

By: Senator(s) Posey

To: Fees, Salaries and
Administration

SENATE BILL NO. 2852

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF CLAIBORNE COUNTY,
3 MISSISSIPPI, TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE
4 COUNTY; TO AUTHORIZE THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY
5 MISSISSIPPI; TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE
6 COUNTY; AND FOR RELATED PURPOSES.

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

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

10 25-3-25. (1) Except as otherwise provided in subsections
11 (2) through (9), the salaries of sheriffs of the various counties
12 are hereby fixed as full compensation for their services.

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

20 (a) For counties with a total population of more than
21 two hundred thousand (200,000), a salary of Seventy-five Thousand
22 Dollars (\$75,000.00).

23 (b) For counties with a total population of more than
24 one hundred thousand (100,000) and not more than two hundred
25 thousand (200,000), a salary of Seventy Thousand Dollars
26 (\$70,000.00).

27 (c) For counties with a total population of more than
28 forty-five thousand (45,000) and not more than one hundred



29 thousand (100,000), a salary of Sixty-five Thousand Dollars
30 (\$65,000.00).

31 (d) For counties with a total population of more than
32 thirty-four thousand (34,000) and not more than forty-five
33 thousand (45,000), a salary of Sixty Thousand Dollars
34 (\$60,000.00).

35 (e) For counties with a total population of more than
36 twenty-five thousand (25,000) and not more than thirty-four
37 thousand (34,000), a salary of Fifty-two Thousand Dollars
38 (\$52,000.00).

39 (f) For counties with a total population of more than
40 fifteen thousand (15,000) and not more than twenty-five thousand
41 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

42 (g) For counties with a total population of more than
43 nine thousand five hundred (9,500) and not more than fifteen
44 thousand (15,000), a salary of Forty-seven Thousand Dollars
45 (\$47,000.00).

46 (h) For counties with a total population of more than
47 seven thousand five hundred (7,500) and not more than nine
48 thousand five hundred (9,500), a salary of Forty-five Thousand
49 Dollars (\$45,000.00).

50 (i) For counties with a total population of not more
51 than seven thousand five hundred (7,500), a salary of Forty-two
52 Thousand Dollars (\$42,000.00).

53 (2) In addition to the salary provided for in subsection (1)
54 of this section, the Board of Supervisors of Leflore County may,
55 in its discretion, pay an annual supplement to the sheriff of the
56 county in an amount not to exceed Ten Thousand Dollars
57 (\$10,000.00). The Legislature finds and declares that the annual
58 supplement authorized by this subsection is justified in such
59 county for the following reasons:

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



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

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

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

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

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

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

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

82 (3) In addition to the salary provided for in subsection (1)
83 of this section, the Board of Supervisors of Rankin County may, in
84 its discretion, pay an annual supplement to the sheriff of the
85 county in an amount not to exceed Ten Thousand Dollars
86 (\$10,000.00). The Legislature finds and declares that the annual
87 supplement authorized by this subsection is justified in such
88 county for the following reasons:

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

92 (b) The State Hospital is operated and maintained
93 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; and

(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 may, in its discretion, 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



160 operates the largest county jail system in the state, housing
161 almost one thousand (1,000) inmates in three (3) separate
162 detention facilities;

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

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

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

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

175 (7) In addition to the salary provided for in subsection (1)
176 of this section, the Board of Supervisors of Wilkinson County, in
177 its discretion, may pay an annual supplement to the sheriff of the
178 county in an amount not to exceed Ten Thousand Dollars
179 (\$10,000.00). The Legislature finds and declares that the annual
180 supplement authorized by this subsection is justified in such
181 county because the Mississippi Department of Corrections contracts
182 for the private incarceration of state inmates at a private
183 correctional facility within the county.

184 (8) In addition to the salary provided for in subsection (1)
185 of this section, the Board of Supervisors of Marshall County, in
186 its discretion, may pay an annual supplement to the sheriff of the
187 county in an amount not to exceed Ten Thousand Dollars
188 (\$10,000.00). The Legislature finds and declares that the annual
189 supplement authorized by this subsection is justified in such
190 county because the Mississippi Department of Corrections contracts
191 for the private incarceration of state inmates at a private
192 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 for in subsection (1) of this section, the Board of Supervisors of Claiborne 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 the county because the Grand Gulf Nuclear Generating Plant and Alcorn State University are located within the county.

(11) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Franklin 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 sheriff has certain contractual duties



225 regarding a regional correctional facility within Jefferson County
226 used for the private incarceration of state inmates.

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

236 **SECTION 2.** The Attorney General of the State of Mississippi
237 shall submit this act, immediately upon approval by the Governor,
238 or upon approval by the Legislature subsequent to a veto, to the
239 Attorney General of the United States or to the United States
240 District Court for the District of Columbia in accordance with the
241 provisions of the Voting Rights Act of 1965, as amended and
242 extended.

243 **SECTION 3.** This act shall take effect and be in force from
244 and after the date it is effectuated under Section 5 of the Voting
245 Rights Act of 1965, as amended and extended, or October 1, 2003,
246 whichever occurs later.

