 in each county in proportion to the total number of weeks court is
1345 held in the district. For purposes of this section, the term



1346 "compensation" means the gross salary plus all amounts paid for
1347 benefits, or otherwise, as a result of employment or as required
1348 by employment, but does not include transcript fees otherwise
1349 authorized to be paid by or through the counties. However, only
1350 salary earned for services rendered shall be reported and credited
1351 for retirement purposes. Amounts paid for transcript fees,
1352 benefits or otherwise, including reimbursement for travel
1353 expenses, shall not be reported or credited for retirement
1354 purposes.

1355 For example, if there are thirty-eight (38) scheduled court
1356 weeks in a particular district, a county in which court is
1357 scheduled five (5) weeks out of the year would have to pay
1358 five-thirty-eighths (5/38) of the total annual compensation.

1359 (3) The salary and any additional compensation for the
1360 performance of court administrator duties shall be paid in twelve
1361 (12) installments on the last working day of each month after it
1362 has been duly authorized by the appointing judge or chancellor and
1363 an order duly placed on the minutes of the court. Each county
1364 shall transfer to the Administrative Office of Courts one-twelfth
1365 (1/12) of the amount required to be paid pursuant to subsection
1366 (2) of this section by the twentieth day of each month for the
1367 salary that is to be paid on the last working day of the month.
1368 The Administrative Office of Courts shall pay to the court
1369 reporter the total amount of salary due for that month. Any
1370 county may pay, in the discretion of the board of supervisors, by
1371 the twentieth day of January of any year, the amount due for a
1372 full twelve (12) months.

1373 (4) From and after October 1, 1996, all circuit and chancery
1374 court reporters will be employees of the Administrative Office of
1375 Courts.

1376 (5) No circuit or chancery court reporter shall be entitled
1377 to any compensation for any special or extended term of court
1378 after passage of this section.



1379 (6) No chancery or circuit court reporter shall practice law
1380 in the court within which he or she is the court reporter.

1381 (7) For all travel required in the performance of official
1382 duties, the circuit or chancery court reporter shall be paid
1383 mileage by the county in which the duties were performed at the
1384 same rate as provided for state employees in Section 25-3-41. The
1385 court reporter shall file in the office of the clerk of the court
1386 which he serves a certificate of mileage expense incurred during
1387 that term and payment of such expense to the court reporter shall
1388 be paid on allowance by the judge of such court.

1389 **SECTION 10.** Section 19-25-31, Mississippi Code of 1972, is
1390 amended as follows:

1391 19-25-31. Each judge of a circuit, chancery or county court,
1392 or a court of eminent domain * * *, in the judge's discretion, by
1393 order entered on the minutes of the court, may allow the sheriff
1394 riding bailiffs to serve in the respective court of such judge,
1395 not to exceed four (4) bailiffs. Any such person so employed
1396 shall be paid by the county on allowances of the court on issuance
1397 of a warrant therefor in an amount of Seventy Dollars (\$70.00) for
1398 each day, or part thereof, for which he serves as bailiff when the
1399 court is in session. No full-time deputy sheriff shall be paid as
1400 a riding bailiff of any court. County court judges shall be
1401 limited to one (1) bailiff per each court day.

1402 **SECTION 11.** Section 23-15-225, Mississippi Code of 1972, is
1403 amended as follows:

1404 23-15-225. (1) The registrar shall be entitled to such
1405 compensation, payable monthly out of the county treasury, which
1406 the board of supervisors of the county shall allow on an annual
1407 basis in the following amounts:

1408 (a) For counties with a total population of more than
1409 two hundred thousand (200,000), an amount not to exceed
1410 Thirty-four Thousand Three Hundred Eighty-five Dollars



1411 $(\$34,385.00)$, but not less than Ten Thousand Five Hundred Eighty
1412 Dollars (\$10,580.00).

1413 (b) For counties with a total population of more than
1414 one hundred thousand (100,000) and not more than two hundred
1415 thousand (200,000), an amount not to exceed Twenty-nine Thousand
1416 Ninety-five Dollars (\$25,095.00), but not less than Ten Thousand
1417 Five Hundred Eighty Dollars (\$10,580.00).

1418 (c) For counties with a total population of more than
1419 fifty thousand (50,000) and not more than one hundred thousand
1420 (100,000), an amount not to exceed Twenty-six Thousand Four
1421 Hundred Fifty Dollars (\$26,450.00), but not less than Ten Thousand
1422 Five Hundred Eighty Dollars (\$10,580.00).

1423 (d) For counties with a total population of more than
1424 thirty-five thousand (35,000) and not more than fifty thousand
1425 (50,000), an amount not to exceed Twenty-three Thousand Eight
1426 Hundred Five Dollars (\$23,805.00), but not less than Ten Thousand
1427 Five Hundred Eighty Dollars (\$10,580.00).

1428 (e) For counties with a total population of more than
1429 twenty-five thousand (25,000) and not more than thirty-five
1430 thousand (35,000), an amount not to exceed Twenty-one Thousand One
1431 Hundred Sixty Dollars (\$21,160.00), but not less than Ten Thousand
1432 Five Hundred Eighty Dollars (\$10,580.00).

1433 (f) For counties with a total population of more than
1434 fifteen thousand (15,000) and not more than twenty-five thousand
1435 (25,000), an amount not to exceed Eighteen Thousand Five Hundred
1436 Fifteen Dollars (\$18,515.00), but not less than Ten Thousand Five
1437 Hundred Eighty Dollars (\$10,580.00).

1438 (g) For counties with a total population of more than
1439 ten thousand (10,000) and not more than fifteen thousand (15,000),
1440 an amount not to exceed Fifteen Thousand Eight Hundred Seventy
1441 Dollars (\$15,870.00), but not less than Nine Thousand Two Hundred
1442 Fifty-eight Dollars (\$9,258.00).



1443 (h) For counties with a total population of more than
1444 six thousand (6,000) and not more than ten thousand (10,000), an
1445 amount not to exceed Thirteen Thousand Two Hundred Twenty-five
1446 Dollars (\$13,225.00), but not less than Nine Thousand Two Hundred
1447 Fifty-eight Dollars (\$9,258.00).

1448 (i) For counties with a total population of not more
1449 than six thousand (6,000), an amount not to exceed Ten Thousand
1450 Five Hundred Eighty Dollars (\$10,580.00), but not less than Seven
1451 Thousand Two Hundred Seventy-four Dollars (\$7,274.00).

1452 (j) For counties having two (2) judicial districts, the
1453 board of supervisors of the county may allow, in addition to the
1454 sums prescribed herein, in its discretion, an amount not to exceed
1455 Thirteen Thousand Two Hundred Twenty-five Dollars (\$13,225.00).

1456 (2) In the event of a reregistration within such county, or
1457 a redistricting which necessitates the hiring of additional deputy
1458 registrars, the board of supervisors may by contract compensate
1459 the county registrar amounts in addition to the sums prescribed in
1460 this section, in its discretion.

1461 (3) As compensation for their services in assisting the
1462 county election commissioners in performance of their duties in
1463 the revision of the registration books and the pollbooks of the
1464 several voting precincts of the several counties and in assisting
1465 the election commissioners, executive committees or boards of
1466 supervisors in connection with any election, the registrar shall
1467 receive the same daily per diem and limitation on meeting days as
1468 provided for the board of election commissioners as set out in
1469 Sections 23-15-153 and 23-15-227 to be paid from the general fund
1470 of the county.

1471 (4) In any case where an amount has been allowed by the
1472 board of supervisors pursuant to this section, such amount shall
1473 not be reduced or terminated during the term for which the
1474 registrar was elected.



1475 (5) The circuit clerk shall, in addition to any other
1476 compensation provided for by law, be entitled to receive as
1477 compensation from the board of supervisors the amount of Two
1478 Thousand Dollars (\$2,000.00) per year. This payment shall be for
1479 the performance of his duties in regard to the conduct of
1480 elections and the performance of his other duties.

1481 (6) The municipal clerk shall, in addition to any other
1482 compensation for performance of duties, be eligible to receive as
1483 compensation from the municipality's governing authorities a
1484 reasonable amount of additional compensation for reimbursement of
1485 costs and for additional duties associated with mail-in
1486 registration of voters.

1487 (7) The board of supervisors shall not allow any additional
1488 compensation authorized under this section for services as county
1489 registrar to any circuit clerk who is receiving fees as
1490 compensation for his services equal to the limitation on
1491 compensation prescribed in Section 9-1-43.

1492 **SECTION 12.** Section 21-1-27, Mississippi Code of 1972, is
1493 brought forward as follows:

1494 21-1-27. The limits and boundaries of existing cities, towns
1495 and villages shall remain as now established until altered in the
1496 manner hereinafter provided. When any municipality shall desire
1497 to enlarge or contract the boundaries thereof by adding thereto
1498 adjacent unincorporated territory or excluding therefrom any part
1499 of the incorporated territory of such municipality, the governing
1500 authorities of such municipality shall pass an ordinance defining
1501 with certainty the territory proposed to be included in or
1502 excluded from the corporate limits, and also defining the entire
1503 boundary as changed. In the event the municipality desires to
1504 enlarge such boundaries, such ordinance shall in general terms
1505 describe the proposed improvements to be made in the annexed
1506 territory, the manner and extent of such improvements, and the
1507 approximate time within which such improvements are to be made;



1508 such ordinance shall also contain a statement of the municipal or
1509 public services which such municipality proposes to render in such
1510 annexed territory. In the event the municipality shall desire to
1511 contract its boundaries, such ordinance shall contain a statement
1512 of the reasons for such contraction and a statement showing
1513 whereby the public convenience and necessity would be served
1514 thereby.

1515 **SECTION 13.** Section 21-1-29, Mississippi Code of 1972, is
1516 brought forward as follows:

1517 21-1-29. When any such ordinance shall be passed by the
1518 municipal authorities, such municipal authorities shall file a
1519 petition in the chancery court of the county in which such
1520 municipality is located; however, when a municipality wishes to
1521 annex or extend its boundaries across and into an adjoining county
1522 such municipal authorities shall file a petition in the chancery
1523 court of the county in which such territory is located. The
1524 petition shall recite the fact of the adoption of such ordinance
1525 and shall pray that the enlargement or contraction of the
1526 municipal boundaries, as the case may be, shall be ratified,
1527 approved and confirmed by the court. There shall be attached to
1528 such petition, as exhibits thereto, a certified copy of the
1529 ordinance adopted by the municipal authorities and a map or plat
1530 of the municipal boundaries as they will exist in event such
1531 enlargement or contraction becomes effective.

1532 **SECTION 14.** Section 21-1-31, Mississippi Code of 1972, is
1533 brought forward as follows:

1534 21-1-31. Upon the filing of such petition and upon
1535 application therefor by the petitioner, the chancellor shall fix a
1536 date certain, either in termtime or in vacation, when a hearing on
1537 said petition will be held, and notice thereof shall be given in
1538 the same manner and for the same length of time as is provided in
1539 Section 21-1-15 with regard to the creation of municipal
1540 corporations, and all parties interested in, affected by, or being



1541 aggrieved by said proposed enlargement or contraction shall have
1542 the right to appear at such hearing and present their objection to
1543 such proposed enlargement or contraction. However, in all cases
1544 of the enlargement of municipalities where any of the territory
1545 proposed to be incorporated is located within three (3) miles of
1546 another existing municipality, then such other existing
1547 municipality shall be made a party defendant to said petition and
1548 shall be served with process in the manner provided by law, which
1549 process shall be served at least thirty (30) days prior to the
1550 date set for the hearing.

1551 **SECTION 15.** Section 21-1-33, Mississippi Code of 1972, is
1552 brought forward as follows:

1553 21-1-33. If the chancellor finds from the evidence presented
1554 at such hearing that the proposed enlargement or contraction is
1555 reasonable and is required by the public convenience and necessity
1556 and, in the event of an enlargement of a municipality, that
1557 reasonable public and municipal services will be rendered in the
1558 annexed territory within a reasonable time, the chancellor shall
1559 enter a decree approving, ratifying and confirming the proposed
1560 enlargement or contraction, and describing the boundaries of the
1561 municipality as altered. In so doing the chancellor shall have
1562 the right and the power to modify the proposed enlargement or
1563 contraction by decreasing the territory to be included in or
1564 excluded from such municipality, as the case may be. If the
1565 chancellor shall find from the evidence that the proposed
1566 enlargement or contraction, as the case may be, is unreasonable
1567 and is not required by the public convenience and necessity, then
1568 he shall enter a decree denying such enlargement or contraction.
1569 In any event, the decree of the chancellor shall become effective
1570 after the passage of ten (10) days from the date thereof or, in
1571 event an appeal is taken therefrom, within ten (10) days from the
1572 final determination of such appeal. In any proceeding under this



1573 section the burden shall be upon the municipal authorities to show
1574 that the proposed enlargement or contraction is reasonable.

1575 **SECTION 16.** Section 21-1-35, Mississippi Code of 1972, is
1576 brought forward as follows:

1577 21-1-35. In the event no objection is made to the petition
1578 for the enlargement or contraction of the municipal boundaries,
1579 the municipality shall be taxed with all costs of the proceedings.
1580 In the event objection is made, such costs may be taxed in such
1581 manner as the chancellor shall determine to be equitable pursuant
1582 to the Mississippi Rules of Civil Procedure. In the event of an
1583 appeal from the judgment of the chancellor, the costs incurred in
1584 the appeal shall be taxed against the appellant if the judgment be
1585 affirmed, and against the appellee if the judgment be reversed.

1586 **SECTION 17.** Section 21-1-37, Mississippi Code of 1972, is
1587 brought forward as follows:

1588 21-1-37. If the municipality or any other interested person
1589 who was a party to the proceedings in the chancery court be
1590 aggrieved by the decree of the chancellor, then such municipality
1591 or other person may prosecute an appeal therefrom within the time
1592 and in the manner and with like effect as is provided in Section
1593 21-1-21 in the case of appeals from the decree of the chancellor
1594 with regard to the creation of a municipal corporation.

1595 **SECTION 18.** Section 21-1-39, Mississippi Code of 1972, is
1596 brought forward as follows:

1597 21-1-39. Whenever the corporate limits of any municipality
1598 shall be enlarged or contracted, as herein provided, the chancery
1599 clerk shall, after the expiration of ten (10) days from the date
1600 of such decree if no appeal be taken therefrom, forward to the
1601 Secretary of State a certified copy of such decree, which shall be
1602 filed in the Office of the Secretary of State and shall remain a
1603 permanent record thereof. In the event an appeal be taken from
1604 such decree and such decree is affirmed, then the certified copy
1605 thereof shall be forwarded to the Secretary of State within ten



1606 (10) days after receipt of the mandate from the Supreme Court
1607 notifying the clerk of such affirmance.

1608 **SECTION 19.** The Attorney General of the State of Mississippi
1609 shall submit this act, immediately upon approval by the Governor,
1610 or upon approval by the Legislature subsequent to a veto, to the
1611 Attorney General of the United States or to the United States
1612 District Court for the District of Columbia in accordance with the
1613 provisions of the Voting Rights Act of 1965, as amended and
1614 extended.

1615 **SECTION 20.** This act shall take effect and be in force from
1616 and after January 1, 2004, if it is effectuated on or before that
1617 date under Section 5 of the Voting Rights Act of 1965, as amended
1618 and extended. If it is effectuated under Section 5 of the Voting
1619 Rights Act of 1965, as amended and extended, after January 1,
1620 2004, this act shall take effect and be in force from and after
1621 the date it is effectuated under Section 5 of the Voting Rights
1622 Act of 1965, as amended and extended.

