

*****Not Germane*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2798

By Representative(s) Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

45 25-3-3. (1) The term "total assessed valuation" as used in
46 this section only refers to the ad valorem assessment for the
47 county and, in addition, in counties where oil or gas is produced,
48 the actual value of oil at the point of production, as certified
49 to the counties by the State Tax Commission under the provisions
50 of Sections 27-25-501 through 27-25-525, and the actual value of
51 gas as certified by the State Tax Commission under the provisions
52 of Sections 27-25-701 through 27-25-723.

53 (2) The salary of assessors and collectors of the various
54 counties is * * * fixed as full compensation for their services as
55 county assessors or tax collectors, or both if the office of
56 assessor has been combined with the office of tax collector. The
57 annual salary of each assessor or tax collector, or both if the
58 offices have been combined, shall be based upon the total assessed
59 valuation of his respective county for the preceding taxable year
60 in the following categories and for the following amounts:

61 (a) For counties having a total assessed valuation of
62 One Billion Dollars (\$1,000,000,000.00) or more, a salary of

63 Seventy-two Thousand Five Hundred Dollars (\$72,500.00);

64 (b) For counties having a total assessed valuation of
65 at least Five Hundred Million Dollars (\$500,000,000.00) but less
66 than One Billion Dollars (\$1,000,000,000.00), a salary of
67 Sixty-seven Thousand Dollars (\$67,000.00);

68 (c) For counties having a total assessed valuation of
69 at least Two Hundred Million Dollars (\$200,000,000.00) but less
70 than Five Hundred Million Dollars (\$500,000,000.00), a salary of
71 Sixty-one Thousand Five Hundred Dollars (\$61,500.00);

72 (d) For counties having a total assessed valuation of
73 at least One Hundred Million Dollars (\$100,000,000.00) but less
74 than Two Hundred Million Dollars (\$200,000,000.00), a salary of
75 Fifty-six Thousand Dollars (\$56,000.00);

76 (e) For counties having a total assessed valuation of
77 at least Fifty Million Dollars (\$50,000,000.00) but less than One
78 Hundred Million Dollars (\$100,000,000.00), a salary of Fifty
79 Thousand Five Hundred Dollars (\$50,500.00);

80 (f) For counties having a total assessed valuation of
81 less than Fifty Million Dollars (\$50,000,000.00), a salary of
82 Forty-seven Thousand Two Hundred Dollars (\$47,200.00).

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

87 * * *

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

98 municipality or municipalities for performing those services.

99 (5) When any tax assessor holds a valid certificate of
100 educational recognition from the International Association of
101 Assessing Officers or is a licensed appraiser under Section
102 73-34-1 et seq., he shall receive an additional One Thousand Five
103 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
104 year after completion. When any tax assessor is a licensed state
105 certified Residential Appraiser (RA) or licensed state certified
106 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
107 any tax assessor holds a valid designation from the International
108 Association of Assessing Officers as a Cadastral Mapping
109 Specialist (CMS) or Personal Property Specialist (PPS) or
110 Residential Evaluation Specialist (RES), he shall receive an
111 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
112 beginning the next fiscal year after completion. When any tax
113 assessor holds the valid designation of Certified Assessment
114 Evaluator (CAE) from the International Association of Assessing
115 Officers or is a state certified General Real Estate Appraiser
116 (GA) under Section 73-34-1 et seq., he shall receive an additional
117 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
118 the next fiscal year after completion.

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

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

132 * * *

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

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

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

142 (a) For counties having a total assessed valuation of
143 less than Fifty Million Dollars (\$50,000,000.00), a salary of
144 Thirty Thousand Five Hundred Dollars (\$30,500.00);

145 (b) For counties having a total assessed valuation of
146 at least Fifty Million Dollars (\$50,000,000.00), but less than One
147 Hundred Million Dollars (\$100,000,000.00), a salary of Thirty-two
148 Thousand Dollars (\$32,000.00);

149 (c) For counties having a total assessed valuation of
150 at least One Hundred Million Dollars (\$100,000,000.00), but less
151 than Two Hundred Million Dollars (\$200,000,000.00), a salary of
152 Thirty-five Thousand Dollars (\$35,000.00);

153 (d) For counties having a total assessed valuation of
154 at least Two Hundred Million Dollars (\$200,000,000.00), but less
155 than Five Hundred Million Dollars (\$500,000,000.00), a salary of
156 Thirty-nine Thousand Dollars (\$39,000.00);

157 (e) For counties having a total assessed valuation of
158 at least Five Hundred Million Dollars (\$500,000,000.00), but less
159 than One Billion Dollars (\$1,000,000,000.00), a salary of Forty
160 Thousand Dollars (\$40,000.00);

161 (f) For counties having a total assessed valuation of
162 One Billion Dollars (\$1,000,000,000.00) or more, a salary of
163 Forty-one Thousand Dollars (\$41,000.00).

164 * * *

165 The salary of the members of the board of supervisors shall
166 not be increased under this section until the board of supervisors
167 shall have passed a resolution stating the amount of the increase

168 and spread it on its minutes.

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

171 25-3-25. (1) Except as otherwise provided in subsections
172 (2) through (10), the salaries of sheriffs of the various counties
173 are * * * fixed as full compensation for their services.

174 * * * The annual salary for each sheriff shall be based upon
175 the total population of his county according to the latest federal
176 decennial census in the following categories and for the following
177 amounts; however, no sheriff shall be paid less than the salary
178 authorized under this section to be paid the sheriff based upon
179 the population of the county according to the 1980 federal
180 decennial census:

181 (a) For counties with a total population of more than
182 two hundred thousand (200,000), a salary of Ninety Thousand
183 Dollars (\$90,000.00).

184 (b) For counties with a total population of more than
185 one hundred thousand (100,000) and not more than two hundred
186 thousand (200,000), a salary of Eighty-four Thousand Dollars
187 (\$84,000.00).

188 (c) For counties with a total population of more than
189 forty-five thousand (45,000) and not more than one hundred
190 thousand (100,000), a salary of Seventy-eight Thousand Dollars
191 (\$78,000.00).

192 (d) For counties with a total population of more than
193 thirty-four thousand (34,000) and not more than forty-five
194 thousand (45,000), a salary of Seventy-two Thousand Dollars
195 (\$72,000.00).

196 (e) For counties with a total population of more than
197 twenty-five thousand (25,000) and not more than thirty-four
198 thousand (34,000), a salary of Sixty-two Thousand Four Hundred
199 Dollars (\$62,400.00).

200 (f) For counties with a total population of more than
201 fifteen thousand (15,000) and not more than twenty-five thousand
202 (25,000), a salary of Sixty Thousand Dollars (\$60,000.00).

203 (g) For counties with a total population of more than
204 nine thousand five hundred (9,500) and not more than fifteen
205 thousand (15,000), a salary of Fifty-six Thousand Four Hundred
206 Dollars (\$56,400.00).

207 (h) For counties with a total population of more than
208 seven thousand five hundred (7,500) and not more than nine
209 thousand five hundred (9,500), a salary of Fifty-four Thousand
210 Dollars (\$54,000.00).

211 (i) For counties with a total population of not more
212 than seven thousand five hundred (7,500), a salary of Fifty
213 Thousand Four Hundred Dollars (\$50,400.00).

214 (2) In addition to the salary provided for in subsection (1)
215 of this section, the Board of Supervisors of Leflore County * * *,
216 in its discretion, may pay an annual supplement to the sheriff of
217 the county in an amount not to exceed Ten Thousand Dollars
218 (\$10,000.00). The Legislature finds and declares that the annual
219 supplement authorized by this subsection is justified in such
220 county for the following reasons:

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

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

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

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

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

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

236 (g) The increased activity of the Child Support
237 Division of the Department of Human Services in enforcing in the

238 courts parental obligations has imposed additional duties on the
239 sheriff; and

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

243 (3) In addition to the salary provided for in subsection (1)
244 of this section, the Board of Supervisors of Rankin County * * *,
245 in its discretion, may pay an annual supplement to the sheriff of
246 the county in an amount not to exceed Ten Thousand Dollars
247 (\$10,000.00). The Legislature finds and declares that the annual
248 supplement authorized by this subsection is justified in such
249 county for the following reasons:

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

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

255 (c) Hudspeth Regional Center, a facility maintained for
256 the care and treatment of the mentally retarded, is located within
257 the county;

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

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

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

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

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

270 (i) The sheriff, in addition to providing security to
271 the nearly one hundred thousand (100,000) residents of the county,
272 has the duty to investigate, solve and assist in the prosecution

273 of any misdemeanor or felony committed upon any state property
274 located in Rankin County.

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

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

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

290 (a) Hinds County has the greatest population of any
291 county, two hundred fifty-four thousand four hundred forty-one
292 (254,441) by the 1990 census, being almost one hundred thousand
293 (100,000) more than the next most populous county;

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

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

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

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

306 (f) The main offices for the clerk and most of the
307 judges and magistrates for the United States District Court for

308 the Southern District of Mississippi are located within the
309 county;

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

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

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

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

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

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

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

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

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

336 (7) In addition to the salary provided for in subsection (1)
337 of this section, the Board of Supervisors of Wilkinson County, in
338 its discretion, may pay an annual supplement to the sheriff of the
339 county in an amount not to exceed Ten Thousand Dollars
340 (\$10,000.00). The Legislature finds and declares that the annual
341 supplement authorized by this subsection is justified in such
342 county because the Mississippi Department of Corrections contracts

343 for the private incarceration of state inmates at a private
344 correctional facility within the county.

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

354 (9) In addition to the salary provided in subsection (1) of
355 this section, the Board of Supervisors of Greene County, in its
356 discretion, may pay an annual supplement to the sheriff of the
357 county in an amount not to exceed Ten Thousand Dollars
358 (\$10,000.00). The Legislature finds and declares that the annual
359 supplement authorized by this subsection is justified in such
360 county for the following reasons:

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

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

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

371 (10) In addition to the salary provided for in subsection
372 (1) of this section, any county with two (2) judicial districts
373 that has a prison facility capable of housing one thousand (1000)
374 or more inmates and that operates or supervises a county or state
375 inmate work facility and that has a county population in excess of
376 fourteen thousand (14,000), but less than twenty thousand
377 (20,000), according to the 2000 federal decennial census, may

378 supplement the salary of the sheriff of the county by paying an
379 additional Ten Thousand Dollars (\$10,000.00) a year.

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

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

391 25-3-36. (1) * * * Every justice court judge shall receive
392 as full compensation for his or her services and in lieu of any
393 and all other fees, costs or compensation heretofore authorized
394 for such justice court judge, an annual salary based upon the
395 population of his or her county according to the latest federal
396 decennial census, the amount of which salary shall be determined
397 as follows:

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

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

405 (c) In counties with a population of more than
406 seventy-five thousand (75,000) but not more than one hundred fifty
407 thousand (150,000), a salary of Thirty-eight Thousand Seven
408 Hundred Nine Dollars (\$38,709.00).

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

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

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

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

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

429 (i) In counties with a population of more than twelve
430 thousand (12,000) but not more than sixteen thousand five hundred
431 (16,500), a salary of Eighteen Thousand Two Hundred Sixteen
432 Dollars (\$18,216.00).

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

436 (k) In counties with a population of eight thousand
437 (8,000) or less, a salary of Twelve Thousand Dollars (\$12,000.00).

438 * * *

439 (2) In addition, to the salary set in subsection (1) of this
440 section, each justice court judge shall be entitled to an
441 additional annual amount based upon his or her highest education
442 level achieved, as follows:

443 (a) For a high school diploma or general equivalency
444 diploma, an additional five percent (5%) of the salary set under
445 subsection (1) of this section; or

446 (b) For an associate degree, an additional ten percent
447 (10%) of the salary set under subsection (1) of this section; or

448 (c) For a baccalaureate degree, an additional fifteen
449 percent (15%) of the salary set under subsection (1) of this
450 section; or

451 (d) For a master's degree, an additional twenty percent
452 (20%) of the salary set under subsection (1) of this section; or

453 (e) For a law degree, an additional twenty-five percent
454 (25%) of the salary set under subsection (1) of this section.

455 (3) From and after January 1, 1984, all fees, costs, fines
456 and penalties charged and collected in the justice court shall be
457 paid to the clerk of the justice court for deposit, along with
458 monies from cash bonds and other monies which have been forfeited
459 in criminal cases, into the general fund of the county as provided
460 in Section 9-11-19; and the clerk of the board of supervisors
461 shall be authorized and empowered, upon approval by the board of
462 supervisors, to make disbursements and withdrawals from the
463 general fund of the county in order to pay any reasonable and
464 necessary expenses incurred in complying with this section,
465 including payment of the salaries of justice court judges as
466 provided by subsection (1) of this section. The provisions of
467 this subsection shall not, except as to cash bonds and other
468 monies which have been forfeited in criminal cases, apply to
469 monies required to be deposited in the justice court clerk
470 clearing account as provided in Section 9-11-18, Mississippi Code
471 of 1972.

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

480 * * *

481 (5) Any justice court judge who is unable to attend and hold
482 court by reason of being under suspension by the Commission on

483 Judicial Performance or the Mississippi Supreme Court shall not
484 receive a salary while under such suspension.

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

487 41-61-59. (1) A person's death which affects the public
488 interest as specified in subsection (2) of this section shall be
489 promptly reported to the medical examiner by the physician in
490 attendance, any hospital employee, any law enforcement officer
491 having knowledge of the death, the embalmer or other funeral home
492 employee, any emergency medical technician, any relative or any
493 other person present. The appropriate medical examiner shall
494 notify the municipal or state law enforcement agency or sheriff
495 and take charge of the body.

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

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

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

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

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

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

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

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

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

516 (i) Death of a person where the identity of the
517 deceased is unknown.

518 (j) Death of a child under the age of two (2) years
519 where death results from an unknown cause or where the
520 circumstances surrounding the death indicate that sudden infant
521 death syndrome may be the cause of death.

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

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

536 (3) The State Medical Examiner is empowered to investigate
537 deaths, under the authority hereinafter conferred, in any and all
538 political subdivisions of the state. The county medical examiners
539 and county medical examiner investigators, while appointed for a
540 specific county, may serve other counties on a regular basis with
541 written authorization by the State Medical Examiner, or may serve
542 other counties on an as-needed basis upon the request of the
543 ranking officer of the investigating law enforcement agency. The
544 county medical examiner or county medical examiner investigator of
545 any county which has established a regional medical examiner
546 district under subsection (4) of Section 41-61-77 may serve other
547 counties which are parties to the agreement establishing the
548 district, in accordance with the terms of the agreement, and may
549 contract with counties which are not part of the district to
550 provide medical examiner services for such counties. If a death
551 affecting the public interest takes place in a county other than
552 the one where injuries or other substantial causal factors leading

553 to the death have occurred, jurisdiction for investigation of the
554 death may be transferred, by mutual agreement of the respective
555 medical examiners of the counties involved, to the county where
556 such injuries or other substantial causal factors occurred, and
557 the costs of autopsy or other studies necessary to the further
558 investigation of the death shall be borne by the county assuming
559 jurisdiction.

560 (4) The chief county medical examiner or chief county
561 medical examiner investigator may receive from the county in which
562 he serves a salary of Eight Hundred Twenty-five Dollars (\$825.00)
563 per month, in addition to the fees specified in Sections 41-61-69
564 and 41-61-75, provided that no county shall pay the chief county
565 medical examiner or chief county medical examiner investigator
566 less than One Hundred Dollars (\$100.00) per month as a salary, in
567 addition to other compensation provided by law. In any county
568 having one or more deputy medical examiners or deputy medical
569 examiner investigators, each deputy may receive from the county in
570 which he serves, in the discretion of the board of supervisors, a
571 salary of not more than Eight Hundred Twenty-five Dollars
572 (\$825.00) per month, in addition to the fees specified in Sections
573 41-61-69 and 41-61-75. For this salary the chief shall assure
574 twenty-four-hour daily and readily available death investigators
575 for the county, and shall maintain copies of all medical examiner
576 death investigations for the county for at least the previous five
577 (5) years. He shall coordinate his office and duties and
578 cooperate with the State Medical Examiner, and the State Medical
579 Examiner shall cooperate with him.

580 (5) A body composed of the State Medical Examiner, whether
581 appointed on a permanent or interim basis, the Director of the
582 State Board of Health or his designee, the Attorney General or his
583 designee, the President of the Mississippi Coroners' Association
584 (or successor organization) or his designee, and a certified
585 pathologist appointed by the Mississippi State Medical Association
586 shall adopt, promulgate, amend and repeal rules and regulations as
587 may be deemed necessary by them from time to time for the proper

588 enforcement, interpretation and administration of Sections
589 41-61-51 through 41-61-79, in accordance with the provisions of
590 the Mississippi Administrative Procedures Law, being Sections
591 25-43-1 through 25-43-19.

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

594 9-13-19. (1) Court reporters for circuit and chancery
595 courts shall be paid an annual salary to be established by the
596 State Personnel Board. In establishing the salary of court
597 reporters, the State Personnel Board shall take into account and
598 consider, among other factors, the number of hours worked. * * *

599 (2) The several counties in each respective court district
600 shall transfer from the general funds of those county treasuries
601 to the Administrative Office of Courts a proportionate amount to
602 be paid toward the annual compensation of the court
603 reporter * * *. The amount to be paid by each county shall be
604 determined by the number of weeks in which court is held in each
605 county in proportion to the total number of weeks court is held in
606 the district. For purposes of this section, the term
607 "compensation" means the gross salary plus all amounts paid for
608 benefits, or otherwise, as a result of employment or as required
609 by employment, but does not include transcript fees otherwise
610 authorized to be paid by or through the counties. However, only
611 salary earned for services rendered shall be reported and credited
612 for retirement purposes. Amounts paid for transcript fees,
613 benefits or otherwise, including reimbursement for travel
614 expenses, shall not be reported or credited for retirement
615 purposes.

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

620 (3) The salary * * * shall be paid in twelve (12)
621 installments on the last working day of each month after it has
622 been duly authorized by the appointing judge or chancellor and an

623 order duly placed on the minutes of the court. Such authorization
624 by the judge or chancellor shall include the number of hours
625 actually worked by the court reporter and shall be verified under
626 oath subject to penalty of perjury as provided by law. Each
627 county shall transfer to the Administrative Office of Courts
628 one-twelfth (1/12) of the amount required to be paid pursuant to
629 subsection (2) of this section by the twentieth day of each month
630 for the salary that is to be paid on the last working day of the
631 month. The Administrative Office of Courts shall pay to the court
632 reporter the total amount of salary due for that month. Any
633 county may pay, in the discretion of the board of supervisors, by
634 the twentieth day of January of any year, the amount due for a
635 full twelve (12) months.

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

639 (5) No circuit or chancery court reporter shall be entitled
640 to any compensation for any special or extended term of
641 court * * *.

642 (6) * * * Chancery or circuit court reporters shall devote
643 their full time to the duties of the office.

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

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

654 19-25-31. Each judge of a circuit, chancery or county court,
655 or a court of eminent domain may, in the judge's discretion, by
656 order entered on the minutes of the court, allow the sheriff
657 riding bailiffs to serve in the respective court of such judge,

658 not to exceed one (1) bailiff per judge. Any such person so
659 employed shall be paid by the county on allowances of the court on
660 issuance of a warrant therefor in an amount of Sixty Dollars
661 (\$60.00) for each day, or part thereof, for which he serves as
662 bailiff when the court is in session. No full-time deputy sheriff
663 shall be paid as a riding bailiff of any court. County court
664 judges shall be limited to one (1) bailiff per each court day.

665 **SECTION 8.** Section 9-11-2, Mississippi Code of 1972, is
666 amended as follows:

667 9-11-2. (1) * * * There shall be a competent number of
668 justice court judges in each county of the state. The number of
669 justice court judges for each county shall be determined as
670 follows:

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

674 (b) In counties with a population, according to the
675 latest federal decennial census, of more than thirty-five thousand
676 (35,000) and less than seventy thousand (70,000), there shall be
677 three (3) justice court judges.

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

682 (d) In counties with a population, according to the
683 latest federal decennial census, of one hundred fifty thousand
684 (150,000) and more, there shall be five (5) justice court judges.

685 (2) The board of supervisors shall establish single member
686 election districts in the county for the election of each of the
687 justice court judges authorized and required to be elected for the
688 county under the provisions of subsection (1) of this section, and
689 one (1) justice court judge shall be elected for each district by
690 the electors thereof. In any county authorized and required under
691 the provisions of paragraph (1)(a) of this section to provide for
692 the election of two (2) justice court judges for the county in

693 which there are two (2) judicial districts, the smaller of such
694 judicial districts, according to population based upon the latest
695 federal decennial census, shall comprise or shall be wholly
696 encompassed within one (1) of such election districts.

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

702 * * *

703 (4) The number of justice court judges shall not be reduced
704 in any county as a result of a population decrease based upon the
705 2000 federal decennial census.

706 **SECTION 9.** Section 19-19-2, Mississippi Code of 1972, is
707 amended as follows:

708 19-19-2. The board of supervisors of each county shall
709 establish single member election districts in the county for the
710 election of each of the constables at the 1987 general election
711 and for each general election thereafter. Such districts shall be
712 of the same number and shall have the same boundaries as districts
713 established for justice court judges pursuant to Section 9-11-2,
714 Mississippi Code of 1972. The number of constables shall not be
715 reduced in any county as a result of a population decrease based
716 upon the 2000 federal decennial census.

717 **SECTION 10.** Section 5-1-41, Mississippi Code of 1972, is
718 amended as follows:

719 5-1-41. Beginning with the 2004 Regular Session of the
720 Legislature of the State of Mississippi, each Senator and
721 Representative of the Legislature shall receive as compensation at
722 each regular session such compensation as set by the State
723 Personnel Board in accordance with the Colonel Guy Groff State
724 Variable Compensation Plan and the mileage allowance provided by
725 Section 25-3-41, for each mile of the distance by the most direct
726 route usually traveled in coming to and returning from the place
727 where the Legislature sits. * * * Each Senator and Representative

728 shall receive for attending each extraordinary session or called
729 session the sum of Seventy-five Dollars (\$75.00) per day and
730 mileage at the same rate as per regular session. * * *

731 **SECTION 11.** Section 5-1-43, Mississippi Code of 1972, is
732 amended as follows:

733 5-1-43. (1) The salary of the Lieutenant Governor and of
734 the Speaker of the House of Representatives shall be set by the
735 State Personnel Board in accordance with the Colonel Guy Groff
736 State Variable Compensation Plan, and they shall receive for
737 attending each extraordinary or called session the same
738 compensation and mileage as is provided for members of the
739 Legislature. * * *

740 (2) On the first day of each month, the Lieutenant Governor
741 and the Speaker of the House of Representatives shall receive in
742 twelve (12) equal monthly installments the compensation provided
743 for pursuant to subsection (1) of this section.

744 **SECTION 12.** Section 5-1-45, Mississippi Code of 1972, is
745 amended as follows:

746 5-1-45. * * * The President Pro Tempore of the Senate shall
747 receive an annual salary in an amount set by the State Personnel
748 Board in accordance with the Colonel Guy Groff State Variable
749 Compensation Plan. The salary provided for the President Pro
750 Tempore under this section shall be in addition to the
751 compensation and mileage under Section 5-1-41 and the expense
752 allowance established for members of the Legislature under Section
753 5-1-47.

754 **SECTION 13.** Section 5-1-46, Mississippi Code of 1972, is
755 amended as follows:

756 5-1-46. * * * The Speaker Pro Tempore of the House of
757 Representatives shall receive an annual salary in an amount set by
758 the State Personnel Board in accordance with the Colonel Guy Groff
759 State Variable Compensation Plan. The salary provided for the
760 Speaker Pro Tempore under this section shall be in addition to the
761 compensation and mileage under Section 5-1-41 and the expense
762 allowance established for members of the Legislature under Section

763 5-1-47.

764 **SECTION 14.** Section 5-1-47, Mississippi Code of 1972, is
765 amended as follows:

766 5-1-47. (1) In addition to the regular salary and mileage
767 provided by law, an expense allowance equal to the maximum daily
768 expense rate allowable to employees of the federal government for
769 travel in the high rate geographical area of Jackson, Mississippi,
770 as may be established by federal regulations, per day, * * * for
771 each legislative day in actual attendance at a session shall be
772 paid to the Lieutenant Governor and members of the Senate and
773 House of Representatives, together with an additional mileage
774 allowance as provided by Section 25-3-41, for each mile of the
775 distance by the most direct route usually traveled in coming to
776 and returning from the place where the Legislature is in session,
777 which * * * expense allowance and additional mileage allowance
778 shall be paid at the end of each seven (7) day period while the
779 Legislature is in session.

780 In addition to the mileage allowance provided for in the
781 above paragraph, an expense allowance equal to the maximum daily
782 expense rate allowable to employees of the federal government for
783 travel in the high rate geographical area of Jackson, Mississippi,
784 as may be established by federal regulations, per day, shall be
785 paid to the Lieutenant Governor and members of the Senate and
786 House of Representatives * * * for any day between legislative
787 sessions while attending to legislative duties, upon the approval
788 of the appropriate management committee of the Senate or House, as
789 the case may be.

790 (2) The expense allowance and additional mileage allowance
791 provided by this section for the Lieutenant Governor and members
792 of the Senate shall be paid from the appropriate legislative fund
793 of the Senate as provided by law, and the expense allowance and
794 additional mileage allowance for members of the House of
795 Representatives shall be paid from the appropriate legislative
796 fund of said House of Representatives as provided by law, upon
797 warrants drawn for such purpose in the manner provided by law.

798 **SECTION 15.** Section 5-1-51, Mississippi Code of 1972, is
799 amended as follows:

800 5-1-51. * * * The mileage and one third (1/3) of the salary
801 for a regular session may be received at the beginning of the
802 session. After thirty (30) days of the session have expired
803 another one-third (1/3) may be received and the remainder at the
804 close of the session. * * *

805 * * *

806 **SECTION 16.** Section 27-1-11, Mississippi Code of 1972, is
807 amended as follows:

808 27-1-11. In counties with a total assessed valuation of over
809 One Billion Dollars (\$1,000,000,00.00), the board of supervisors,
810 in its discretion, may separate the Office of Tax Collector from
811 the Office of Assessor by resolution spread upon the minutes of
812 the board, provided that such resolution shall come into effect
813 with the succeeding term of office and shall not affect any duly
814 elected official during the performance of his term.

815 Any such resolution to separate the offices shall be adopted
816 on or before February 1, 1971, or on or before February 1 of any
817 succeeding year in which general county and statewide elections
818 are held.

819 After the offices have been separated, they shall remain
820 separate until consolidated by like resolution of the board of
821 supervisors for the succeeding term; provided, however, such
822 resolution to consolidate the offices, having been once separated,
823 shall become effective only after the affirmative vote of a
824 majority of the qualified voters of the county participating in an
825 election to be held in conformity, in all respects, with the
826 applicable statutes governing special elections.

827 **SECTION 17.** Sections 25-3-5 and 25-11-125, Mississippi Code
828 of 1972, which establish the salaries of tax assessors and tax
829 collectors in counties where the two (2) offices have been
830 separated and which allow the board of supervisors to appropriate
831 and include in its budget a sum to pay the required employer
832 contribution of fee paid judicial officials to the Public

833 Employees' Retirement System, are repealed.

834 **SECTION 18.** The Attorney General of the State of Mississippi
835 shall submit this act, immediately upon approval by the Governor,
836 or upon approval by the Legislature subsequent to a veto, to the
837 Attorney General of the United States or to the United States
838 District Court for the District of Columbia in accordance with the
839 provisions of the Voting Rights Act of 1965, as amended and
840 extended.

841 **SECTION 19.** This act shall take effect and be in force from
842 and after January 1, 2004, if effectuated on or before that date
843 under Section 5 of the Voting Rights Act of 1965, as amended and
844 extended. If effectuated under Section 5 of the Voting Rights Act
845 of 1965, as amended and extended, after January 1, 2004, this act
846 shall take effect and be in force from and after the date it is
847 effectuated under Section 5 of the Voting Rights Act of 1965, as
848 amended and extended.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO INCREASE THE SALARIES OF CERTAIN COUNTY OFFICIALS;
2 TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO REVISE THE
3 SALARY SCALE FOR TAX COLLECTORS AND TAX ASSESSORS; TO AMEND
4 SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE
5 SALARIES OF MEMBERS OF COUNTY BOARDS OF SUPERVISORS; TO AMEND
6 SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE
7 SALARIES OF SHERIFFS AND TO AUTHORIZE THE BOARD OF SUPERVISORS OF
8 ANY COUNTY TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE
9 COUNTY UPON CERTAIN CONDITIONS; TO AMEND SECTION 25-3-36,
10 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF JUSTICE
11 COURT JUDGES; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972,
12 TO INCREASE THE SALARY ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS
13 AND CHIEF COUNTY MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION
14 9-13-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF
15 COURT REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF
16 1972, TO INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING
17 BAILIFFS; TO AMEND SECTION 25-11-125, MISSISSIPPI CODE OF 1972, TO
18 AUTHORIZE BOARDS OF SUPERVISORS TO PAY THE REQUIRED EMPLOYER
19 CONTRIBUTION TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR ALL
20 CIRCUIT AND CHANCERY CLERKS OF THE COUNTY; TO AMEND SECTIONS
21 9-11-2 AND 19-19-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
22 NUMBER OF JUSTICE COURT JUDGES AND CONSTABLES SHALL NOT BE REDUCED
23 IN ANY COUNTY AS A RESULT OF A POPULATION DECREASE BASED UPON THE
24 2000 FEDERAL DECENNIAL CENSUS; TO AMEND SECTION 5-1-41,
25 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE PERSONNEL
26 BOARD SHALL DETERMINE THE COMPENSATION OF MEMBERS OF THE
27 LEGISLATURE; TO DELETE THE \$1,500.00 OUT OF SESSION MONTHLY FOR
28 EXPENSE ALLOWANCE FOR LEGISLATORS; TO AMEND SECTION 5-1-43,
29 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE PERSONNEL
30 BOARD SHALL SET THE SALARY OF THE LIEUTENANT GOVERNOR AND THE
31 SPEAKER OF THE HOUSE OF REPRESENTATIVES; TO AMEND SECTIONS 5-1-45

32 AND 5-1-46, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE
33 PERSONNEL BOARD SHALL SET THE SALARY OF THE PRESIDENT PRO TEMPORE
34 OF THE SENATE AND SPEAKER PRO TEMPORE OF THE HOUSE OF
35 REPRESENTATIVES; TO AMEND SECTION 5-1-47, MISSISSIPPI CODE OF
36 1972, TO DELETE THE DAILY EXPENSE ALLOWANCE FOR LEGISLATORS; TO
37 AMEND SECTION 5-1-51, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE
38 PRECEDING SECTIONS; TO REPEAL SECTION 25-3-5, MISSISSIPPI CODE OF
39 1972, WHICH ESTABLISHES THE SALARIES OF TAX ASSESSORS AND TAX
40 COLLECTORS IN COUNTIES WHERE THE TWO OFFICES HAVE BEEN SEPARATED;
41 AND FOR RELATED PURPOSES.