

By: Senator(s) Thames, Tollison

To: Fees, Salaries and Administration

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 9-9-11, MISSISSIPPI CODE OF 1972,
 12 TO INCREASE THE SALARIES OF CERTAIN COUNTY COURT JUDGES; TO AMEND
 13 SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARY
 14 ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS AND CHIEF COUNTY
 15 MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 9-13-19,
 16 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COURT
 17 REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO
 18 INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING BAILIFFS; TO
 19 AMEND SECTION 25-11-125, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
 20 BOARDS OF SUPERVISORS TO PAY THE REQUIRED EMPLOYER CONTRIBUTION TO
 21 THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR ALL CIRCUIT AND
 22 CHANCERY CLERKS OF THE COUNTY; TO REPEAL SECTION 25-3-5,
 23 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX
 24 ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES
 25 HAVE BEEN SEPARATED; AND 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. (1) The term "total assessed valuation" as used in
 30 this section only refers to the ad valorem assessment for the
 31 county and, in addition, in counties where oil or gas is produced,
 32 the actual value of oil at the point of production, as certified
 33 to the counties by the State Tax Commission under the provisions
 34 of Sections 27-25-501 through 27-25-525, and the actual value of
 35 gas as certified by the State Tax Commission under the provisions
 36 of Sections 27-25-701 through 27-25-723.

37 (2) The salary of assessors and collectors of the various
 38 counties is * * * fixed as full compensation for their services as



39 county assessors or tax collectors, or both if the office of
40 assessor has been combined with the office of tax collector. The
41 annual salary of each assessor or tax collector, or both if the
42 offices have been combined, shall be based upon the total assessed
43 valuation of his respective county for the preceding taxable year
44 in the following categories and for the following amounts:

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

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

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

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

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

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

67 (3) In addition to all other compensation paid pursuant to
68 this section, the board of supervisors shall pay to a person
69 serving as both the tax assessor and tax collector in their county
70 an additional Five Thousand Dollars (\$5,000.00) per year.



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

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

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

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



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

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

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

128 * * *

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

131 25-3-13. The salaries of the members of the boards of
132 supervisors of the various counties are * * * fixed as full
133 compensation for their services.

134 The annual salary of each member of the board of supervisors
135 shall be based upon the total assessed valuation of his respective



136 county for the preceding taxable year in the following categories
137 and for the following amounts:

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

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

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

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

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

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

163 (g) For counties having a total assessed valuation of
164 One Hundred Twenty-five Million Dollars (\$125,000,000.00), but
165 less than Three Hundred Million Dollars (\$300,000,000.00), a
166 salary of Thirty-six Thousand Nine Hundred Three Dollars
167 (\$36,903.00);



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

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

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

177 25-3-25. (1) Except as otherwise provided in subsections
178 (2) through (9), the salaries of sheriffs of the various counties
179 are * * * fixed as full compensation for their services.

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

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

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

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

198 (d) For counties with a total population of more than
199 thirty-four thousand (34,000) and not more than forty-five



200 thousand (45,000), a salary of Sixty-six Thousand Dollars
201 (\$66,000.00).

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



266 (e) The State Fire Academy is operated and maintained
267 within the county;

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

271 (g) The Jackson International Airport is located within
272 the county;

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

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

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

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

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

296 (a) Hinds County has the greatest population of any
297 county, two hundred fifty-four thousand four hundred forty-one



298 (254,441) by the 1990 census, being almost one hundred thousand
299 (100,000) more than the next most populous county;

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

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

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

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

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

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

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

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

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

325 (k) Hinds County has the largest criminal population in
326 the state, such that the Hinds County Sheriff's Department
327 operates the largest county jail system in the state, housing
328 almost one thousand (1,000) inmates in three (3) separate
329 detention facilities;



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

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

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

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

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

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

360 (9) In addition to the salary provided in subsection (1) of
361 this section, the Board of Supervisors of Greene County, in its
362 discretion, may pay an annual supplement to the sheriff of the



363 county in an amount not to exceed Ten Thousand Dollars
364 (\$10,000.00). The Legislature finds and declares that the annual
365 supplement authorized by this subsection is justified in such
366 county for the following reasons:

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

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

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

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

389 (11) The salaries * * * provided in this section shall be
390 payable monthly on the first day of each calendar month by
391 chancery clerk's warrant drawn on the general fund of the county;
392 however, the board of supervisors, by resolution duly adopted and
393 entered on its minutes, may provide that such salaries shall be
394 paid semimonthly on the first and fifteenth day of each month. If
395 a pay date falls on a weekend or legal holiday, salary payments



396 shall be made on the workday immediately preceding the weekend or
397 legal holiday.

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

400 25-3-36. (1) From and after October 1, 1998, every justice
401 court judge shall receive as full compensation for his or her
402 services and in lieu of any and all other fees, costs or
403 compensation heretofore authorized for such justice court judge,
404 an annual salary based upon the population of his or her county
405 according to the 1990 federal decennial census; however, no
406 justice court judge shall be paid less than the salary authorized
407 under this section to be paid the justice court judge based upon
408 the population of the county according to the 1980 federal
409 decennial census. The amount of which salary shall be determined
410 as follows:

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

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

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

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

426 (e) In counties with a population of more than
427 thirty-four thousand (34,000) but not more than forty-nine



428 thousand (49,000), a salary of Thirty-one Thousand Seven Hundred
429 Twenty-six Dollars (\$31,726.00).

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

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

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

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

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

449 (k) In counties with a population of eight thousand
450 (8,000) or less, a salary of Thirteen Thousand Two Hundred Dollars
451 (\$13,200.00).

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

459 In any county having a population greater than eight thousand
460 (8,000) but less than eight thousand five hundred (8,500)



461 according to the 1990 federal decennial census and in which U.S.
462 Highway 61 and Mississippi Highway 4 intersect, the board of
463 supervisors * * *, in its discretion, may pay such justice court
464 judges an additional amount not to exceed the sum of Eleven
465 Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable
466 beginning April 1, 1997.

467 In any county having a population greater than ten thousand
468 (10,000) but less than ten thousand five hundred (10,500)
469 according to the 1990 federal decennial census and in which
470 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
471 board of supervisors * * *, in its discretion, may pay such
472 justice court judges an additional amount not to exceed One
473 Thousand Four Hundred Fifty Dollars (\$1,450.00) per year, payable
474 beginning April 1, 1997.

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

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

491 (3) From and after January 1, 1984, all fees, costs, fines
492 and penalties charged and collected in the justice court shall be
493 paid to the clerk of the justice court for deposit, along with



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

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

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

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

523 **SECTION 5.** Section 9-9-11, Mississippi Code of 1972, is
524 amended as follows:

525 9-9-11. (1) Except as otherwise provided in subsections (2)
526 and (3), the county court judge shall receive an annual salary



527 payable monthly out of the county treasury in an amount not to
528 exceed One Thousand Dollars (\$1,000.00) less than the salary which
529 is now or shall hereafter be provided for circuit and chancery
530 judges of this state, in the discretion of the board of
531 supervisors of that county; * * * however, * * * the salary of
532 such judge shall not be reduced during his term of office. * * *
533 Further, * * * the office of county court judge in any county
534 receiving an annual salary of Thirty-six Thousand Dollars
535 (\$36,000.00) or more shall be a full-time position, and the holder
536 thereof shall not otherwise engage in the practice of law.

537 (2) In the event of the establishment of a county court by
538 agreement between two (2) or more counties as provided in Section
539 9-9-3, the county judge of the court so established shall be paid
540 a salary equal to one and one-half (1-1/2) times that salary that
541 he would be paid if he were the judge of the smallest of such two
542 (2) or more counties, such salary to be paid in monthly
543 installments as provided by law; provided that such salary shall
544 not exceed One Thousand Dollars (\$1,000.00) less than the salary
545 of the circuit and chancery judges of this state.

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

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

554 (b) In any county having a population of sixty thousand
555 (60,000) or more but less than seventy thousand (70,000) according
556 to the 1980 federal census, the county judge shall receive an
557 annual salary of Forty-four Thousand Dollars (\$44,000.00). The
558 office of county judge shall be a full-time position, and the
559 holder thereof shall not otherwise engage in the practice of law.



560 The county judge shall not be eligible for any additional salary
561 except as may be authorized in subsection (4).

562 (c) In any county having a population of twenty-seven
563 thousand (27,000) or more but less than sixty thousand (60,000)
564 according to the 1980 federal census, the county judge shall
565 receive an annual salary of not less than Thirteen Thousand Two
566 Hundred Dollars (\$13,200.00) but not more than Forty-four Thousand
567 Dollars (\$44,000.00), in the discretion of the board of
568 supervisors of that county. The county judge shall not be
569 eligible for any additional salary except as may be authorized in
570 subsection (4). In the event that the board of supervisors of said
571 county elects to pay such county judge an annual salary of Thirty
572 Thousand Dollars (\$30,000.00) or more, the office of county judge
573 shall be a full-time position, and the holder thereof shall not
574 otherwise engage in the practice of law.

575 (d) In any county having a population of less than
576 twenty-seven thousand (27,000) according to the 1980 federal
577 census, the county judge shall receive an annual salary of not
578 less than Four Thousand Six Hundred Twenty Dollars (\$4,620.00) and
579 not more than Nine Thousand Three Hundred Fifty Dollars
580 (\$9,350.00), in the discretion of the board of supervisors of said
581 county. The county judge shall not be eligible for any additional
582 salary except as may be authorized in subsection (4).

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

586 (a) The county judge of any such Class 1 county with
587 population according to the latest federal decennial census of
588 forty-five thousand (45,000) or more and lying wholly within a
589 levee district and having two (2) judicial districts shall, in the
590 discretion of the board of supervisors of such county, shall
591 receive an annual salary not exceeding Forty Thousand Dollars
592 (\$40,000.00), or a sum which is One Thousand Dollars (\$1,000.00)



593 less than the salary which is now or shall hereafter be provided
594 for circuit and chancery judges of the state, whichever is
595 greater.

596 (b) The county judge of any Class 1 county having an
597 area in excess of nine hundred twenty-five (925) square miles
598 shall receive an annual salary of not less than Thirty Thousand
599 Dollars (\$30,000.00) but, in the discretion of the board of
600 supervisors of such county, such salary may be not more than Five
601 Hundred Dollars (\$500.00) less than the annual salary of a circuit
602 judge, payable monthly out of the county treasury, and the county
603 judge shall not practice law.

604 (c) The office of county judge in any such Class 1
605 county with a population according to the 1970 federal decennial
606 census of greater than thirty-nine thousand (39,000), and where
607 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive
608 an annual salary to be paid in monthly installments of not less
609 than an amount equal to ninety percent (90%) of the annual salary
610 which is now or shall hereafter be provided for circuit and
611 chancery judges of the state, as follows: The salary of the
612 county judge shall be increased by ten percent (10%) annually
613 above the base salary of the preceding year until such time as the
614 judge's salary is equal to the amount that is provided by this
615 subsection. The office of county judge shall be a full-time
616 position and the holder thereof shall not otherwise engage in the
617 practice of law.

618 (d) In any Class 1 county bordering on the Mississippi
619 River and which has situated therein a national military park and
620 national military cemetery, the office of county judge shall be a
621 full-time position and the holder thereof shall not otherwise
622 engage in the practice of law. The salary for the county judge in
623 said county shall be fixed at a sum which is One Thousand Dollars
624 (\$1,000.00) less than the salary which is now or shall hereafter
625 be provided for circuit and chancery judges of this state.



626 (e) The county judge in any county having a population
627 of at least forty-two thousand one hundred eleven (42,111),
628 according to the 1970 census, and where U.S. Highway 49E and U.S.
629 Highway 82 intersect, shall receive an annual salary to be paid in
630 monthly installments of not less than Thirty Thousand Dollars
631 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars
632 (\$2,500.00) less than the annual salary of the circuit judge, in
633 the discretion of the board of supervisors of that county.

634 (f) The county judge in any Class 1 county bordering on
635 the Mississippi River and having an area of less than four hundred
636 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect
637 shall receive an annual salary of Four Thousand Dollars
638 (\$4,000.00) less than the annual salary of a circuit judge, and
639 such county judge shall not practice law in any manner. The
640 county judge in such county shall not be eligible to receive any
641 additional salary authorized by this section or from any other
642 source other than that set out and authorized by this paragraph.

643 (g) The county judge of any Class 1 county bordering on
644 the Mississippi River on the west and the State of Tennessee on
645 the north, and traversed north to south by Interstate Highway 55,
646 shall receive an annual salary of One Thousand Dollars (\$1,000.00)
647 less than that paid to a circuit court judge * * * . The office of
648 county judge shall be a full-time position, and the holder thereof
649 shall not otherwise engage in the practice of law.

650 (h) The county judge of any Class 1 county with a
651 population of greater than sixty-nine thousand (69,000) according
652 to the 1980 federal decennial census, and wherein U.S. Highway 80
653 and Mississippi Highway 43 intersect, shall receive an annual
654 salary in an amount not greater than the sum of Five Hundred
655 Dollars (\$500.00) less than the salary which is now or shall
656 hereafter be provided for circuit and chancery judges of this
657 state, in the discretion of the board of supervisors of said
658 county.



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

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

677 (k) The office of county judge of any Class I county
678 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a
679 full-time position and the holder thereof shall not otherwise
680 engage in the practice of law. The annual salary for the office
681 of county judge in that county may be fixed, in the discretion of
682 the board of supervisors of the county, at a sum not to exceed Two
683 Thousand Dollars (\$2,000.00) less than the salary which is now or
684 shall hereafter be provided for circuit and chancery judges of
685 this state.

686 (l) The county judge of any county having a population
687 of more than forty-one thousand six hundred (41,600) but less than
688 forty-one thousand six hundred fifty (41,650) according to the
689 1980 federal census, and wherein U.S. Highway 49 intersects with
690 Mississippi Highway 22, shall receive an annual salary in an
691 amount established by the board of supervisors, but in no event to



692 exceed the salary provided now or hereafter for circuit and
693 chancery judges of this state.

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

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

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

714 * * *

715 (6) From and after October 1, 1993, * * * in addition to the
716 salaries set forth in this section, the board of supervisors of
717 any county, in its discretion, may pay any county court judge
718 whose salary is not established herein in relation to the salary
719 paid to chancery and circuit court judges, an additional amount
720 not to exceed ten percent (10%) of the maximum allowable salary
721 for that judge.

722 **SECTION 6.** Section 41-61-59, Mississippi Code of 1972, is
723 amended as follows:



724 41-61-59. (1) A person's death which affects the public
725 interest as specified in subsection (2) of this section shall be
726 promptly reported to the medical examiner by the physician in
727 attendance, any hospital employee, any law enforcement officer
728 having knowledge of the death, the embalmer or other funeral home
729 employee, any emergency medical technician, any relative or any
730 other person present. The appropriate medical examiner shall
731 notify the municipal or state law enforcement agency or sheriff
732 and take charge of the body.

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

735 (a) Violent death, including homicidal, suicidal or
736 accidental death.

737 (b) Death caused by thermal, chemical, electrical or
738 radiation injury.

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

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

743 (e) Death that has occurred unexpectedly or from an
744 unexplained cause.

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

747 (g) Death of a person where a physician was not in
748 attendance within thirty-six (36) hours preceding death, or in
749 prediagnosed terminal or bedfast cases, within thirty (30) days
750 preceding death.

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

753 (i) Death of a person where the identity of the
754 deceased is unknown.

755 (j) Death of a child under the age of two (2) years
756 where death results from an unknown cause or where the



757 circumstances surrounding the death indicate that sudden infant
758 death syndrome may be the cause of death.

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

763 (1) Where a person is presented to a hospital emergency
764 room unconscious and/or unresponsive, with cardiopulmonary
765 resuscitative measures being performed, and dies within
766 twenty-four (24) hours of admission without regaining
767 consciousness or responsiveness, unless a physician was in
768 attendance within thirty-six (36) hours preceding presentation to
769 the hospital, or in cases in which the decedent had a prediagnosed
770 terminal or bedfast condition, unless a physician was in
771 attendance within thirty (30) days preceding presentation to the
772 hospital.

773 (3) The State Medical Examiner is empowered to investigate
774 deaths, under the authority hereinafter conferred, in any and all
775 political subdivisions of the state. The county medical examiners
776 and county medical examiner investigators, while appointed for a
777 specific county, may serve other counties on a regular basis with
778 written authorization by the State Medical Examiner, or may serve
779 other counties on an as-needed basis upon the request of the
780 ranking officer of the investigating law enforcement agency. The
781 county medical examiner or county medical examiner investigator of
782 any county which has established a regional medical examiner
783 district under subsection (4) of Section 41-61-77 may serve other
784 counties which are parties to the agreement establishing the
785 district, in accordance with the terms of the agreement, and may
786 contract with counties which are not part of the district to
787 provide medical examiner services for such counties. If a death
788 affecting the public interest takes place in a county other than
789 the one where injuries or other substantial causal factors leading



790 to the death have occurred, jurisdiction for investigation of the
791 death may be transferred, by mutual agreement of the respective
792 medical examiners of the counties involved, to the county where
793 such injuries or other substantial causal factors occurred, and
794 the costs of autopsy or other studies necessary to the further
795 investigation of the death shall be borne by the county assuming
796 jurisdiction.

797 (4) The chief county medical examiner or chief county
798 medical examiner investigator may receive from the county in which
799 he serves a salary of Eight Hundred Twenty-five Dollars (\$825.00)
800 per month, in addition to the fees specified in Sections 41-61-69
801 and 41-61-75, provided that no county shall pay the chief county
802 medical examiner or chief county medical examiner investigator
803 less than One Hundred Dollars (\$100.00) per month as a salary, in
804 addition to other compensation provided by law. In any county
805 having one or more deputy medical examiners or deputy medical
806 examiner investigators, each deputy may receive from the county in
807 which he serves, in the discretion of the board of supervisors, a
808 salary of not more than Eight Hundred Twenty-five Dollars
809 (\$825.00) per month, in addition to the fees specified in Sections
810 41-61-69 and 41-61-75. For this salary the chief shall assure
811 twenty-four-hour daily and readily available death investigators
812 for the county, and shall maintain copies of all medical examiner
813 death investigations for the county for at least the previous five
814 (5) years. He shall coordinate his office and duties and
815 cooperate with the State Medical Examiner, and the State Medical
816 Examiner shall cooperate with him.

817 (5) A body composed of the State Medical Examiner, whether
818 appointed on a permanent or interim basis, the Director of the
819 State Board of Health or his designee, the Attorney General or his
820 designee, the President of the Mississippi Coroners' Association
821 (or successor organization) or his designee, and a certified
822 pathologist appointed by the Mississippi State Medical Association



823 shall adopt, promulgate, amend and repeal rules and regulations as
824 may be deemed necessary by them from time to time for the proper
825 enforcement, interpretation and administration of Sections
826 41-61-51 through 41-61-79, in accordance with the provisions of
827 the Mississippi Administrative Procedures Law, being Sections
828 25-43-1 through 25-43-19.

829 **SECTION 7.** Section 9-13-19, Mississippi Code of 1972, is
830 amended as follows:

831 9-13-19. (1) Court reporters for circuit and chancery
832 courts shall be paid an annual salary of Forty-one Thousand Eight
833 Hundred Dollars (\$41,800.00) payable by the Administrative Office
834 of Courts. In addition, any court reporter performing the duties
835 of a court administrator in the same judicial district in which
836 the person is employed as a court reporter may be paid additional
837 compensation for performing the court administrator duties. The
838 annual amount of the additional compensation shall be set by vote
839 of the judges and chancellors for whom the court administrator
840 duties are performed, with consideration given to the number of
841 hours per month devoted by the court reporter to performing the
842 duties of a court administrator. The additional compensation
843 shall be submitted to the Administrative Office of Courts for
844 approval.

845 (2) The several counties in each respective court district
846 shall transfer from the general funds of those county treasuries
847 to the Administrative Office of Courts a proportionate amount to
848 be paid toward the annual compensation of the court reporter,
849 including any additional compensation paid for the performance of
850 court administrator duties. The amount to be paid by each county
851 shall be determined by the number of weeks in which court is held
852 in each county in proportion to the total number of weeks court is
853 held in the district. For purposes of this section, the term
854 "compensation" means the gross salary plus all amounts paid for
855 benefits, or otherwise, as a result of employment or as required



856 by employment, but does not include transcript fees otherwise
857 authorized to be paid by or through the counties. However, only
858 salary earned for services rendered shall be reported and credited
859 for retirement purposes. Amounts paid for transcript fees,
860 benefits or otherwise, including reimbursement for travel
861 expenses, shall not be reported or credited for retirement
862 purposes.

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

867 (3) The salary and any additional compensation for the
868 performance of court administrator duties shall be paid in twelve
869 (12) installments on the last working day of each month after it
870 has been duly authorized by the appointing judge or chancellor and
871 an order duly placed on the minutes of the court. Each county
872 shall transfer to the Administrative Office of Courts one-twelfth
873 (1/12) of the amount required to be paid pursuant to subsection
874 (2) of this section by the twentieth day of each month for the
875 salary that is to be paid on the last working day of the month.
876 The Administrative Office of Courts shall pay to the court
877 reporter the total amount of salary due for that month. Any
878 county may pay, in the discretion of the board of supervisors, by
879 the twentieth day of January of any year, the amount due for a
880 full twelve (12) months.

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

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

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



889 (7) For all travel required in the performance of official
890 duties, the circuit or chancery court reporter shall be paid
891 mileage by the county in which the duties were performed at the
892 same rate as provided for state employees in Section 25-3-41. The
893 court reporter shall file in the office of the clerk of the court
894 which he serves a certificate of mileage expense incurred during
895 that term and payment of such expense to the court reporter shall
896 be paid on allowance by the judge of such court.

897 **SECTION 8.** Section 19-25-31, Mississippi Code of 1972, is
898 amended as follows:

899 19-25-31. Each judge of a circuit, chancery or county court,
900 or a court of eminent domain may, in the judge's discretion, by
901 order entered on the minutes of the court, allow the sheriff
902 riding bailiffs to serve in the respective court of such judge,
903 not to exceed four (4) bailiffs. Any such person so employed
904 shall be paid by the county on allowances of the court on issuance
905 of a warrant therefor in an amount of Sixty Dollars (\$60.00) for
906 each day, or part thereof, for which he serves as bailiff when the
907 court is in session. No full-time deputy sheriff shall be paid as
908 a riding bailiff of any court. County court judges shall be
909 limited to one (1) bailiff per each court day.

910 **SECTION 9.** Section 25-11-125, Mississippi Code of 1972, is
911 amended as follows:

912 25-11-125. The board of supervisors, in their discretion,
913 may appropriate and include in its budget for public purposes a
914 sufficient sum to pay the required employer contribution to the
915 Public Employees' Retirement System for all fee-paid elected
916 officials in judicial capacities of the county and supervisors
917 districts, and for all circuit and chancery clerks of the county.
918 Such contributions shall be included by the clerk of the board in
919 his regular reports and remittals to the Executive Secretary of
920 the Public Employees' Retirement System for other county officers



921 and regular county employees whose employer contributions are not
922 included in and paid from the annual county budget.

923 **SECTION 10.** Section 25-3-5, Mississippi Code of 1972, which
924 establishes the salaries of tax assessors and tax collectors in
925 counties where the two offices have been separated, is repealed.

926 **SECTION 11.** The Attorney General of the State of Mississippi
927 shall submit this act, immediately upon approval by the Governor,
928 or upon approval by the Legislature subsequent to a veto, to the
929 Attorney General of the United States or to the United States
930 District Court for the District of Columbia in accordance with the
931 provisions of the Voting Rights Act of 1965, as amended and
932 extended.

933 **SECTION 12.** This act shall take effect and be in force from
934 and after October 1, 2003, if effectuated on or before that date
935 under Section 5 of the Voting Rights Act of 1965, as amended and
936 extended. If effectuated under Section 5 of the Voting Rights Act
937 of 1965, as amended and extended, after October 1, 2003, this act
938 shall take effect and be in force from and after the date
939 effectuated under Section 5 of the Voting Rights Act of 1965, as
940 amended and extended.

