MISSISSIPPI LEGISLATURE  
REGULAR SESSION 2003

By: Senator(s) Thames, Tollison, Minor  
To: Fees, Salaries and Administration

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2798

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

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

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

25-3-3. (1) The term "total assessed valuation" as used in  
this section only refers to the ad valorem assessment for the  
county and, in addition, in counties where oil or gas is produced,  
the actual value of oil at the point of production, as certified  
to the counties by the State Tax Commission under the provisions  
of Sections 27-25-501 through 27-25-525, and the actual value of  
gas as certified by the State Tax Commission under the provisions  
of Sections 27-25-701 through 27-25-723.
The salary of assessors and collectors of the various counties is *** fixed as full compensation for their services as county assessors or tax collectors, or both if the office of assessor has been combined with the office of tax collector. The annual salary of each assessor or tax collector, or both if the offices have been combined, shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

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

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

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

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

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

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

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

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

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

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

(7) When any tax assessor holds a valid certificate of
educational recognition from the International Association of
Assessing Officers or is a licensed appraiser under Section
73-34-1 et seq., he shall receive an additional One Thousand Five
Hundred Dollars ($1,500.00) annually beginning the next fiscal
year after completion. When any tax assessor is a licensed state
certified Residential Appraiser (RA) or licensed state certified
Timberland Appraiser (TA) under Section 73-34-1 et seq., or when any tax assessor holds a valid designation from the International Association of Assessing Officers as a Cadastral Mapping Specialist (CMS) or Personal Property Specialist (PPS) or Residential Evaluation Specialist (RES), he shall receive an additional Six Thousand Five Hundred Dollars ($6,500.00) annually beginning the next fiscal year after completion. When any tax assessor holds the valid designation of Certified Assessment Evaluator (CAE) from the International Association of Assessing Officers or is a state certified General Real Estate Appraiser (GA) under Section 73-34-1 et seq., he shall receive an additional Eight Thousand Five Hundred Dollars ($8,500.00) annually beginning the next fiscal year after completion.

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

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

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

25-3-13. The salaries of the members of the boards of supervisors of the various counties are fixed as full compensation for their services.
The annual salary of each member of the board of supervisors shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

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

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

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

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

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

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

(g) For counties having a total assessed valuation of One Hundred Twenty-five Million Dollars ($125,000,000.00), but less than Three Hundred Million Dollars ($300,000,000.00), a
salary of Thirty-six Thousand Nine Hundred Three Dollars ($36,903.00); (h) For counties having a total assessed valuation of Three Hundred Million Dollars ($300,000,000.00) or more, a salary of Forty-one Thousand Seventy-seven Dollars ($41,077.00).

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

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

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

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

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

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

(c) For counties with a total population of more than forty-five thousand (45,000) and not more than one hundred thousand (100,000), a salary of Seventy-one Thousand Five Hundred Dollars ($71,500.00).
(d) For counties with a total population of more than thirty-four thousand (34,000) and not more than forty-five thousand (45,000), a salary of Sixty-six Thousand Dollars ($66,000.00).

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

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

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

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

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

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

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

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;
(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

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

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

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

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

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

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

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

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

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of the mentally retarded, is located within the county;
(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

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

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

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

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

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

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

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

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars ($15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:
(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) In counties with a population of more than
forty-nine thousand (49,000) but not more than seventy-five
thousand (75,000), a salary of Thirty-six Thousand Seven Hundred
Thirty-six Dollars ($36,736.00).
(e) In counties with a population of more than thirty-four thousand (34,000) but not more than forty-nine thousand (49,000), a salary of Thirty-one Thousand Seven Hundred Twenty-six Dollars ($31,726.00).

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

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

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

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

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

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

The board of supervisors of any county having two (2) judicial districts and two (2) justice court judges for the county shall pay each justice court judge an amount equal to that provided in this subsection for judges in the next higher population category per year, if the justice court judge maintains regular office hours and is personally present in the office they maintain for at least thirty (30) hours per week.
In any county having a population greater than eight thousand (8,000) but less than eight thousand five hundred (8,500) according to the 1990 federal decennial census and in which U.S. Highway 61 and Mississippi Highway 4 intersect, the board of supervisors, in its discretion, may pay such justice court judges an additional amount not to exceed the sum of Eleven Thousand Five Hundred Fifty Dollars ($11,550.00) per year, payable beginning April 1, 1997.

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

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

(2) Notwithstanding the provisions of subsection (1) of this section, in the event that the number of justice court judges authorized pursuant to Section 9-11-2(1) is exceeded pursuant to the provisions of Section 9-11-2(4), the aggregate of the salaries paid to the justice court judges of such a county shall not exceed the amount sufficient to pay the number of justice court judges authorized pursuant to Section 9-11-2(1), and such amount shall be equally divided among those justice court judges continuing to hold office under the provisions of Section 9-11-2(4).
(3) From and after January 1, 1984, all fees, costs, fines and penalties charged and collected in the justice court shall be paid to the clerk of the justice court for deposit, along with monies from cash bonds and other monies which have been forfeited in criminal cases, into the general fund of the county as provided in Section 9-11-19; and the clerk of the board of supervisors shall be authorized and empowered, upon approval by the board of supervisors, to make disbursements and withdrawals from the general fund of the county in order to pay any reasonable and necessary expenses incurred in complying with this section, including payment of the salaries of justice court judges as provided by subsection (1) of this section. The provisions of this subsection shall not, except as to cash bonds and other monies which have been forfeited in criminal cases, apply to monies required to be deposited in the justice court clerk clearing account as provided in Section 9-11-18, Mississippi Code of 1972.

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

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

(6) Any justice court judge who is unable to attend and hold court by reason of being under suspension by the Commission on Judicial Performance or the Mississippi Supreme Court shall not receive a salary while under such suspension.
SECTION 5. Section 41-61-59, Mississippi Code of 1972, is amended as follows:

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

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

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

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

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

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

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

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

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

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

(i) Death of a person where the identity of the deceased is unknown.
(j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.

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

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

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. The county medical examiner or county medical examiner investigator of any county which has established a regional medical examiner district under subsection (4) of Section 41-61-77 may serve other counties which are parties to the agreement establishing the district, in accordance with the terms of the agreement, and may contract with counties which are not part of the district to provide medical examiner services for such counties. If a death
affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where such injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

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

(5) A body composed of the State Medical Examiner, whether appointed on a permanent or interim basis, the Director of the State Board of Health or his designee, the Attorney General or his designee, the President of the Mississippi Coroners' Association
(or successor organization) or his designee, and a certified pathologist appointed by the Mississippi State Medical Association shall adopt, promulgate, amend and repeal rules and regulations as may be deemed necessary by them from time to time for the proper enforcement, interpretation and administration of Sections 41-61-51 through 41-61-79, in accordance with the provisions of the Mississippi Administrative Procedures Law, being Sections 25-43-1 through 25-43-19.

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

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

(2) The several counties in each respective court district shall transfer from the general funds of those county treasuries to the Administrative Office of Courts a proportionate amount to be paid toward the annual compensation of the court reporter, including any additional compensation paid for the performance of court administrator duties. The amount to be paid by each county shall be determined by the number of weeks in which court is held in each county in proportion to the total number of weeks court is held in the district. For purposes of this section, the term
"compensation" means the gross salary plus all amounts paid for benefits, or otherwise, as a result of employment or as required by employment, but does not include transcript fees otherwise authorized to be paid by or through the counties. However, only salary earned for services rendered shall be reported and credited for retirement purposes. Amounts paid for transcript fees, benefits or otherwise, including reimbursement for travel expenses, shall not be reported or credited for retirement purposes.

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

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

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

(5) No circuit or chancery court reporter shall be entitled to any compensation for any special or extended term of court after passage of this section.
(6) No chancery or circuit court reporter shall practice law in the court within which he or she is the court reporter.

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

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

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

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

25-11-125. The board of supervisors, in their discretion, may appropriate and include in its budget for public purposes a sufficient sum to pay the required employer contribution to the Public Employees' Retirement System for all fee-paid elected officials in judicial capacities of the county and supervisors districts, and for all circuit and chancery clerks of the county. Such contributions shall be included by the clerk of the board in his regular reports and remittals to the Executive Secretary of
the Public Employees' Retirement System for other county officers
and regular county employees whose employer contributions are not
included in and paid from the annual county budget.

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

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

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

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

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

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

(2) The board of supervisors shall establish single member
election districts in the county for the election of each of the
justice court judges authorized and required to be elected for the
county under the provisions of subsection (1) of this section, and
one (1) justice court judge shall be elected for each district by
the electors thereof. In any county authorized and required under
the provisions of paragraph (1)(a) of this section to provide for
the election of two (2) justice court judges for the county in
which there are two (2) judicial districts, the smaller of such
judicial districts, according to population based upon the latest
federal decennial census, shall comprise or shall be wholly encompassed within one (1) of such election districts.

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

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

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

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

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

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

19-19-2. The board of supervisors of each county shall establish single member election districts in the county for the election of each of the constables at the 1987 general election and for each general election thereafter. Such districts shall be of the same number and shall have the same boundaries as districts established for justice court judges pursuant to Section 9-11-2, Mississippi Code of 1972. The number of constables shall not be reduced in any county as a result of a population decrease based upon the 2000 federal decennial census.
SECTION 11. Section 25-3-5, Mississippi Code of 1972, which establishes the salaries of tax assessors and tax collectors in counties where the two offices have been separated, is repealed.

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

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