

By: Representative Ishee

To: Fees and Salaries of
Public Officers; County
Affairs

HOUSE BILL NO. 386

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE SALARIES OF SHERIFFS; AND FOR RELATED PURPOSES.

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

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

6 25-3-25. (1) Except as otherwise provided in subsections
7 (2) through (9), the salaries of sheriffs of the various counties
8 are * * * fixed as full compensation for their services.

9 * * * The annual salary for each sheriff shall be based upon
10 the total population of his county according to the latest federal
11 decennial census in the following categories and for the following
12 amounts; however, no sheriff shall be paid less than the salary
13 authorized under this section to be paid the sheriff based upon
14 the population of the county according to the 1980 federal
15 decennial census:

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

19 (b) For counties with a total population of more than
20 one hundred thousand (100,000) and not more than two hundred
21 thousand (200,000), a salary of Eighty-five Thousand Dollars
22 (\$85,000.00).

23 (c) For counties with a total population of more than
24 forty-five thousand (45,000) and not more than one hundred
25 thousand (100,000), a salary of Eighty Thousand Dollars
26 (\$80,000.00).



27 (d) For counties with a total population of more than
28 thirty-four thousand (34,000) and not more than forty-five
29 thousand (45,000), a salary of Seventy-five Thousand Dollars
30 (\$75,000.00).

31 (e) For counties with a total population of more than
32 twenty-five thousand (25,000) and not more than thirty-four
33 thousand (34,000), a salary of Sixty-seven Thousand Dollars
34 (\$67,000.00).

35 (f) For counties with a total population of more than
36 fifteen thousand (15,000) and not more than twenty-five thousand
37 (25,000), a salary of Sixty-five Thousand Dollars (\$65,000.00).

38 (g) For counties with a total population of more than
39 nine thousand five hundred (9,500) and not more than fifteen
40 thousand (15,000), a salary of Sixty-two Thousand Dollars
41 (\$62,000.00).

42 (h) For counties with a total population of more than
43 seven thousand five hundred (7,500) and not more than nine
44 thousand five hundred (9,500), a salary of Sixty Thousand Dollars
45 (\$60,000.00).

46 (i) For counties with a total population of not more
47 than seven thousand five hundred (7,500), a salary of Fifty-seven
48 Thousand Dollars (\$57,000.00).

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

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

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



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

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

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

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

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

75 (h) The dispatchers of the enhanced E-911 system in
76 place in Leflore County are under the direction and control of the
77 sheriff.

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

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

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

90 (c) Hudspeth Regional Center, a facility maintained for
91 the care and treatment of the mentally retarded, is located within
92 the county;



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

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

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

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

102 (h) The patrolling of the state properties located
103 within the county * * * imposes additional duties on the sheriff;
104 and

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

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

114 (5) In addition to the salary provided for in subsection (1)
115 of this section, the Board of Supervisors of Tunica County * * *,
116 in its discretion, may pay an annual supplement to the sheriff of
117 the county in an amount equal to Ten Thousand Dollars
118 (\$10,000.00) * * *.

119 (6) In addition to the salary provided for in subsection (1)
120 of this section, the Board of Supervisors of Hinds County shall
121 pay an annual supplement to the sheriff of the county in an amount
122 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature
123 finds and declares that the annual supplement authorized by this
124 subsection is justified in that county for the following reasons:



125 (a) Hinds County has the greatest population of any
126 county, two hundred fifty-four thousand four hundred forty-one
127 (254,441) by the 1990 census, being almost one hundred thousand
128 (100,000) more than the next most populous county;

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

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

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

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

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

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

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

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

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

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



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

159 (l) The Hinds County Sheriff's Department handles more
160 mental and drug and alcohol commitment cases than any other
161 sheriff's department in the state;

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

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

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

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

180 (8) In addition to the salary provided for in subsection (1)
181 of this section, the Board of Supervisors of Marshall County, in
182 its discretion, may pay an annual supplement to the sheriff of the
183 county in an amount not to exceed Ten Thousand Dollars
184 (\$10,000.00). The Legislature finds and declares that the annual
185 supplement authorized by this subsection is justified in that
186 county because the Mississippi Department of Corrections contracts
187 for the private incarceration of state inmates at a private
188 correctional facility within the county.



189 (9) In addition to the salary provided for in subsection (1)
190 of this section, the Board of Supervisors of Greene County, in its
191 discretion, may pay an annual supplement to the sheriff of the
192 county in an amount not to exceed Ten Thousand Dollars
193 (\$10,000.00). The Legislature finds and declares that the annual
194 supplement authorized by this subsection is justified in that
195 county for the following reasons:

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

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

203 (c) The patrolling of the state properties located
204 within the county * * * imposes additional duties on the sheriff
205 justifying additional compensation.

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

215 **SECTION 2.** The Attorney General of the State of Mississippi
216 shall submit this act, immediately upon approval by the Governor,
217 or upon approval by the Legislature subsequent to a veto, to the
218 Attorney General of the United States or to the United States
219 District Court for the District of Columbia in accordance with the
220 provisions of the Voting Rights Act of 1965, as amended and
221 extended.



222 **SECTION 3.** This act shall take effect and be in force from
223 and after October 1, 2004, if it is effectuated on or before that
224 date under Section 5 of the Voting Rights Act of 1965, as amended
225 and extended. If it is effectuated under Section 5 of the Voting
226 Rights Act of 1965, as amended and extended, after October 1,
227 2004, this act shall take effect and be in force from and after
228 the date it is effectuated under Section 5 of the Voting Rights
229 Act of 1965, as amended and extended.

