

By: Representative Moak

To: Fees and Salaries of  
Public Officers; County  
Affairs

## HOUSE BILL NO. 320

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 REPEAL SECTION 25-3-5,  
 25 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX  
 26 ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES  
 27 HAVE BEEN SEPARATED; AND FOR RELATED PURPOSES.

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

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

31 25-3-3. (1) The term "total assessed valuation" as used in  
 32 this section only refers to the ad valorem assessment for the  
 33 county and, in addition, in counties where oil or gas is produced,  
 34 the actual value of oil at the point of production, as certified  
 35 to the counties by the State Tax Commission under the provisions  
 36 of Sections 27-25-501 through 27-25-525, and the actual value of  
 37 gas as certified by the State Tax Commission under the provisions  
 38 of Sections 27-25-701 through 27-25-723.

39       (2) The salary of assessors and collectors of the various  
40       counties is \* \* \* fixed as full compensation for their services as  
41       county assessors or tax collectors, or both if the office of  
42       assessor has been combined with the office of tax collector. The  
43       annual salary of each assessor or tax collector, or both if the  
44       offices have been combined, shall be based upon the total assessed  
45       valuation of his respective county for the preceding taxable year  
46       in the following categories and for the following amounts:

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

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

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

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

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

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

69       (3) In addition to all other compensation paid pursuant to  
70       this section, the board of supervisors shall pay to a person

71 serving as both the tax assessor and tax collector in their county  
72 an additional Five Thousand Dollars (\$5,000.00) per year.

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

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

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

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

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

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

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

130       \* \* \*

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

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

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

140           (a) For counties having a total assessed valuation of  
141 less than Twenty Million Dollars (\$20,000,000.00), a salary of  
142 Twenty-five Thousand Eight Hundred Eighty-two Dollars  
143 (\$25,882.00);

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

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

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

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

160           (f) For counties having a total assessed valuation of  
161 at least Seventy-five Million Dollars (\$75,000,000.00), but less  
162 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a  
163 salary of Thirty-one Thousand Eight Hundred Ninety-three Dollars  
164 (\$31,893.00);

165           (g) For counties having a total assessed valuation of  
166 One Hundred Twenty-five Million Dollars (\$125,000,000.00), but  
167 less than Three Hundred Million Dollars (\$300,000,000.00), a

168 salary of Thirty-six Thousand Nine Hundred Three Dollars  
169 (\$36,903.00);

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

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

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

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

182 \* \* \* The annual salary for each sheriff shall be based upon  
183 the total population of his county according to the latest federal  
184 decennial census in the following categories and for the following  
185 amounts; however, no sheriff shall be paid less than the salary  
186 authorized under this section to be paid the sheriff based upon  
187 the population of the county according to the 1980 federal  
188 decennial census:

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

192 (b) For counties with a total population of more than  
193 one hundred thousand (100,000) and not more than two hundred  
194 thousand (200,000), a salary of Seventy-seven Thousand Dollars  
195 (\$77,000.00).

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

200 (d) For counties with a total population of more than  
201 thirty-four thousand (34,000) and not more than forty-five  
202 thousand (45,000), a salary of Sixty-six Thousand Dollars  
203 (\$66,000.00).

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

208 (f) For counties with a total population of more than  
209 fifteen thousand (15,000) and not more than twenty-five thousand  
210 (25,000), a salary of Fifty-five Thousand Dollars (\$55,000.00).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

298           (a) Hinds County has the greatest population of any  
299 county, two hundred fifty-four thousand four hundred forty-one  
300 (254,441) by the 1990 census, being almost one hundred thousand  
301 (100,000) more than the next most populous county;

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

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

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

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

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

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

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

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

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

327           (k) Hinds County has the largest criminal population in  
328 the state, such that the Hinds County Sheriff's Department  
329 operates the largest county jail system in the state, housing

330 almost one thousand (1,000) inmates in three (3) separate  
331 detention facilities;

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

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

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

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

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

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

362 (9) In addition to the salary provided in subsection (1) of  
363 this section, the Board of Supervisors of Greene County, in its  
364 discretion, may pay an annual supplement to the sheriff of the  
365 county in an amount not to exceed Ten Thousand Dollars  
366 (\$10,000.00). The Legislature finds and declares that the annual  
367 supplement authorized by this subsection is justified in such  
368 county for the following reasons:

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

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

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

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

391 (11) The salaries \* \* \* provided in this section shall be  
392 payable monthly on the first day of each calendar month by  
393 chancery clerk's warrant drawn on the general fund of the county;  
394 however, the board of supervisors, by resolution duly adopted and

395 entered on its minutes, may provide that such salaries shall be  
396 paid semimonthly on the first and fifteenth day of each month. If  
397 a pay date falls on a weekend or legal holiday, salary payments  
398 shall be made on the workday immediately preceding the weekend or  
399 legal holiday.

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

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

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

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

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

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

427 (e) In counties with a population of more than  
428 thirty-four thousand (34,000) but not more than forty-nine  
429 thousand (49,000), a salary of Thirty-one Thousand Seven Hundred  
430 Twenty-six Dollars (\$31,726.00).

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

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

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

443 (i) In counties with a population of more than twelve  
444 thousand (12,000) but not more than sixteen thousand five hundred  
445 (16,500), a salary of Twenty Thousand Thirty-eight Dollars  
446 (\$20,038.00).

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

450 (k) In counties with a population of eight thousand  
451 (8,000) or less, a salary of Thirteen Thousand Two Hundred Dollars  
452 (\$13,200.00).

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

460           In any county having a population greater than eight thousand  
461 (8,000) but less than eight thousand five hundred (8,500)  
462 according to the 1990 federal decennial census and in which U.S.  
463 Highway 61 and Mississippi Highway 4 intersect, the board of  
464 supervisors \* \* \*, in its discretion, may pay such justice court  
465 judges an additional amount not to exceed the sum of Eleven  
466 Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable  
467 beginning April 1, 1997.

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

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

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

492           (3) From and after January 1, 1984, all fees, costs, fines  
493 and penalties charged and collected in the justice court shall be  
494 paid to the clerk of the justice court for deposit, along with  
495 monies from cash bonds and other monies which have been forfeited  
496 in criminal cases, into the general fund of the county as provided  
497 in Section 9-11-19; and the clerk of the board of supervisors  
498 shall be authorized and empowered, upon approval by the board of  
499 supervisors, to make disbursements and withdrawals from the  
500 general fund of the county in order to pay any reasonable and  
501 necessary expenses incurred in complying with this section,  
502 including payment of the salaries of justice court judges as  
503 provided by subsection (1) of this section. The provisions of  
504 this subsection shall not, except as to cash bonds and other  
505 monies which have been forfeited in criminal cases, apply to  
506 monies required to be deposited in the justice court clerk  
507 clearing account as provided in Section 9-11-18, Mississippi Code  
508 of 1972.

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

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

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



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

526           41-61-59. (1) A person's death which affects the public  
527 interest as specified in subsection (2) of this section shall be  
528 promptly reported to the medical examiner by the physician in  
529 attendance, any hospital employee, any law enforcement officer  
530 having knowledge of the death, the embalmer or other funeral home  
531 employee, any emergency medical technician, any relative or any  
532 other person present. The appropriate medical examiner shall  
533 notify the municipal or state law enforcement agency or sheriff  
534 and take charge of the body. The appropriate medical examiner  
535 shall notify the Mississippi Bureau of Narcotics within  
536 twenty-four (24) hours of receipt of the body in cases of death as  
537 described in subsection (2)(m) or (n) of this section.

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

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

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

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

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

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

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

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

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

558 (i) Death of a person where the identity of the  
559 deceased is unknown.

560 (j) Death of a child under the age of two (2) years  
561 where death results from an unknown cause or where the  
562 circumstances surrounding the death indicate that sudden infant  
563 death syndrome may be the cause of death.

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

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

578 (m) Death which is caused by drug overdose or which is  
579 believed to be caused by drug overdose.

580 (n) When a stillborn fetus is delivered and the cause  
581 of the demise is medically believed to be from the use by the  
582 mother of any controlled substance as defined in Section  
583 41-29-105.

584 (3) The State Medical Examiner is empowered to investigate  
585 deaths, under the authority hereinafter conferred, in any and all  
586 political subdivisions of the state. The county medical examiners  
587 and county medical examiner investigators, while appointed for a  
588 specific county, may serve other counties on a regular basis with

589 written authorization by the State Medical Examiner, or may serve  
590 other counties on an as-needed basis upon the request of the  
591 ranking officer of the investigating law enforcement agency. The  
592 county medical examiner or county medical examiner investigator of  
593 any county which has established a regional medical examiner  
594 district under subsection (4) of Section 41-61-77 may serve other  
595 counties which are parties to the agreement establishing the  
596 district, in accordance with the terms of the agreement, and may  
597 contract with counties which are not part of the district to  
598 provide medical examiner services for such counties. If a death  
599 affecting the public interest takes place in a county other than  
600 the one where injuries or other substantial causal factors leading  
601 to the death have occurred, jurisdiction for investigation of the  
602 death may be transferred, by mutual agreement of the respective  
603 medical examiners of the counties involved, to the county where  
604 such injuries or other substantial causal factors occurred, and  
605 the costs of autopsy or other studies necessary to the further  
606 investigation of the death shall be borne by the county assuming  
607 jurisdiction.

608 (4) The chief county medical examiner or chief county  
609 medical examiner investigator may receive from the county in which  
610 he serves a salary of Eight Hundred Twenty-Five Dollars (\$825.00)  
611 per month, in addition to the fees specified in Sections 41-61-69  
612 and 41-61-75, provided that no county shall pay the chief county  
613 medical examiner or chief county medical examiner investigator  
614 less than One Hundred Dollars (\$100.00) per month as a salary, in  
615 addition to other compensation provided by law. In any county  
616 having one or more deputy medical examiners or deputy medical  
617 examiner investigators, each deputy may receive from the county in  
618 which he serves, in the discretion of the board of supervisors, a  
619 salary of not more than Eight Hundred Twenty-Five Dollars  
620 (\$825.00) per month, in addition to the fees specified in Sections  
621 41-61-69 and 41-61-75. For this salary the chief shall assure

622 twenty-four-hour daily and readily available death investigators  
623 for the county, and shall maintain copies of all medical examiner  
624 death investigations for the county for at least the previous five  
625 (5) years. He shall coordinate his office and duties and  
626 cooperate with the State Medical Examiner, and the State Medical  
627 Examiner shall cooperate with him.

628 (5) A body composed of the State Medical Examiner, whether  
629 appointed on a permanent or interim basis, the Director of the  
630 State Board of Health or his designee, the Attorney General or his  
631 designee, the President of the Mississippi Coroners' Association  
632 (or successor organization) or his designee, and a certified  
633 pathologist appointed by the Mississippi State Medical Association  
634 shall adopt, promulgate, amend and repeal rules and regulations as  
635 may be deemed necessary by them from time to time for the proper  
636 enforcement, interpretation and administration of Sections  
637 41-61-51 through 41-61-79, in accordance with the provisions of  
638 the Mississippi Administrative Procedures Law, being Section  
639 25-43-1 through 25-43-19.

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

642 9-13-19. (1) Court reporters for circuit and chancery  
643 courts shall be paid an annual salary of Forty-one Thousand Eight  
644 Hundred Dollars (\$41,800.00) payable by the Administrative Office  
645 of Courts. In addition, any court reporter performing the duties  
646 of a court administrator in the same judicial district in which  
647 the person is employed as a court reporter may be paid additional  
648 compensation for performing the court administrator duties. The  
649 annual amount of the additional compensation shall be set by vote  
650 of the judges and chancellors for whom the court administrator  
651 duties are performed, with consideration given to the number of  
652 hours per month devoted by the court reporter to performing the  
653 duties of a court administrator. The additional compensation

654 shall be submitted to the Administrative Office of Courts for  
655 approval.

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

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

678 (3) The salary and any additional compensation for the  
679 performance of court administrator duties shall be paid in twelve  
680 (12) installments on the last working day of each month after it  
681 has been duly authorized by the appointing judge or chancellor and  
682 an order duly placed on the minutes of the court. Each county  
683 shall transfer to the Administrative Office of Courts one-twelfth  
684 (1/12) of the amount required to be paid pursuant to subsection  
685 (2) of this section by the twentieth day of each month for the  
686 salary that is to be paid on the last working day of the month.

687 The Administrative Office of Courts shall pay to the court  
688 reporter the total amount of salary due for that month. Any  
689 county may pay, in the discretion of the board of supervisors, by  
690 the twentieth day of January of any year, the amount due for a  
691 full twelve (12) months.

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

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

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

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

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

710 19-25-31. Each judge of a circuit, chancery or county court,  
711 or a court of eminent domain may, in the judge's discretion, by  
712 order entered on the minutes of the court, allow the sheriff  
713 riding bailiffs to serve in the respective court of such judge,  
714 not to exceed four (4) bailiffs. Any such person so employed  
715 shall be paid by the county on allowances of the court on issuance  
716 of a warrant therefor in an amount of Sixty Dollars (\$60.00) for  
717 each day, or part thereof, for which he serves as bailiff when the  
718 court is in session. No full-time deputy sheriff shall be paid as

719 a riding bailiff of any court. County court judges shall be  
720 limited to one (1) bailiff per each court day.

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

723 25-11-125. The board of supervisors, in their discretion,  
724 may appropriate and include in its budget for public purposes a  
725 sufficient sum to pay the required employer contribution to the  
726 Public Employees' Retirement System for all fee-paid elected  
727 officials in judicial capacities of the county and supervisors  
728 districts, and for all circuit and chancery clerks of the county.

729 Such contributions shall be included by the clerk of the board in  
730 his regular reports and remittals to the Executive Secretary of  
731 the Public Employees' Retirement System for other county officers  
732 and regular county employees whose employer contributions are not  
733 included in and paid from the annual county budget.

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

736 9-11-2. (1) From and after January 1, 1984, there shall be  
737 a competent number of justice court judges in each county of the  
738 state. The number of justice court judges for each county shall  
739 be determined as follows:

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

743 (b) In counties with a population, according to the  
744 latest federal decennial census, of more than thirty-five thousand  
745 (35,000) and less than seventy thousand (70,000), there shall be  
746 three (3) justice court judges.

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

751           (d) In counties with a population, according to the  
752 latest federal decennial census, of one hundred fifty thousand  
753 (150,000) and more, there shall be five (5) justice court judges.

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

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

771           (4) Notwithstanding the foregoing provisions of this  
772 section, in any county whose justice court districts drawn  
773 pursuant to subsection (2) of this section are, on November 8,  
774 1983, being controverted in a court action or being reviewed  
775 pursuant to the procedure established by the Voting Rights Act of  
776 1965, as amended and extended, those justice court judges serving  
777 on such date shall continue to hold office until:

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

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



783       (5) The number of justice court judges shall not be reduced  
784 in any county as a result of a population decrease based upon the  
785 2000 federal decennial census.

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

788       19-19-2. The board of supervisors of each county shall  
789 establish single member election districts in the county for the  
790 election of each of the constables at the 1987 general election  
791 and for each general election thereafter. Such districts shall be  
792 of the same number and shall have the same boundaries as districts  
793 established for justice court judges pursuant to Section 9-11-2,  
794 Mississippi Code of 1972. The number of constables shall not be  
795 reduced in any county as a result of a population decrease based  
796 upon the 2000 federal decennial census.

797       **SECTION 11.** Section 25-3-5, Mississippi Code of 1972, which  
798 establishes the salaries of tax assessors and tax collectors in  
799 counties where the two offices have been separated, is repealed.

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

807       **SECTION 13.** This act shall take effect and be in force from  
808 and after January 1, 2005, if effectuated on or before that date  
809 under Section 5 of the Voting Rights Act of 1965, as amended and  
810 extended. If effectuated under Section 5 of the Voting Rights Act  
811 of 1965, as amended and extended, after January 1, 2005, this act  
812 shall take effect and be in force from and after the date  
813 effectuated under Section 5 of the Voting Rights Act of 1965, as  
814 amended and extended.