

By: Senator(s) Little

To: Fees, Salaries and Administration

SENATE BILL NO. 2785

1 AN ACT TO AMEND SECTION 25-3-36, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS IN ALCORN COUNTY, IN ITS
3 DISCRETION, TO PAY AN ANNUAL SUPPLEMENT TO THE JUSTICE COURT
4 JUDGES OF THE COUNTY; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 25-3-36, Mississippi Code of 1972, is
7 amended as follows:

8 25-3-36. (1) From and after October 1, 1998, every justice
9 court judge shall receive as full compensation for his or her
10 services and in lieu of any and all other fees, costs or
11 compensation heretofore authorized for such justice court judge,
12 an annual salary based upon the population of his or her county
13 according to the 1990 federal decennial census; however, no
14 justice court judge shall be paid less than the salary authorized
15 under this section to be paid the justice court judge based upon
16 the population of the county according to the 1980 federal
17 decennial census. The amount of which salary shall be determined
18 as follows:

19 (a) In counties with a population of more than two
20 hundred thousand (200,000), a salary of Forty-six Thousand Two
21 Hundred Ninety-nine Dollars (\$46,299.00).

22 (b) In counties with a population of more than one
23 hundred fifty thousand (150,000) but not more than two hundred
24 thousand (200,000), a salary of Forty-two Thousand Five Hundred
25 Four Dollars (\$42,504.00).

26 (c) In counties with a population of more than
27 seventy-five thousand (75,000) but not more than one hundred fifty



28 thousand (150,000), a salary of Thirty-eight Thousand Seven
29 Hundred Nine Dollars (\$38,709.00).

30 (d) In counties with a population of more than
31 forty-nine thousand (49,000) but not more than seventy-five
32 thousand (75,000), a salary of Thirty-three Thousand Three Hundred
33 Ninety-six Dollars (\$33,396.00).

34 (e) In counties with a population of more than
35 thirty-four thousand (34,000) but not more than forty-nine
36 thousand (49,000), a salary of Twenty-eight Thousand Eight Hundred
37 Forty-two Dollars (\$28,842.00).

38 (f) In counties with a population of more than
39 twenty-four thousand five hundred (24,500) but not more than
40 thirty-four thousand (34,000), a salary of Twenty-seven Thousand
41 Three Hundred Twenty-four Dollars (\$27,324.00).

42 (g) In counties with a population of more than
43 twenty-one thousand (21,000) but not more than twenty-four
44 thousand five hundred (24,500), a salary of Twenty-four Thousand
45 Two Hundred Eighty-eight Dollars (\$24,288.00).

46 (h) In counties with a population of more than sixteen
47 thousand five hundred (16,500) but not more than twenty-one
48 thousand (21,000), a salary of Twenty-one Thousand Two Hundred
49 Fifty-two Dollars (\$21,252.00).

50 (i) In counties with a population of more than twelve
51 thousand (12,000) but not more than sixteen thousand five hundred
52 (16,500), a salary of Eighteen Thousand Two Hundred Sixteen
53 Dollars (\$18,216.00).

54 (j) In counties with a population of more than eight
55 thousand (8,000) but not more than twelve thousand (12,000), a
56 salary of Fifteen Thousand Dollars (\$15,000.00).

57 (k) In counties with a population of eight thousand
58 (8,000) or less, a salary of Twelve Thousand Dollars (\$12,000.00).

59 The board of supervisors of any county having two (2)
60 judicial districts and two (2) justice court judges for the county



61 shall pay the justice court judges an amount equal to that
62 hereinabove provided for judges in the next higher population
63 category per year, if said justice court judges maintain regular
64 office hours and are personally present in the office they
65 maintain for at least thirty (30) hours per week.

66 In any county having a population greater than eight thousand
67 (8,000) but less than eight thousand five hundred (8,500)
68 according to the 1990 federal decennial census and in which U.S.
69 Highway 61 and Mississippi Highway 4 intersect, the board of
70 supervisors may, in its discretion, pay such justice court judges
71 an additional amount not to exceed the sum of Eleven Thousand Five
72 Hundred Fifty Dollars (\$11,550.00) per year, payable beginning
73 April 1, 1997.

74 In any county having a population greater than ten thousand
75 (10,000) but less than ten thousand five hundred (10,500)
76 according to the 1990 federal decennial census and in which
77 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
78 board of supervisors may, in its discretion, pay such justice
79 court judges an additional amount not to exceed One Thousand Four
80 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning
81 April 1, 1997.

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

89 In any county having a population greater than thirty-four
90 thousand (34,000) and less than thirty-five thousand nine hundred
91 (35,900) according to the 2000 federal census, wherein Mississippi
92 Highways 45 and 72 intersect, the board of supervisors, in its
93 discretion, may pay such justice court judges an additional amount



94 not to exceed Nine Thousand Five Hundred Dollars (\$9,500.00) per
95 year, payable beginning July 1, 2003.

96 (2) Notwithstanding the provisions of subsection (1) of this
97 section, in the event that the number of justice court judges
98 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
99 the provisions of Section 9-11-2(4), the aggregate of the salaries
100 paid to the justice court judges of such a county shall not exceed
101 the amount sufficient to pay the number of justice court judges
102 authorized pursuant to Section 9-11-2(1) and such amount shall be
103 equally divided among those justice court judges continuing to
104 hold office under the provisions of Section 9-11-2(4).

105 (3) From and after January 1, 1984, all fees, costs, fines
106 and penalties charged and collected in the justice court shall be
107 paid to the clerk of the justice court for deposit, along with
108 monies from cash bonds and other monies which have been forfeited
109 in criminal cases, into the general fund of the county as provided
110 in Section 9-11-19; and the clerk of the board of supervisors
111 shall be authorized and empowered, upon approval by the board of
112 supervisors, to make disbursements and withdrawals from the
113 general fund of the county in order to pay any reasonable and
114 necessary expenses incurred in complying with this section,
115 including payment of the salaries of justice court judges as
116 provided by subsection (1) of this section. The provisions of
117 this subsection shall not, except as to cash bonds and other
118 monies which have been forfeited in criminal cases, apply to
119 monies required to be deposited in the justice court clerk
120 clearing account as provided in Section 9-11-18, Mississippi Code
121 of 1972.

122 (4) The salaries provided for in subsection (1) of this
123 section shall be payable monthly by warrant drawn by the clerk of
124 the board of supervisors on the general fund of the county;
125 however, the board of supervisors, by resolution duly adopted and
126 entered on its minutes, may provide that such salaries shall be



127 paid semimonthly on the first and fifteenth day of each month. If
128 a pay date falls on a weekend or legal holiday, salary payments
129 shall be made on the workday immediately preceding the weekend or
130 legal holiday.

131 (5) Provided, that the salary of any justice court judge
132 shall not be reduced during his term of office as a result of a
133 population change following a federal decennial census.

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

138 **SECTION 2.** The Attorney General of the State of Mississippi
139 shall submit this act, immediately upon approval by the Governor,
140 or upon approval by the Legislature subsequent to a veto, to the
141 Attorney General of the United States or to the United States
142 District Court for the District of Columbia in accordance with the
143 provisions of the Voting Rights Act of 1965, as amended and
144 extended.

145 **SECTION 3.** This act shall take effect and be in force from
146 and after the date it is effectuated under Section 5 of the Voting
147 Rights Act of 1965, as amended and extended, or July 1, 2003,
148 whichever occurs later.

