

By: Senator(s) Jackson

To: Fees, Salaries and Administration

SENATE BILL NO. 2061

1 AN ACT TO AMEND SECTION 9-1-45, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE CONSTABLES TO FILE CERTAIN ANNUAL REPORTS WITH THE STATE
3 AUDITOR; TO REPEAL SECTIONS 7-3-45 AND 7-3-47, MISSISSIPPI CODE OF
4 1972, WHICH REQUIRE CERTAIN ANNUAL REPORTS TO BE FILED BY
5 CONSTABLES WITH THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 9-1-45, Mississippi Code of 1972, is
8 amended as follows:

9 9-1-45. Each chancery and circuit clerk and constable shall
10 file, not later than April 15 of each year, with the State Auditor
11 of Public Accounts a true and accurate annual report on a form to
12 be designed and supplied to each clerk by the State Auditor of
13 Public Accounts immediately after January 1 of each year. The
14 form shall include the following information: (a) all fees
15 received by constables; (b) revenues subject to the salary cap,
16 including fees; (c) revenues not subject to the salary cap; and
17 (d) expenses of office, including any salary paid to a clerk's
18 spouse or children. Each chancery and circuit clerk and constable
19 shall provide any additional information requested by the Public
20 Employees' Retirement System for the purpose of retirement
21 calculations.

22 In any county having two (2) judicial districts, a separate
23 report may be filed by the chancery clerk and circuit clerk for
24 each judicial district. Whenever the chancery clerk serves as
25 deputy to the circuit clerk in one (1) judicial district and the
26 circuit clerk serves as deputy to the chancery clerk in the other
27 judicial district, each clerk may file, for the judicial district
28 in which he serves, one (1) report for the revenues and expenses



29 of his office in his capacity as chancery or circuit clerk and a
30 separate report for reporting the revenues collected and expenses
31 incurred in his capacity as deputy circuit or deputy chancery
32 clerk.

33 **SECTION 2.** Sections 7-3-45 and 7-3-47, Mississippi Code of
34 1972, which require certain annual reports to be filed by
35 constables with the Secretary of State, are hereby repealed.

36 **SECTION 3.** This act shall take effect and be in force from
37 and after its passage.

