

By: Representative Moak

To: Judiciary A;
Appropriations

HOUSE BILL NO. 79

1 AN ACT TO AMEND SECTION 9-4-13, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE AN OFFICE OPERATING ALLOWANCE FOR CERTAIN JUDGES OF THE
3 COURT OF APPEALS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 9-4-13, Mississippi Code of 1972, is
6 amended as follows:

7 9-4-13. (1) The judges of the Court of Appeals shall
8 receive salaries as provided for in Section 25-3-35, shall be
9 reimbursed for mileage expenses incurred in performing their
10 duties at the rate authorized by law for public officials and
11 employees as provided for in Section 25-3-41, and shall receive an
12 expense allowance as provided for in Section 25-3-43.

13 (2) Each judge of the Court of Appeals whose legal residence
14 is sixty (60) miles or greater from the location of the Court of
15 Appeals in the City of Jackson will receive an office operating
16 allowance for the expenses of maintaining and operating an office
17 of the judge in the judge's district. The office operating
18 allowance will be in the amount of Five Hundred Dollars (\$500.00)
19 per month and is for expenditures necessary and incident to
20 maintaining the office of the judge in the judge's district, as
21 itemized and certified by the judge to the Supreme Court. The
22 Supreme Court, through the Administrative Office of Courts, shall
23 submit the itemized and certified expenses for the office
24 operating allowance to the Department of Finance and
25 Administration for payment.

26 (3) Staff attorneys, law clerks and all other employees of
27 the Court of Appeals shall be of the same grade classification as
28 Supreme Court employees performing the same or similar duties.

29 **SECTION 2.** The Attorney General of the State of Mississippi
30 shall submit this act, immediately upon approval by the Governor,
31 or upon approval by the Legislature subsequent to a veto, to the
32 Attorney General of the United States or to the United States
33 District Court for the District of Columbia in accordance with the
34 provisions of the Voting Rights Act of 1965, as amended and
35 extended.

36 **SECTION 3.** This act shall take effect and be in force from
37 and after July 1, 2004, if it is effectuated on or before that
38 date under Section 5 of the Voting Rights Act of 1965, as amended
39 and extended. If it is effectuated under Section 5 of the Voting
40 Rights Act of 1965, as amended and extended, after July 1, 2004,
41 this act shall take effect and be in force from and after the date
42 it is effectuated under Section 5 of the Voting Rights Act of
43 1965, as amended and extended.