

By: Senator(s) Thames, Tollison, Minor

To: Fees, Salaries and Administration

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2798

1 AN ACT TO INCREASE THE SALARIES OF CERTAIN COUNTY OFFICIALS;
2 TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO REVISE THE
3 SALARY SCALE FOR TAX COLLECTORS AND TAX ASSESSORS; TO AMEND
4 SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE
5 SALARIES OF MEMBERS OF COUNTY BOARDS OF SUPERVISORS; TO AMEND
6 SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE
7 SALARIES OF SHERIFFS AND TO AUTHORIZE THE BOARD OF SUPERVISORS OF
8 ANY COUNTY TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE
9 COUNTY UPON CERTAIN CONDITIONS; TO AMEND SECTION 25-3-36,
10 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF JUSTICE
11 COURT JUDGES; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972,
12 TO INCREASE THE SALARY ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS
13 AND CHIEF COUNTY MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION
14 9-13-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF
15 COURT REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF
16 1972, TO INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING
17 BAILIFFS; TO AMEND SECTION 25-11-125, MISSISSIPPI CODE OF 1972, TO
18 AUTHORIZE BOARDS OF SUPERVISORS TO PAY THE REQUIRED EMPLOYER
19 CONTRIBUTION TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR ALL
20 CIRCUIT AND CHANCERY CLERKS OF THE COUNTY; TO AMEND SECTIONS
21 9-11-2 AND 19-19-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
22 NUMBER OF JUSTICE COURT JUDGES AND CONSTABLES SHALL NOT BE REDUCED
23 IN ANY COUNTY AS A RESULT OF A POPULATION DECREASE BASED UPON THE
24 2000 FEDERAL DECENNIAL CENSUS; TO REPEAL SECTION 25-3-5,
25 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX
26 ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES
27 HAVE BEEN SEPARATED; AND FOR RELATED PURPOSES.

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

130 * * *

131 **SECTION 2.** Section 25-3-13, Mississippi Code of 1972, is
132 amended as follows:

133 25-3-13. The salaries of the members of the boards of
134 supervisors of the various counties are * * * fixed as full
135 compensation for their services.



136 The annual salary of each member of the board of supervisors
137 shall be based upon the total assessed valuation of his respective
138 county for the preceding taxable year in the following categories
139 and for the following amounts:

140 (a) For counties having a total assessed valuation of
141 less than Twenty Million Dollars (\$20,000,000.00), a salary of
142 Twenty-five Thousand Eight Hundred Eighty-two Dollars
143 (\$25,882.00);

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

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

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

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

160 (f) For counties having a total assessed valuation of
161 at least Seventy-five Million Dollars (\$75,000,000.00), but less
162 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
163 salary of Thirty-one Thousand Eight Hundred Ninety-three Dollars
164 (\$31,893.00);

165 (g) For counties having a total assessed valuation of
166 One Hundred Twenty-five Million Dollars (\$125,000,000.00), but
167 less than Three Hundred Million Dollars (\$300,000,000.00), a



168 salary of Thirty-six Thousand Nine Hundred Three Dollars
169 (\$36,903.00);

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

173 The salary of the members of the board of supervisors shall
174 not be increased under this section until the board of supervisors
175 shall have passed a resolution stating the amount of the increase
176 and spread it on its minutes.

177 **SECTION 3.** Section 25-3-25, Mississippi Code of 1972, is
178 amended as follows:

179 25-3-25. (1) Except as otherwise provided in subsections
180 (2) through (9), the salaries of sheriffs of the various counties
181 are * * * fixed as full compensation for their services.

182 From and after October 1, 1998, the annual salary for each
183 sheriff shall be based upon the total population of his county
184 according to the latest federal decennial census in the following
185 categories and for the following amounts; however, no sheriff
186 shall be paid less than the salary authorized under this section
187 to be paid the sheriff based upon the population of the county
188 according to the 1980 federal decennial census:

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

192 (b) For counties with a total population of more than
193 one hundred thousand (100,000) and not more than two hundred
194 thousand (200,000), a salary of Seventy-seven Thousand Dollars
195 (\$77,000.00).

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



200 (d) For counties with a total population of more than
201 thirty-four thousand (34,000) and not more than forty-five
202 thousand (45,000), a salary of Sixty-six Thousand Dollars
203 (\$66,000.00).

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

208 (f) For counties with a total population of more than
209 fifteen thousand (15,000) and not more than twenty-five thousand
210 (25,000), a salary of Fifty-five Thousand Dollars (\$55,000.00).

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

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

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

222 (2) In addition to the salary provided for in subsection (1)
223 of this section, the Board of Supervisors of Leflore County * * *,
224 in its discretion, may pay an annual supplement to the sheriff of
225 the county in an amount not to exceed Ten Thousand Dollars
226 (\$10,000.00). The Legislature finds and declares that the annual
227 supplement authorized by this subsection is justified in such
228 county for the following reasons:

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

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



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

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

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

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

244 (g) The increased activity of the Child Support
245 Division of the Department of Human Services in enforcing in the
246 courts parental obligations has imposed additional duties on the
247 sheriff; and

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

251 (3) In addition to the salary provided for in subsection (1)
252 of this section, the Board of Supervisors of Rankin County * * *,
253 in its discretion, may pay an annual supplement to the sheriff of
254 the county in an amount not to exceed Ten Thousand Dollars
255 (\$10,000.00). The Legislature finds and declares that the annual
256 supplement authorized by this subsection is justified in such
257 county for the following reasons:

258 (a) The Mississippi Department of Corrections operates
259 and maintains the Central Mississippi Correctional Facility within
260 the county;

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

263 (c) Hudspeth Regional Center, a facility maintained for
264 the care and treatment of the mentally retarded, is located within
265 the county;



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

268 (e) The State Fire Academy is operated and maintained
269 within the county;

270 (f) The Pearl River Valley Water Supply District,
271 ordinarily known as the "Reservoir District," is located within
272 the county;

273 (g) The Jackson International Airport is located within
274 the county;

275 (h) The patrolling of the state properties located
276 within the county has imposed additional duties on the sheriff;
277 and

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

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

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

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



298 (a) Hinds County has the greatest population of any
299 county, two hundred fifty-four thousand four hundred forty-one
300 (254,441) by the 1990 census, being almost one hundred thousand
301 (100,000) more than the next most populous county;

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

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

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

309 (e) There are four (4) resident circuit judges, four
310 (4) resident chancery judges, and three (3) resident county judges
311 in Hinds County, the most of any county, with the sheriff acting
312 as chief executive officer and provider of bailiff services for
313 all;

314 (f) The main offices for the clerk and most of the
315 judges and magistrates for the United States District Court for
316 the Southern District of Mississippi are located within the
317 county;

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

320 (h) The University of Mississippi Medical Center,
321 combining the medical school, dental school, nursing school and
322 hospital, is located within the county;

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

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

327 (k) Hinds County has the largest criminal population in
328 the state, such that the Hinds County Sheriff's Department
329 operates the largest county jail system in the state, housing



330 almost one thousand (1,000) inmates in three (3) separate
331 detention facilities;

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

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

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

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

344 (7) In addition to the salary provided for in subsection (1)
345 of this section, the Board of Supervisors of Wilkinson County, in
346 its discretion, may pay an annual supplement to the sheriff of the
347 county in an amount not to exceed Ten Thousand Dollars
348 (\$10,000.00). The Legislature finds and declares that the annual
349 supplement authorized by this subsection is justified in such
350 county because the Mississippi Department of Corrections contracts
351 for the private incarceration of state inmates at a private
352 correctional facility within the county.

353 (8) In addition to the salary provided for in subsection (1)
354 of this section, the Board of Supervisors of Marshall County, in
355 its discretion, may pay an annual supplement to the sheriff of the
356 county in an amount not to exceed Ten Thousand Dollars
357 (\$10,000.00). The Legislature finds and declares that the annual
358 supplement authorized by this subsection is justified in such
359 county because the Mississippi Department of Corrections contracts
360 for the private incarceration of state inmates at a private
361 correctional facility within the county.



362 (9) In addition to the salary provided in subsection (1) of
363 this section, the Board of Supervisors of Greene County, in its
364 discretion, may pay an annual supplement to the sheriff of the
365 county in an amount not to exceed Ten Thousand Dollars
366 (\$10,000.00). The Legislature finds and declares that the annual
367 supplement authorized by this subsection is justified in such
368 county for the following reasons:

369 (a) The Mississippi Department of Corrections operates
370 and maintains the South Mississippi Correctional Facility within
371 the county;

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

376 (c) The patrolling of the state properties located
377 within the county has imposed additional duties on the sheriff
378 justifying additional compensation.

379 (10) In addition to the salary provided in subsection (1) of
380 this section, the board of supervisors of any county, in its
381 discretion, may pay an annual supplement to the sheriff of the
382 county in an amount not to exceed Ten Thousand Dollars
383 (\$10,000.00) if within the county there is located a facility or
384 institution that has imposed additional duties on the sheriff.
385 The board of supervisors shall not pay the annual supplement to
386 the sheriff until it has passed a resolution stating the
387 justifications for the supplement and has spread it on its
388 minutes. The annual supplement authorized in this subsection
389 shall not be in addition to the annual supplements authorized in
390 subsections (2) through (9).

391 (11) The salaries * * * provided in this section shall be
392 payable monthly on the first day of each calendar month by
393 chancery clerk's warrant drawn on the general fund of the county;
394 however, the board of supervisors, by resolution duly adopted and



395 entered on its minutes, may provide that such salaries shall be
396 paid semimonthly on the first and fifteenth day of each month. If
397 a pay date falls on a weekend or legal holiday, salary payments
398 shall be made on the workday immediately preceding the weekend or
399 legal holiday.

400 **SECTION 4.** Section 25-3-36, Mississippi Code of 1972, is
401 amended as follows:

402 25-3-36. (1) From and after October 1, 1998, every justice
403 court judge shall receive as full compensation for his or her
404 services and in lieu of any and all other fees, costs or
405 compensation heretofore authorized for such justice court judge,
406 an annual salary based upon the population of his or her county
407 according to the 1990 federal decennial census; however, no
408 justice court judge shall be paid less than the salary authorized
409 under this section to be paid the justice court judge based upon
410 the population of the county according to the 1980 federal
411 decennial census. The amount of which salary shall be determined
412 as follows:

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

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

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

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



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

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

436 (g) In counties with a population of more than
437 twenty-one thousand (21,000) but not more than twenty-four
438 thousand five hundred (24,500), a salary of Twenty-six Thousand
439 Seven Hundred Seventeen Dollars (\$26,717.00).

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

444 (i) In counties with a population of more than twelve
445 thousand (12,000) but not more than sixteen thousand five hundred
446 (16,500), a salary of Twenty Thousand Thirty-eight Dollars
447 (\$20,038.00).

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

451 (k) In counties with a population of eight thousand
452 (8,000) or less, a salary of Thirteen Thousand Two Hundred Dollars
453 (\$13,200.00).

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



461 In any county having a population greater than eight thousand
462 (8,000) but less than eight thousand five hundred (8,500)
463 according to the 1990 federal decennial census and in which U.S.
464 Highway 61 and Mississippi Highway 4 intersect, the board of
465 supervisors * * *, in its discretion, may pay such justice court
466 judges an additional amount not to exceed the sum of Eleven
467 Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable
468 beginning April 1, 1997.

469 In any county having a population greater than ten thousand
470 (10,000) but less than ten thousand five hundred (10,500)
471 according to the 1990 federal decennial census and in which
472 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
473 board of supervisors * * *, in its discretion, may pay such
474 justice court judges an additional amount not to exceed One
475 Thousand Four Hundred Fifty Dollars (\$1,450.00) per year, payable
476 beginning April 1, 1997.

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

484 (2) Notwithstanding the provisions of subsection (1) of this
485 section, in the event that the number of justice court judges
486 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
487 the provisions of Section 9-11-2(4), the aggregate of the salaries
488 paid to the justice court judges of such a county shall not exceed
489 the amount sufficient to pay the number of justice court judges
490 authorized pursuant to Section 9-11-2(1), and such amount shall be
491 equally divided among those justice court judges continuing to
492 hold office under the provisions of Section 9-11-2(4).



493 (3) From and after January 1, 1984, all fees, costs, fines
494 and penalties charged and collected in the justice court shall be
495 paid to the clerk of the justice court for deposit, along with
496 monies from cash bonds and other monies which have been forfeited
497 in criminal cases, into the general fund of the county as provided
498 in Section 9-11-19; and the clerk of the board of supervisors
499 shall be authorized and empowered, upon approval by the board of
500 supervisors, to make disbursements and withdrawals from the
501 general fund of the county in order to pay any reasonable and
502 necessary expenses incurred in complying with this section,
503 including payment of the salaries of justice court judges as
504 provided by subsection (1) of this section. The provisions of
505 this subsection shall not, except as to cash bonds and other
506 monies which have been forfeited in criminal cases, apply to
507 monies required to be deposited in the justice court clerk
508 clearing account as provided in Section 9-11-18, Mississippi Code
509 of 1972.

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

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

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



525 **SECTION 5.** Section 41-61-59, Mississippi Code of 1972, is
526 amended as follows:

527 41-61-59. (1) A person's death which affects the public
528 interest as specified in subsection (2) of this section shall be
529 promptly reported to the medical examiner by the physician in
530 attendance, any hospital employee, any law enforcement officer
531 having knowledge of the death, the embalmer or other funeral home
532 employee, any emergency medical technician, any relative or any
533 other person present. The appropriate medical examiner shall
534 notify the municipal or state law enforcement agency or sheriff
535 and take charge of the body.

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

538 (a) Violent death, including homicidal, suicidal or
539 accidental death.

540 (b) Death caused by thermal, chemical, electrical or
541 radiation injury.

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

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

546 (e) Death that has occurred unexpectedly or from an
547 unexplained cause.

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

550 (g) Death of a person where a physician was not in
551 attendance within thirty-six (36) hours preceding death, or in
552 prediagnosed terminal or bedfast cases, within thirty (30) days
553 preceding death.

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

556 (i) Death of a person where the identity of the
557 deceased is unknown.



558 (j) Death of a child under the age of two (2) years
559 where death results from an unknown cause or where the
560 circumstances surrounding the death indicate that sudden infant
561 death syndrome may be the cause of death.

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

566 (l) Where a person is presented to a hospital emergency
567 room unconscious and/or unresponsive, with cardiopulmonary
568 resuscitative measures being performed, and dies within
569 twenty-four (24) hours of admission without regaining
570 consciousness or responsiveness, unless a physician was in
571 attendance within thirty-six (36) hours preceding presentation to
572 the hospital, or in cases in which the decedent had a prediagnosed
573 terminal or bedfast condition, unless a physician was in
574 attendance within thirty (30) days preceding presentation to the
575 hospital.

576 (3) The State Medical Examiner is empowered to investigate
577 deaths, under the authority hereinafter conferred, in any and all
578 political subdivisions of the state. The county medical examiners
579 and county medical examiner investigators, while appointed for a
580 specific county, may serve other counties on a regular basis with
581 written authorization by the State Medical Examiner, or may serve
582 other counties on an as-needed basis upon the request of the
583 ranking officer of the investigating law enforcement agency. The
584 county medical examiner or county medical examiner investigator of
585 any county which has established a regional medical examiner
586 district under subsection (4) of Section 41-61-77 may serve other
587 counties which are parties to the agreement establishing the
588 district, in accordance with the terms of the agreement, and may
589 contract with counties which are not part of the district to
590 provide medical examiner services for such counties. If a death



591 affecting the public interest takes place in a county other than
592 the one where injuries or other substantial causal factors leading
593 to the death have occurred, jurisdiction for investigation of the
594 death may be transferred, by mutual agreement of the respective
595 medical examiners of the counties involved, to the county where
596 such injuries or other substantial causal factors occurred, and
597 the costs of autopsy or other studies necessary to the further
598 investigation of the death shall be borne by the county assuming
599 jurisdiction.

600 (4) The chief county medical examiner or chief county
601 medical examiner investigator may receive from the county in which
602 he serves a salary of Eight Hundred Twenty-five Dollars (\$825.00)
603 per month, in addition to the fees specified in Sections 41-61-69
604 and 41-61-75, provided that no county shall pay the chief county
605 medical examiner or chief county medical examiner investigator
606 less than One Hundred Dollars (\$100.00) per month as a salary, in
607 addition to other compensation provided by law. In any county
608 having one or more deputy medical examiners or deputy medical
609 examiner investigators, each deputy may receive from the county in
610 which he serves, in the discretion of the board of supervisors, a
611 salary of not more than Eight Hundred Twenty-five Dollars
612 (\$825.00) per month, in addition to the fees specified in Sections
613 41-61-69 and 41-61-75. For this salary the chief shall assure
614 twenty-four-hour daily and readily available death investigators
615 for the county, and shall maintain copies of all medical examiner
616 death investigations for the county for at least the previous five
617 (5) years. He shall coordinate his office and duties and
618 cooperate with the State Medical Examiner, and the State Medical
619 Examiner shall cooperate with him.

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



624 (or successor organization) or his designee, and a certified
625 pathologist appointed by the Mississippi State Medical Association
626 shall adopt, promulgate, amend and repeal rules and regulations as
627 may be deemed necessary by them from time to time for the proper
628 enforcement, interpretation and administration of Sections
629 41-61-51 through 41-61-79, in accordance with the provisions of
630 the Mississippi Administrative Procedures Law, being Sections
631 25-43-1 through 25-43-19.

632 **SECTION 6.** Section 9-13-19, Mississippi Code of 1972, is
633 amended as follows:

634 9-13-19. (1) Court reporters for circuit and chancery
635 courts shall be paid an annual salary of Forty-one Thousand Eight
636 Hundred Dollars (\$41,800.00) payable by the Administrative Office
637 of Courts. In addition, any court reporter performing the duties
638 of a court administrator in the same judicial district in which
639 the person is employed as a court reporter may be paid additional
640 compensation for performing the court administrator duties. The
641 annual amount of the additional compensation shall be set by vote
642 of the judges and chancellors for whom the court administrator
643 duties are performed, with consideration given to the number of
644 hours per month devoted by the court reporter to performing the
645 duties of a court administrator. The additional compensation
646 shall be submitted to the Administrative Office of Courts for
647 approval.

648 (2) The several counties in each respective court district
649 shall transfer from the general funds of those county treasuries
650 to the Administrative Office of Courts a proportionate amount to
651 be paid toward the annual compensation of the court reporter,
652 including any additional compensation paid for the performance of
653 court administrator duties. The amount to be paid by each county
654 shall be determined by the number of weeks in which court is held
655 in each county in proportion to the total number of weeks court is
656 held in the district. For purposes of this section, the term



657 "compensation" means the gross salary plus all amounts paid for
658 benefits, or otherwise, as a result of employment or as required
659 by employment, but does not include transcript fees otherwise
660 authorized to be paid by or through the counties. However, only
661 salary earned for services rendered shall be reported and credited
662 for retirement purposes. Amounts paid for transcript fees,
663 benefits or otherwise, including reimbursement for travel
664 expenses, shall not be reported or credited for retirement
665 purposes.

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

670 (3) The salary and any additional compensation for the
671 performance of court administrator duties shall be paid in twelve
672 (12) installments on the last working day of each month after it
673 has been duly authorized by the appointing judge or chancellor and
674 an order duly placed on the minutes of the court. Each county
675 shall transfer to the Administrative Office of Courts one-twelfth
676 (1/12) of the amount required to be paid pursuant to subsection
677 (2) of this section by the twentieth day of each month for the
678 salary that is to be paid on the last working day of the month.
679 The Administrative Office of Courts shall pay to the court
680 reporter the total amount of salary due for that month. Any
681 county may pay, in the discretion of the board of supervisors, by
682 the twentieth day of January of any year, the amount due for a
683 full twelve (12) months.

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

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



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

692 (7) For all travel required in the performance of official
693 duties, the circuit or chancery court reporter shall be paid
694 mileage by the county in which the duties were performed at the
695 same rate as provided for state employees in Section 25-3-41. The
696 court reporter shall file in the office of the clerk of the court
697 which he serves a certificate of mileage expense incurred during
698 that term and payment of such expense to the court reporter shall
699 be paid on allowance by the judge of such court.

700 **SECTION 7.** Section 19-25-31, Mississippi Code of 1972, is
701 amended as follows:

702 19-25-31. Each judge of a circuit, chancery or county court,
703 or a court of eminent domain may, in the judge's discretion, by
704 order entered on the minutes of the court, allow the sheriff
705 riding bailiffs to serve in the respective court of such judge,
706 not to exceed four (4) bailiffs. Any such person so employed
707 shall be paid by the county on allowances of the court on issuance
708 of a warrant therefor in an amount of Sixty Dollars (\$60.00) for
709 each day, or part thereof, for which he serves as bailiff when the
710 court is in session. No full-time deputy sheriff shall be paid as
711 a riding bailiff of any court. County court judges shall be
712 limited to one (1) bailiff per each court day.

713 **SECTION 8.** Section 25-11-125, Mississippi Code of 1972, is
714 amended as follows:

715 25-11-125. The board of supervisors, in their discretion,
716 may appropriate and include in its budget for public purposes a
717 sufficient sum to pay the required employer contribution to the
718 Public Employees' Retirement System for all fee-paid elected
719 officials in judicial capacities of the county and supervisors
720 districts, and for all circuit and chancery clerks of the county.
721 Such contributions shall be included by the clerk of the board in
722 his regular reports and remittals to the Executive Secretary of



723 the Public Employees' Retirement System for other county officers
724 and regular county employees whose employer contributions are not
725 included in and paid from the annual county budget.

726 **SECTION 9.** Section 9-11-2, Mississippi Code of 1972, is
727 amended as follows:

728 9-11-2. (1) From and after January 1, 1984, there shall be
729 a competent number of justice court judges in each county of the
730 state. The number of justice court judges for each county shall
731 be determined as follows:

732 (a) In counties with a population, according to the
733 latest federal decennial census, of thirty-five thousand (35,000)
734 and less, there shall be two (2) justice court judges.

735 (b) In counties with a population, according to the
736 latest federal decennial census, of more than thirty-five thousand
737 (35,000) and less than seventy thousand (70,000), there shall be
738 three (3) justice court judges.

739 (c) In counties with a population, according to the
740 latest federal decennial census, of seventy thousand (70,000) and
741 less than one hundred fifty thousand (150,000), there shall be
742 four (4) justice court judges.

743 (d) In counties with a population, according to the
744 latest federal decennial census, of one hundred fifty thousand
745 (150,000) and more, there shall be five (5) justice court judges.

746 (2) The board of supervisors shall establish single member
747 election districts in the county for the election of each of the
748 justice court judges authorized and required to be elected for the
749 county under the provisions of subsection (1) of this section, and
750 one (1) justice court judge shall be elected for each district by
751 the electors thereof. In any county authorized and required under
752 the provisions of paragraph (1)(a) of this section to provide for
753 the election of two (2) justice court judges for the county in
754 which there are two (2) judicial districts, the smaller of such
755 judicial districts, according to population based upon the latest



756 federal decennial census, shall comprise or shall be wholly
757 encompassed within one (1) of such election districts.

758 (3) Nothing in this section shall be construed to authorize
759 or require more than five (5) justice court judges in any one (1)
760 county from and after January 1, 1984, nor to authorize or require
761 an increase or decrease in the number of justice court judges for
762 any county during the term of office of any justice court judge.

763 (4) Notwithstanding the foregoing provisions of this
764 section, in any county whose justice court districts drawn
765 pursuant to subsection (2) of this section are, on November 8,
766 1983, being controverted in a court action or being reviewed
767 pursuant to the procedure established by the Voting Rights Act of
768 1965, as amended and extended, those justice court judges serving
769 on such date shall continue to hold office until:

770 (a) A final adjudication of the court action or
771 approval of the new districts pursuant to the Voting Rights Act;
772 and

773 (b) The election and qualification of successors of
774 such justice court judges as provided by law.

775 (5) The number of justice court judges shall not be reduced
776 in any county as a result of a population decrease based upon the
777 2000 federal decennial census.

778 **SECTION 10.** Section 19-19-2, Mississippi Code of 1972, is
779 amended as follows:

780 19-19-2. The board of supervisors of each county shall
781 establish single member election districts in the county for the
782 election of each of the constables at the 1987 general election
783 and for each general election thereafter. Such districts shall be
784 of the same number and shall have the same boundaries as districts
785 established for justice court judges pursuant to Section 9-11-2,
786 Mississippi Code of 1972. The number of constables shall not be
787 reduced in any county as a result of a population decrease based
788 upon the 2000 federal decennial census.



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

792 **SECTION 12.** The Attorney General of the State of Mississippi
793 shall submit this act, immediately upon approval by the Governor,
794 or upon approval by the Legislature subsequent to a veto, to the
795 Attorney General of the United States or to the United States
796 District Court for the District of Columbia in accordance with the
797 provisions of the Voting Rights Act of 1965, as amended and
798 extended.

799 **SECTION 13.** This act shall take effect and be in force from
800 and after January 1, 2004, if effectuated on or before that date
801 under Section 5 of the Voting Rights Act of 1965, as amended and
802 extended. If effectuated under Section 5 of the Voting Rights Act
803 of 1965, as amended and extended, after January 1, 2004, this act
804 shall take effect and be in force from and after the date
805 effectuated under Section 5 of the Voting Rights Act of 1965, as
806 amended and extended.

