

By: Representatives Green, Cummings,
Hamilton (109th), West

To: Fees and Salaries of
Public Officers;
Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1429

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; TO AMEND SECTION 25-3-36, MISSISSIPPI CODE
8 OF 1972, TO INCREASE THE SALARIES OF JUSTICE COURT JUDGES; TO
9 AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE
10 SALARY ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS AND CHIEF
11 COUNTY MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 9-13-19,
12 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COURT
13 REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO
14 INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING BAILIFFS;
15 TO AMEND SECTION 25-7-27, MISSISSIPPI CODE OF 1972, TO REVISE THE
16 FEES CHARGED BY MARSHALS AND CONSTABLES; TO AMEND SECTION 25-7-13,
17 MISSISSIPPI CODE OF 1972, TO INCREASE THE CIRCUIT CLERK'S FEE FOR
18 EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM; TO AMEND
19 SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO REVISE THE FEES
20 CHARGED BY CHANCERY CLERKS; TO AMEND SECTION 9-1-43, MISSISSIPPI
21 CODE OF 1972, TO REVISE THE LIMIT ON COMPENSATION OF CHANCERY AND
22 CIRCUIT CLERKS; TO AMEND SECTION 27-105-343, MISSISSIPPI CODE OF
23 1972, TO INCREASE THE COMPENSATION OF CHANCERY CLERKS FOR THE
24 PERFORMANCE OF THEIR DUTIES AS COUNTY TREASURERS; TO AMEND SECTION
25 25-3-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF THE
26 COUNTY PROSECUTING ATTORNEYS; TO REPEAL SECTION 25-3-5,
27 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX
28 ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES
29 HAVE BEEN SEPARATED; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF
30 1972, TO REMOVE THE DATE OF REPEAL; TO AMEND SECTION 25-3-34,
31 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO
32 AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO INCREASE
33 MEDICAL EXAMINERS FEE FOR AN INVESTIGATION REPORT; AND FOR RELATED
34 PURPOSES.

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

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

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

44 gas as certified by the State Tax Commission under the provisions
45 of Sections 27-25-701 through 27-25-723.

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

54 (a) For counties having a total assessed valuation of
55 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
56 Eighty Thousand Dollars (\$80,000.00);

57 (b) For counties having a total assessed valuation of
58 at least One Billion Dollars (\$1,000,000,000.00), but less than
59 Two Billion Dollars (\$2,000,000,000.00), a salary of Seventy-five
60 Thousand Dollars (\$75,000.00);

61 (c) For counties having a total assessed valuation of
62 at least Five Hundred Million Dollars (\$500,000,000.00), but less
63 than One Billion Dollars (\$1,000,000,000.00), a salary of Seventy
64 Thousand Dollars (\$70,000.00);

65 (d) For counties having a total assessed valuation of
66 at least Two Hundred Fifty Million Dollars (\$250,000,000.00), but
67 less than Five Hundred Million Dollars (\$500,000,000.00), a salary
68 of Sixty-five Thousand Dollars (\$65,000.00);

69 (e) For counties having a total assessed valuation of
70 at least One Hundred Fifty Million Dollars (\$150,000,000.00), but
71 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a
72 salary of Fifty-six Thousand Dollars (\$56,000.00);

73 (f) For counties having a total assessed valuation of
74 at least Seventy-five Million Dollars (\$75,000,000.00), but less
75 than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary
76 of Fifty-two Thousand Five Hundred Dollars (\$52,500.00);

77 (g) For counties having a total assessed valuation of
78 at least Thirty-five Million Dollars (\$35,000,000.00), but less
79 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
80 Forty-eight Thousand Five Hundred Dollars (\$48,500.00);

81 (h) For counties having a total assessed valuation of
82 less than Thirty-five Million Dollars (\$35,000,000.00), a salary
83 of Forty-one Thousand Five Hundred Dollars (\$41,500.00).

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

88 (4) The annual salary established for * * * assessors and
89 tax collectors shall not be reduced as a result of a reduction in
90 total assessed valuation. The salaries shall be increased as a
91 result of an increase in total assessed valuation.

92 (5) In addition to all other compensation paid to assessors
93 and tax collectors in counties having two (2) judicial districts,
94 the board of supervisors shall pay such assessors and tax
95 collectors * * * an additional Three Thousand Five Hundred Dollars
96 (\$3,500.00) per year. In addition to all other compensation paid
97 to assessors or tax collectors, in counties maintaining two (2)
98 full-time offices, the board of supervisors shall pay the assessor
99 or tax collector * * * an additional Three Thousand Five Hundred
100 Dollars (\$3,500.00) per year.

101 (6) In addition to all other compensation paid to assessors
102 and tax collectors, the board of supervisors of a county shall
103 allow for such assessor or tax collector, or both, to be paid
104 additional compensation when there is a contract between the
105 county and one or more municipalities providing that the assessor
106 or tax collector, or both, shall assess * * * or collect taxes, or
107 both, for the municipality or municipalities; and such assessor or
108 tax collector, or both, shall be authorized to receive such
109 additional compensation from the county and/or the municipality or

110 municipalities in any amount allowed by the county and/or the
111 municipality or municipalities for performing those services.

112 (7) When any tax assessor holds a valid certificate of
113 educational recognition from the International Association of
114 Assessing Officers or is a licensed appraiser under Section
115 73-34-1 et seq., he shall receive an additional One Thousand Five
116 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
117 year after completion. When any tax assessor is a licensed state
118 certified Residential Appraiser (RA) or licensed state certified
119 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
120 any tax assessor holds a valid designation from the International
121 Association of Assessing Officers as a Cadastral Mapping
122 Specialist (CMS) or Personal Property Specialist (PPS) or
123 Residential Evaluation Specialist (RES), he shall receive an
124 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
125 beginning the next fiscal year after completion. When any tax
126 assessor holds the valid designation of Certified Assessment
127 Evaluator (CAE) from the International Association of Assessing
128 Officers or is a state certified General Real Estate Appraiser
129 (GA) under Section 73-34-1 et seq., he shall receive an additional
130 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
131 the next fiscal year after completion.

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

136 (9) The salaries * * * provided for in this section shall be
137 payable monthly on the first day of each calendar month by
138 chancery clerk's warrant drawn on the general fund of the county;
139 however, the board of supervisors, by resolution duly adopted and
140 entered on its minutes, may provide that such salaries shall be
141 paid semimonthly on the first and fifteenth day of each month. If
142 a pay date falls on a weekend or legal holiday, salary payments

143 shall be made on the workday immediately preceding the weekend or
144 legal holiday.

145 * * *

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

148 25-3-13. The salaries of the members of the boards of
149 supervisors of the various counties are * * * fixed as full
150 compensation for their services.

151 The annual salary of each member of the board of supervisors
152 shall be based upon the total assessed valuation of his respective
153 county for the preceding taxable year in the following categories
154 and for the following amounts:

155 (a) For counties having a total assessed valuation of
156 less than Thirty Million Dollars (\$30,000,000.00), a salary of
157 Twenty-nine Thousand Dollars (\$29,000.00);

158 (b) For counties having a total assessed valuation of
159 at least Thirty Million Dollars (\$30,000,000.00), but less than
160 Fifty Million Dollars (\$50,000,000.00), a salary of Thirty-two
161 Thousand Three Hundred Dollars (\$32,300.00);

162 (c) For counties having a total assessed valuation of
163 at least Fifty Million Dollars (\$50,000,000.00), but less than
164 Seventy-five Million Dollars (\$75,000,000.00), a salary of
165 Thirty-three Thousand Seven Hundred Dollars (\$33,700.00);

166 (d) For counties having a total assessed valuation of
167 at least Seventy-five Million Dollars (\$75,000,000.00), but less
168 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
169 salary of Thirty-four Thousand Seven Hundred Dollars (\$34,700.00);

170 (e) For counties having a total assessed valuation of
171 at least One Hundred Twenty-five Million Dollars
172 (\$125,000,000.00), but less than Three Hundred Million Dollars
173 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars
174 (\$40,400.00);

175 (f) For counties having a total assessed valuation of
176 at least Three Hundred Million Dollars (\$300,000,000.00), but less
177 than One Billion Dollars (\$1,000,000,000.00), a salary of
178 Forty-four Thousand Seven Hundred Dollars (\$44,700.00);

179 (g) For counties having a total assessed valuation of
180 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion
181 Dollars (\$2,000,000,000.00), a salary of Forty-five Thousand Seven
182 Hundred Dollars (\$45,700.00);

183 (h) For counties having a total assessed valuation of
184 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
185 Forty-six Thousand Seven Hundred Dollars (\$46,700.00).

186 The salary of the members of the board of supervisors shall
187 not be increased under this section until the board of supervisors
188 shall have passed a resolution stating the amount of the increase
189 and spread it on its minutes.

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

192 25-3-25. (1) Except as otherwise provided in subsections
193 (2) through (9), the salaries of sheriffs of the various counties
194 are * * * fixed as full compensation for their services.

195 From and after October 1, 1998, the annual salary for each
196 sheriff shall be based upon the total population of his county
197 according to the latest federal decennial census in the following
198 categories and for the following amounts; however, no sheriff
199 shall be paid less than the salary authorized under this section
200 to be paid the sheriff based upon the population of the county
201 according to the 1980 federal decennial census:

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

205 (b) For counties with a total population of more than
206 one hundred thousand (100,000) and not more than two hundred

207 thousand (200,000), a salary of Eighty-four Thousand Dollars
208 (\$84,000.00).

209 (c) For counties with a total population of more than
210 forty-five thousand (45,000) and not more than one hundred
211 thousand (100,000), a salary of Seventy-eight Thousand Dollars
212 (\$78,000.00).

213 (d) For counties with a total population of more than
214 thirty-four thousand (34,000) and not more than forty-five
215 thousand (45,000), a salary of Seventy-two Thousand Dollars
216 (\$72,000.00).

217 (e) For counties with a total population of * * * not
218 more than thirty-four thousand (34,000), a salary of Sixty-five
219 Thousand Dollars (\$65,000.00).

220 * * *

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

326 (k) Hinds County has the largest criminal population in
327 the state, such that the Hinds County Sheriff's Department
328 operates the largest county jail system in the state, housing
329 almost one thousand (1,000) inmates in three (3) separate
330 detention facilities;

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

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

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

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

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

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

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

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

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

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

378 (10) In addition to the salary provided for in subsection
379 (1) of this section, the Board of Supervisors of Tallahatchie
380 County, in its discretion, may pay an annual supplement to the
381 sheriff of the county in an amount not to exceed Ten Thousand
382 Dollars (\$10,000.00). The Legislature finds and declares that the
383 annual supplement authorized by this subsection is justified in
384 such county for the following reasons:

385 (a) The number of inmates in its correctional facility
386 has increased; and

387 (b) The population of the county has increased.

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

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

399 25-3-36. (1) * * * Every justice court judge shall receive
400 as full compensation for his or her services and in lieu of any

401 and all other fees, costs or compensation heretofore authorized
402 for such justice court judge, an annual salary based upon the
403 number of justice court judges authorized pursuant to Section
404 9-11-2(1). The amount of which salary shall be determined as
405 follows:

406 (a) In counties in which the number of justice court
407 judges authorized pursuant to Section 9-11-2(1) is two (2), a
408 salary of Thirty-five Thousand Dollars (\$35,000.00).

409 (b) In counties in which the number of justice court
410 judges authorized pursuant to Section 9-11-2(1) is three (3), a
411 salary of Forty-one Thousand Dollars (\$41,000.00).

412 (c) In counties in which the number of justice court
413 judges authorized pursuant to Section 9-11-2(1) is four (4), a
414 salary of Forty-seven Thousand Dollars (\$47,000.00).

415 (d) In counties in which the number of justice court
416 judges authorized pursuant to Section 9-11-2(1) is five (5), a
417 salary of Fifty-three Thousand Dollars (\$53,000.00).

418 * * *

419 The board of supervisors of any county having two (2)
420 judicial districts and two (2) justice court judges for the county
421 shall pay the justice court judges an amount equal to that
422 hereinabove provided for judges in the next higher * * * category
423 per year, if the justice court judge maintains regular office
424 hours and are personally present in the office they maintain for
425 at least thirty (30) hours per week. In any county having a
426 population greater than eight thousand (8,000) but less than eight
427 thousand five hundred (8,500) according to the 1990 federal
428 decennial census and in which U.S. Highway 61 and Mississippi
429 Highway 4 intersect, the board of supervisors may, in its
430 discretion, pay such justice court judges an additional amount not
431 to exceed the sum of Eleven Thousand Five Hundred Fifty Dollars
432 (\$11,550.00) per year, payable beginning April 1, 1997.

433 In any county having a population greater than ten thousand
434 (10,000) but less than ten thousand five hundred (10,500)
435 according to the 1990 federal decennial census and in which
436 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
437 board of supervisors may, in its discretion, pay such justice
438 court judges an additional amount not to exceed One Thousand Four
439 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning
440 April 1, 1997. In any county having a population greater than
441 twenty-four thousand seven hundred (24,700) and less than
442 twenty-four thousand nine hundred (24,900), according to the 1990
443 federal census, wherein Mississippi Highways 15 and 16 intersect,
444 the board of supervisors shall pay such justice court judge an
445 additional amount equal to Two Thousand Five Hundred Dollars
446 (\$2,500.00) per year.

447 (2) Notwithstanding the provisions of subsection (1) of this
448 section, in the event that the number of justice court judges
449 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
450 the provisions of Section 9-11-2(4), the aggregate of the salaries
451 paid to the justice court judges of such a county shall not exceed
452 the amount sufficient to pay the number of justice court judges
453 authorized pursuant to Section 9-11-2(1) and such amount shall be
454 equally divided among those justice court judges continuing to
455 hold office under the provisions of Section 9-11-2(4).

456 (3) From and after January 1, 1984, all fees, costs, fines
457 and penalties charged and collected in the justice court shall be
458 paid to the clerk of the justice court for deposit, along with
459 monies from cash bonds and other monies which have been forfeited
460 in criminal cases, into the general fund of the county as provided
461 in Section 9-11-19; and the clerk of the board of supervisors
462 shall be authorized and empowered, upon approval by the board of
463 supervisors, to make disbursements and withdrawals from the
464 general fund of the county in order to pay any reasonable and
465 necessary expenses incurred in complying with this section,

466 including payment of the salaries of justice court judges as
467 provided by subsection (1) of this section. The provisions of
468 this subsection shall not, except as to cash bonds and other
469 monies which have been forfeited in criminal cases, apply to
470 monies required to be deposited in the justice court clerk
471 clearing account as provided in Section 9-11-18, Mississippi Code
472 of 1972.

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

481 (5) * * * The salary of a justice court judge shall not be
482 reduced during his term of office as a result of a population
483 change following a federal decennial census or as a result of the
484 number of justice court judges authorized pursuant to Section
485 9-11-2(1).

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

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

492 41-61-59. (1) A person's death which affects the public
493 interest as specified in subsection (2) of this section shall be
494 promptly reported to the medical examiner by the physician in
495 attendance, any hospital employee, any law enforcement officer
496 having knowledge of the death, the embalmer or other funeral home
497 employee, any emergency medical technician, any relative or any
498 other person present. The appropriate medical examiner shall

499 notify the municipal or state law enforcement agency or sheriff
500 and take charge of the body. The appropriate medical examiner
501 shall notify the Mississippi Bureau of Narcotics within
502 twenty-four (24) hours of receipt of the body in cases of death as
503 described in subsection (2)(m) or (n) of this section.

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

506 (a) Violent death, including homicidal, suicidal or
507 accidental death.

508 (b) Death caused by thermal, chemical, electrical or
509 radiation injury.

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

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

514 (e) Death that has occurred unexpectedly or from an
515 unexplained cause.

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

518 (g) Death of a person where a physician was not in
519 attendance within thirty-six (36) hours preceding death, or in
520 prediagnosed terminal or bedfast cases, within thirty (30) days
521 preceding death.

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

524 (i) Death of a person where the identity of the
525 deceased is unknown.

526 (j) Death of a child under the age of two (2) years
527 where death results from an unknown cause or where the
528 circumstances surrounding the death indicate that sudden infant
529 death syndrome may be the cause of death.

530 (k) Where a body is brought into this state for
531 disposal and there is reason to believe either that the death was

532 not investigated properly or that there is not an adequate
533 certificate of death.

534 (1) Where a person is presented to a hospital emergency
535 room unconscious and/or unresponsive, with cardiopulmonary
536 resuscitative measures being performed, and dies within
537 twenty-four (24) hours of admission without regaining
538 consciousness or responsiveness, unless a physician was in
539 attendance within thirty-six (36) hours preceding presentation to
540 the hospital, or in cases in which the decedent had a prediagnosed
541 terminal or bedfast condition, unless a physician was in
542 attendance within thirty (30) days preceding presentation to the
543 hospital.

544 (m) Death which is caused by drug overdose or which is
545 believed to be caused by drug overdose, regardless of the length
546 of stay in any medical facility.

547 (n) When a stillborn fetus is delivered and the cause
548 of the demise is medically believed to be from the use by the
549 mother of any controlled substance as defined in Section
550 41-29-105.

551 (3) The State Medical Examiner is empowered to investigate
552 deaths, under the authority hereinafter conferred, in any and all
553 political subdivisions of the state. The county medical examiners
554 and county medical examiner investigators, while appointed for a
555 specific county, may serve other counties on a regular basis with
556 written authorization by the State Medical Examiner, or may serve
557 other counties on an as-needed basis upon the request of the
558 ranking officer of the investigating law enforcement agency. The
559 county medical examiner or county medical examiner investigator of
560 any county which has established a regional medical examiner
561 district under subsection (4) of Section 41-61-77 may serve other
562 counties which are parties to the agreement establishing the
563 district, in accordance with the terms of the agreement, and may
564 contract with counties which are not part of the district to

565 provide medical examiner services for such counties. If a death
566 affecting the public interest takes place in a county other than
567 the one where injuries or other substantial causal factors leading
568 to the death have occurred, jurisdiction for investigation of the
569 death may be transferred, by mutual agreement of the respective
570 medical examiners of the counties involved, to the county where
571 such injuries or other substantial causal factors occurred, and
572 the costs of autopsy or other studies necessary to the further
573 investigation of the death shall be borne by the county assuming
574 jurisdiction.

575 (4) The chief county medical examiner or chief county
576 medical examiner investigator may receive from the county in which
577 he serves a salary of Nine Hundred Dollars (\$900.00) per month, in
578 addition to the fees specified in Sections 41-61-69 and 41-61-75,
579 provided that no county shall pay the chief county medical
580 examiner or chief county medical examiner investigator less than
581 One Hundred Dollars (\$100.00) per month as a salary, in addition
582 to other compensation provided by law. In any county having one
583 or more deputy medical examiners or deputy medical examiner
584 investigators, each deputy may receive from the county in which he
585 serves, in the discretion of the board of supervisors, a salary of
586 not more than Nine Hundred Dollars (\$900.00) per month, in
587 addition to the fees specified in Sections 41-61-69 and 41-61-75.
588 For this salary the chief shall assure twenty-four-hour daily and
589 readily available death investigators for the county, and shall
590 maintain copies of all medical examiner death investigations for
591 the county for at least the previous five (5) years. He shall
592 coordinate his office and duties and cooperate with the State
593 Medical Examiner, and the State Medical Examiner shall cooperate
594 with him.

595 (5) A body composed of the State Medical Examiner, whether
596 appointed on a permanent or interim basis, the Director of the
597 State Board of Health or his designee, the Attorney General or his

598 designee, the President of the Mississippi Coroners' Association
599 (or successor organization) or his designee, and a certified
600 pathologist appointed by the Mississippi State Medical Association
601 shall adopt, promulgate, amend and repeal rules and regulations as
602 may be deemed necessary by them from time to time for the proper
603 enforcement, interpretation and administration of Sections
604 41-61-51 through 41-61-79, in accordance with the provisions of
605 the Mississippi Administrative Procedures Law, being Section
606 25-43-1 et seq.

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

609 9-13-19. (1) Court reporters for circuit and chancery
610 courts shall be paid an annual salary * * * payable by the
611 Administrative Office of Courts not to exceed Forty Thousand
612 Dollars (\$40,000.00) for court reporters with five (5) years
613 experience or less; not to exceed Forty-three Thousand Dollars
614 (\$43,000.00) for court reporters who have more than five (5) years
615 experience but less than ten (10) years; and not to exceed
616 Forty-five Thousand Six Hundred Dollars (\$45,600.00) for court
617 reporters who have ten (10) years or more experience. In
618 addition, any court reporter performing the duties of a court
619 administrator in the same judicial district in which the person is
620 employed as a court reporter may be paid additional compensation
621 for performing the court administrator duties. The annual amount
622 of the additional compensation shall be set by vote of the judges
623 and chancellors for whom the court administrator duties are
624 performed, with consideration given to the number of hours per
625 month devoted by the court reporter to performing the duties of a
626 court administrator. The additional compensation shall be
627 submitted to the Administrative Office of Courts for approval.

628 (2) The several counties in each respective court district
629 shall transfer from the general funds of those county treasuries
630 to the Administrative Office of Courts a proportionate amount to

631 be paid toward the annual compensation of the court reporter,
632 including any additional compensation paid for the performance of
633 court administrator duties. The amount to be paid by each county
634 shall be determined by the number of weeks in which court is held
635 in each county in proportion to the total number of weeks court is
636 held in the district. For purposes of this section, the term
637 "compensation" means the gross salary plus all amounts paid for
638 benefits, or otherwise, as a result of employment or as required
639 by employment, but does not include transcript fees otherwise
640 authorized to be paid by or through the counties. However, only
641 salary earned for services rendered shall be reported and credited
642 for retirement purposes. Amounts paid for transcript fees,
643 benefits or otherwise, including reimbursement for travel
644 expenses, shall not be reported or credited for retirement
645 purposes.

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

650 (3) The salary and any additional compensation for the
651 performance of court administrator duties shall be paid in twelve
652 (12) installments on the last working day of each month after it
653 has been duly authorized by the appointing judge or chancellor and
654 an order duly placed on the minutes of the court. Each county
655 shall transfer to the Administrative Office of Courts one-twelfth
656 (1/12) of the amount required to be paid pursuant to subsection
657 (2) of this section by the twentieth day of each month for the
658 salary that is to be paid on the last working day of the month.
659 The Administrative Office of Courts shall pay to the court
660 reporter the total amount of salary due for that month. Any
661 county may pay, in the discretion of the board of supervisors, by
662 the twentieth day of January of any year, the amount due for a
663 full twelve (12) months.

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

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

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

672 (7) For all travel required in the performance of official
673 duties, the circuit or chancery court reporter shall be paid
674 mileage by the county in which the duties were performed at the
675 same rate as provided for state employees in Section 25-3-41. The
676 court reporter shall file in the office of the clerk of the court
677 which he serves a certificate of mileage expense incurred during
678 that term and payment of such expense to the court reporter shall
679 be paid on allowance by the judge of such court.

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

682 19-25-31. Each judge of a circuit, chancery or county court,
683 or a court of eminent domain may, in the judge's discretion, by
684 order entered on the minutes of the court, allow the sheriff
685 riding bailiffs to serve in the respective court of such judge,
686 not to exceed four (4) bailiffs. Any such person so employed
687 shall be paid by the county on allowances of the court on issuance
688 of a warrant therefor in an amount of Fifty-five Dollars (\$55.00)
689 for each day, or part thereof, for which he serves as bailiff when
690 the court is in session. No full-time deputy sheriff shall be
691 paid as a riding bailiff of any court. County court judges shall
692 be limited to one (1) bailiff per each court day.

693 **SECTION 8.** Section 25-7-27, Mississippi Code of 1972, is
694 amended as follows:

695 25-7-27. (1) Marshals and constables shall charge the
696 following fees:

697 (a) (i) A uniform total fee in all civil cases, * * *
698 whether contested or uncontested, which shall include all services
699 in connection therewith, except as * * * stated otherwise in this
700 section, each..... \$25.00

701 (ii) A uniform total fee in all criminal cases,
702 whether contested or uncontested, which shall include all services
703 in connection therewith, except as stated otherwise in this
704 section, each..... \$35.00

705 (iii) * * * In all cases where there is more than
706 one (1) defendant, for service on each additional defendant \$ 5.00

707 (iv) * * * When a complaining party has provided
708 erroneous information to the clerk of the court relating to the
709 service of process on the defendant or defendants and process
710 cannot be served after diligent search and inquiry, the uniform
711 fee shall be assessed upon subsequent successful service and an
712 additional fee shall be due in the following amount..... \$15.00

713 (b) * * * After final judgment has been enrolled,
714 further proceedings involving levy of execution on judgments, and
715 attachment and garnishment proceedings shall be a new suit for
716 which the marshal or constable shall be entitled to the following
717 fee..... \$25.00

718 (c) For conveying a person charged with a crime to
719 jail, mileage reimbursement in an amount not to exceed the rate
720 established under Section 25-3-41(2).

721 To be paid out of the county treasury on the allowance of the
722 board of supervisors, when the state fails in the prosecution, or
723 the person is convicted but is not able to pay the costs.

724 (d) For other service, the same fees allowed sheriffs
725 for similar services.

726 (e) For service as a bailiff in any court in a civil
727 case, to be paid by the county on allowance of the court on
728 issuance of a warrant therefor, an amount equal to the per diem
729 compensation provided under Section 25-3-69 for each day, or part

730 thereof, for which he serves as bailiff when the court is in
731 session.

732 (f) For serving all warrants and other process and
733 attending all trials in state cases in which the state fails in
734 the prosecution, to be paid out of the county treasury on the
735 allowance of the board of supervisors without itemization,
736 subject, however, to the condition that the marshal or constable
737 must not have overcharged in the collection of fees for costs,
738 contrary to the provisions of this section, annually * * *
739 \$1,800.00

740 (2) Marshals and constables shall be paid all uncollected
741 fees levied under subsection (1) of this section in full from the
742 first proceeds received by the court from the guilty party or from
743 any other source of payment in connection with the case.

744 (3) In addition to the fees authorized to be paid to a
745 constable under subsection (1) of this section, a constable may
746 receive payments for collecting delinquent criminal fines in
747 justice court pursuant to the provisions of Section 19-3-41(3).

748 **SECTION 9.** Section 25-7-13, Mississippi Code of 1972, is
749 amended as follows:

750 25-7-13. (1) The clerks of the circuit court shall charge
751 the following fees:

752 (a) Docketing, filing, marking and registering each
753 complaint, petition and indictment..... \$75.00

754 The fee set forth in this paragraph shall be the total fee
755 for all services performed by the clerk up to and including entry
756 of judgment with respect to each complaint, petition or
757 indictment, including all answers, claims, orders, continuances
758 and other papers filed therein, issuing each writ, summons,
759 subpoena or other such instruments, swearing witnesses, taking and
760 recording bonds and pleas, and recording judgments, orders, fiats
761 and certificates; the fee shall be payable upon filing and shall
762 accrue to the clerk at the time of collection. The clerk or his

763 successor in office shall perform all duties set forth above
764 without additional compensation or fee.

765 (b) Docketing and filing each suggestion for a writ of
766 garnishment, suggestion for a writ of execution and judgment
767 debtor actions and issuing all process, filing and recording
768 orders or other papers and swearing witnesses..... \$30.00

769 (2) Except as provided in subsection (1) of this section,
770 the clerks of the circuit court shall charge the following fees:

771 (a) Filing and marking each order or other paper and
772 recording and indexing same..... \$ 2.00

773 (b) Issuing each writ, summons, subpoena, citation,
774 capias and other such instruments..... \$ 1.00

775 (c) Administering an oath and taking bond..... \$ 2.00

776 (d) Certifying copies of filed documents, for each
777 complete document..... \$ 1.00

778 (e) Recording orders, fiats, licenses, certificates,
779 oaths and bonds:

780 First page..... \$ 2.00

781 Each additional page..... \$ 1.00

782 (f) Furnishing copies of any papers of record or on
783 file and entering marginal notations on documents of record:

784 If performed by the clerk or his employee,
785 per page..... \$ 1.00

786 If performed by any other person, per page.. \$.25

787 (g) Judgment roll entry..... \$ 5.00

788 (h) Taxing cost and certificate..... \$ 1.00

789 (i) For taking and recording application for marriage
790 license, for filing and recording consent of parents when required
791 by law, for filing and recording medical certificate, filing and
792 recording proof of age, recording and issuing license, recording
793 and filing returns..... \$20.00

794 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee
795 collected for a marriage license in the Victims of Domestic

796 Violence Fund established in Section 93-21-117, on a monthly
797 basis.

798 (j) For certified copy of marriage license and search
799 of record, the same fee charged by the Bureau of Vital Statistics
800 of the State Board of Health.

801 (k) For public service not particularly provided for,
802 the circuit court may allow the clerk, per annum, to be paid by
803 the county on presentation of the circuit court's order, the
804 following amount..... \$6,500.00

805 However, in the counties having two (2) judicial districts,
806 such above allowance shall be made for each judicial district.

807 (l) For drawing jurors and issuing venire, to be paid
808 by the county..... \$ 5.00

809 (m) For each day's attendance upon the circuit court
810 term, for himself and necessary deputies allowed by the court,
811 each to be paid by the county:

812 (i) For those clerks whose compensation is not
813 equal to the salary limitation provided in Section 91-1-43
814 \$ 50.00

815 (ii) For those clerks whose compensation is equal
816 to the salary limitation provided in Section 9-1-43..... \$ 30.00

817 (n) Summons, each juror to be paid by the county upon
818 the allowance of the court..... \$ 1.00

819 (o) For issuing each grand jury subpoena, to be paid by
820 the county on allowance by the court, not to exceed Twenty-five
821 Dollars (\$25.00) in any one (1) term of court..... \$ 1.00

822 (3) On order of the court, clerks and deputies may be
823 allowed five (5) extra days for attendance upon the court to get
824 up records.

825 (4) The clerk's fees in state cases where the state fails in
826 the prosecution, or in cases of felony where the defendant is
827 convicted and the cost cannot be made out of his estate, in an
828 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)

829 year, shall be paid out of the county treasury on approval of the
830 circuit court, and the allowance thereof by the board of
831 supervisors of the county. In counties having two (2) judicial
832 districts, such allowance shall be made in each judicial district;
833 however, the maximum thereof shall not exceed Eight Hundred
834 Dollars (\$800.00). Clerks in the circuit court, in cases where
835 appeals are taken in criminal cases and no appeal bond is filed,
836 shall be allowed by the board of supervisors of the county after
837 approval of their accounts by the circuit court, in addition to
838 the above fees, for making such transcript the rate of Two Dollars
839 (\$2.00) per page.

840 (5) The clerk of the circuit court may retain as his
841 commission on all money coming into his hands, by law or order of
842 the court, a sum to be fixed by the court not exceeding one-half
843 of one percent (1/2 of 1%) on all such sums.

844 (6) For making final records required by law, including, but
845 not limited to, circuit and county court minutes, and furnishing
846 transcripts of records, the circuit clerk shall charge Two Dollars
847 (\$2.00) per page. The same fees shall be allowed to all officers
848 for making and certifying copies of records or papers which they
849 are authorized to copy and certify.

850 (7) The circuit clerk shall prepare an itemized statement of
851 fees for services performed, cost incurred, or for furnishing
852 copies of any papers of record or on file, and shall submit the
853 statement to the parties or, if represented, to their attorneys
854 within sixty (60) days. A bill for same shall accompany the
855 statement.

856 **SECTION 10.** Section 25-7-9, Mississippi Code of 1972, is
857 amended as follows:

858 25-7-9. (1) The clerks of the chancery courts shall charge
859 the following fees:

860 (a) For the act of certifying copies of filed
861 documents, for each complete document..... \$ 1.00

862	(b) Recording deeds, wills, leases, amendments,	
863	subordinations, liens, releases, cancellations, orders, decrees,	
864	oaths, etc., including indexing; <u>for the first fifteen (15) pages</u>	
865	<u>10.00</u>
866	<u>Each additional page</u>	<u>1.00</u>
867	Sectional index entries per section or subdivision....	1.00
868	(c) Recording deeds of trust, <u>for the first fifteen</u>	
869	<u>(15) pages</u>	<u>15.00</u>
870	<u>Each additional page</u>	<u>1.00</u>
871	Sectional index entries per section or subdivision....	1.00
872	(d) * * * Recording oil and gas leases, <u>cancellations,</u>	
873	<u>assignments, etc., including indexing in general indices; for the</u>	
874	<u>first fifteen (15) pages</u>	<u>18.00</u>
875	<u>Each additional page</u>	<u>1.00</u>
876	Sectional index entries per section or subdivision....	1.00
877	* * *	
878	(e) Furnishing copies of any papers of record or on	
879	file and entering marginal notations on documents of record:	
880	If performed by the clerk or his employee, per page.	.50
881	If performed by any other person, per page.....	.25
882	(f) For each day's attendance on the board of	
883	supervisors, for himself and one (1) deputy, each.....	20.00
884	(g) For other services as clerk of the board of	
885	supervisors an allowance shall be made * * * (payable semiannually	
886	at the July and January meetings) out of the county treasury, an	
887	annual sum not exceeding.....	<u>3,000.00</u>
888	(h) For each day's attendance on the chancery court, to	
889	be approved by the chancellor:	
890	For the first chancellor sitting only, clerk and two (2)	
891	deputies, each.....	30.00
892	For the second chancellor sitting, clerk only.....	30.00

893 Provided that the fees herein prescribed shall be the total
894 remuneration for the clerk and his deputies for attending chancery
895 court.

896 (i) On order of the court, clerks and not more than two
897 (2) deputies may be allowed five (5) extra days for each term of
898 court for attendance upon the court to get up records.

899 (j) For public service not otherwise specifically
900 provided for, the chancery court may by order allow the clerk to
901 be paid by the county on the order of the board of supervisors, an
902 annual sum not exceeding..... 5,000.00

903 The chancery clerk shall itemize on the original document a
904 detailed fee bill of all charges due or paid for filing, recording
905 and abstracting same. No person shall be required to pay such
906 fees until same have been so itemized, but said fees may be
907 demanded before the document is recorded.

908 (2) In accordance with Uniform Chancery Court Rule 9.01 as
909 approved by Order of the Mississippi Supreme Court, the following
910 fees shall be a total fee for all services performed by the clerk
911 with respect to a complaint which shall be payable upon filing and
912 shall accrue to the chancery clerk at the time of filing. The
913 clerk or his successor in office shall perform all duties set
914 forth without additional compensation or fee to wit:

- 915 (a) Divorce to be contested..... \$75.00
- 916 (b) Divorce uncontested..... 30.00
- 917 (c) Alteration of birth or marriage certificate. 25.00
- 918 (d) Removal of minority..... 25.00
- 919 (e) Guardianship or conservatorship..... 75.00
- 920 (f) Estate of deceased, intestate..... 75.00
- 921 (g) Estate of deceased, testate..... 75.00
- 922 (h) Adoption..... 75.00
- 923 (i) Land dispute..... 75.00
- 924 (j) Injunction..... 75.00
- 925 (k) Settlement of small claim..... 30.00

926	(l) Contempt in child support.....	75.00
927	(m) Partition suit.....	75.00
928	(n) Any cross-complaint.....	25.00

929 Cost of process shall be borne by the issuing party.
930 Additionally, should the attorney or person filing the pleadings
931 desire the clerk to pay the cost to the sheriff for serving
932 process on one person or more, or to pay the cost of publication,
933 the clerk shall demand the actual charges therefor, at the time of
934 filing.

935 **SECTION 11.** Section 9-1-43, Mississippi Code of 1972, is
936 amended as follows:

937 9-1-43. (1) After making deductions for employee salaries
938 and related salary expenses, and expenses allowed as deductions by
939 Schedule C of the Internal Revenue Code, no office of the chancery
940 clerk or circuit clerk of any county in the state shall receive
941 fees as compensation for the chancery clerk's or circuit clerk's
942 services in excess of Ninety Thousand Dollars (\$90,000.00). All
943 such fees received by the office of chancery or circuit clerks
944 that are in excess of the salary limitation shall be deposited by
945 such clerk into the county general fund on or before April 15 for
946 the preceding calendar year. If the chancery clerk or circuit
947 clerk serves less than one (1) year, then he shall not receive as
948 compensation any fees in excess of that portion of the salary
949 limitation that can be attributed to his time in office on a pro
950 rata basis. Upon leaving office, income earned by any clerk in
951 his last full year of office but not received until after his last
952 full year of office shall not be included in determining the
953 salary limitation of the successor clerk. There shall be exempted
954 from the provisions of this subsection any monies or commissions
955 from private or governmental sources which: (a) are to be held by
956 the chancery or circuit clerk in a trust or custodial capacity as
957 prescribed in subsections (4) and (5); or (b) are received as
958 compensation for services performed upon order of a court or board

959 of supervisors which are not required of the chancery clerk or
960 circuit clerk by statute.

961 (2) It shall be unlawful for any chancery clerk or circuit
962 clerk to use fees in excess of Ninety Thousand Dollars
963 (\$90,000.00), to pay the salaries or actual or necessary expenses
964 of employees who are related to such clerk by blood or marriage
965 within the first degree of kinship according to the civil law
966 method of computing kinship as provided in Sections 1-3-71 and
967 1-3-73. However, the prohibition of this subsection shall not
968 apply to any individual who was an employee of the clerk's office
969 prior to the date his or her relative was elected as chancery or
970 circuit clerk. The spouse and/or any children of the chancery
971 clerk or circuit clerk employed in the office of the chancery
972 clerk may be paid a salary; however, the combined annual salaries
973 of the clerk, spouse and any child of the clerk may not exceed an
974 amount equal to the salary limitation.

975 (3) The chancery clerk and the circuit clerk shall be liable
976 on their official bond for the proper deposit and accounting of
977 all monies received by his office. The State Auditor shall
978 promulgate uniform accounting methods for the accounting of all
979 sources of income by the offices of the chancery and circuit
980 clerk.

981 (4) There is created in the county depository of each county
982 a clearing account to be designated as the "chancery court clerk
983 clearing account," into which shall be deposited: (a) all such
984 monies as the clerk of the chancery court shall receive from any
985 person complying with any writ of garnishment, attachment,
986 execution or other like process authorized by law for the
987 enforcement of child support, spousal support or any other
988 judgment; (b) any portion of any fees required by law to be
989 collected in civil cases which are to pay for the service of
990 process or writs in another county; and (c) any other money as
991 shall be deposited with the court which by its nature is not, at

992 the time of its deposit, public monies, but which is to be held by
993 the court in a trust or custodial capacity in a case or proceeding
994 before the court. The clerk of the chancery court shall account
995 for all monies deposited in and disbursed from such account and
996 shall be authorized and empowered to draw and issue checks on such
997 account at such times, in such amounts and to such persons as
998 shall be proper and in accordance with law.

999 The following monies paid to the chancery clerk shall be
1000 subject to the salary limitation prescribed under subsection (1):
1001 (a) all fees required by law to be collected for the filing,
1002 recording or abstracting of any bill, petition, pleading or decree
1003 in any civil case in chancery; (b) all fees collected for land
1004 recordings, charters, notary bonds, certification of decrees and
1005 copies of any documents; (c) all land redemption and mineral
1006 documentary stamp commissions; and (d) any other monies or
1007 commissions from private or governmental sources for statutory
1008 functions which are not to be held by the court in a trust
1009 capacity. Such fees as shall exceed the salary limitations shall
1010 be maintained in a bank account in the county depository and
1011 accounted for separately from those monies paid into the chancery
1012 court clerk clearing account.

1013 (5) There is created in the county depository in each county
1014 a clearing account to be designated as the "circuit court clerk
1015 civil clearing account," into which shall be deposited: (a) all
1016 such monies and fees as the clerk of the circuit court shall
1017 receive from any person complying with any writ of garnishment,
1018 attachment, execution or any other like process authorized by law
1019 for the enforcement of a judgment; (b) any portion of any fees
1020 required by law or court order to be collected in civil cases;
1021 (c) all fees collected for the issuance of marriage licenses; and
1022 (d) any other money as shall be deposited with the court which by
1023 its nature is not, at the time of its deposit, public monies but

1024 which is to be held by the court in a trust or custodial capacity
1025 in a case or proceeding before the court.

1026 There is created in the county depository in each county a
1027 clearing account to be designated as the "circuit court clerk
1028 criminal clearing account," into which shall be deposited: (a)
1029 all such monies as are received in criminal cases in the circuit
1030 court pursuant to any order requiring payment as restitution to
1031 the victims of criminal offenses; (b) any portion of any fees and
1032 fines required by law or court order to be collected in criminal
1033 cases; and (c) all cash bonds as shall be deposited with the
1034 court. The clerk of the circuit court shall account for all
1035 monies deposited in and disbursed from such account and shall be
1036 authorized and empowered to draw and issue checks on such account,
1037 at such times, in such amounts and to such persons as shall be
1038 proper and in accordance with law; however, such monies as are
1039 forfeited in criminal cases shall be paid by the clerk of the
1040 circuit court to the clerk of the board of supervisors for deposit
1041 in the general fund of the county.

1042 The following monies paid to the circuit clerk shall be
1043 subject to the salary limitation prescribed under subsection (1):
1044 (a) all fees required by law to be collected for the filing,
1045 recording or abstracting of any bill, petition, pleading or decree
1046 in any civil action in circuit court; (b) copies of any documents;
1047 and (c) any other monies or commissions from private or
1048 governmental sources for statutory functions which are not to be
1049 held by the court in a trust capacity.

1050 (6) The chancery clerk and the circuit clerk shall establish
1051 and maintain a cash journal for recording cash receipts from
1052 private or government sources for furnishing copies of any papers
1053 of record or on file, or for rendering services as a notary
1054 public, or other fees wherein the total fee for the transaction is
1055 Ten Dollars (\$10.00) or less. The cash journal entry shall
1056 include the date, amount and type of transaction, and the clerk

1057 shall not be required to issue a receipt to the person receiving
1058 such services. The State Auditor shall not take exception to the
1059 furnishing of copies or the rendering of services as a notary by
1060 any clerk free of charge.

1061 In any county having two (2) judicial districts, whenever the
1062 chancery clerk serves as deputy to the circuit clerk in one (1)
1063 judicial district and the circuit clerk serves as deputy to the
1064 chancery clerk in the other judicial district, the chancery clerk
1065 may maintain a cash journal, separate from the cash journal
1066 maintained for chancery clerk receipts, for recording the cash
1067 receipts paid to him as deputy circuit clerk, and the circuit
1068 clerk may maintain a cash journal, separate from the cash journal
1069 maintained for circuit clerk receipts, for recording the cash
1070 receipts paid to him as deputy chancery clerk. The cash receipts
1071 collected by the chancery clerk in his capacity as deputy circuit
1072 clerk and the cash receipts collected by the circuit clerk in his
1073 capacity as deputy chancery clerk shall be subject to the salary
1074 limitation prescribed under subsection (1).

1075 (7) Any clerk who knowingly shall fail to deposit funds or
1076 otherwise violate the provisions of this section shall be guilty
1077 of a misdemeanor in office and, upon conviction thereof, shall be
1078 fined in an amount not to exceed double the amount that he failed
1079 to deposit, or imprisoned for not to exceed six (6) months in the
1080 county jail, or be punished by both such fine and imprisonment.

1081 **SECTION 12.** Section 27-105-343, Mississippi Code of 1972, is
1082 amended as follows:

1083 27-105-343. From and after the passage of this section, all
1084 the duties except the duty of receiving and disbursing money that
1085 were imposed by law on county treasurers shall be required to be
1086 done by chancery clerks, and they shall be the custodians of all
1087 the books, records, papers, and vouchers heretofore belonging to
1088 county treasurers, and shall be custodians of all the promissory
1089 notes, bonds, and other like property belonging to or deposited

1090 with the county, and said clerks shall in all respects be liable
1091 on their official bonds for the proper care of the same.

1092 The duty of receipting for and disbursing all monies
1093 heretofore deposited with county treasurers shall be done and
1094 performed by the designated county and drainage district
1095 depositories appointed in the manner provided by law; and any
1096 person or corporation required to pay money into a county treasury
1097 shall hereafter pay the same to a properly designated depository
1098 and such depository shall issue receipts therefor in duplicate,
1099 one of which shall be filed with the chancery clerk and the other
1100 retained by the person or corporation making such payment, and
1101 such payment when made to a designated depository shall discharge
1102 the person or corporation making such payment from any further
1103 liability therefor.

1104 In the event there shall be no designated depository for any
1105 money required to be paid into a county treasury, such payment
1106 shall be made to the tax collector who shall receipt for same in
1107 duplicate as required in the preceding paragraph and shall pay the
1108 same over to a legally appointed depository within ten (10) days
1109 after one is qualified to receive the same. The tax collector
1110 shall be the custodian of all money belonging to a county or any
1111 subdivision thereof until there be appointed a depository for any
1112 such funds and the said tax collectors shall be liable on their
1113 official bond for the proper accounting and payment of any funds
1114 so paid to them.

1115 Boards of supervisors shall allow chancery clerks for their
1116 compensation for performance of the duties required of them by
1117 this section the sum of Two Thousand Five Hundred Dollars
1118 (\$2,500.00) per annum.

1119 Nothing in this section shall preclude drainage districts
1120 from selecting their treasurer or depository as now provided by
1121 law.

1122 **SECTION 13.** Section 25-3-9, Mississippi Code of 1972, is
1123 amended as follows:

1124 25-3-9. (1) Except as provided in subsections (2), (3) and
1125 (4) of this section, the county prosecuting attorney may receive
1126 for his services an annual salary to be paid by the board of
1127 supervisors as follows:

1128 (a) For counties with a total population of more than
1129 two hundred thousand (200,000), a salary not to exceed Thirty-one
1130 Thousand Three Hundred Fifty Dollars (\$31,350.00).

1131 (b) For counties with a total population of more than
1132 one hundred thousand (100,000) and not more than two hundred
1133 thousand (200,000), a salary not to exceed Twenty-nine Thousand
1134 One Hundred Fifty Dollars (\$29,150.00).

1135 (c) For counties with a total population of more than
1136 fifty thousand (50,000) and not more than one hundred thousand
1137 (100,000), a salary not to exceed Twenty-three Thousand Eight
1138 Hundred Seventy Dollars (\$23,870.00).

1139 (d) For counties with a total population of more than
1140 thirty-five thousand (35,000) and not more than fifty thousand
1141 (50,000), a salary not to exceed Twenty-two Thousand Four Hundred
1142 Forty Dollars (\$22,440.00).

1143 (e) For counties with a total population of more than
1144 twenty-five thousand (25,000) and not more than thirty-five
1145 thousand (35,000), a salary not to exceed Twenty-one Thousand Two
1146 Hundred Thirty Dollars (\$21,230.00).

1147 (f) For counties with a total population of more than
1148 fifteen thousand (15,000) and not more than twenty-five thousand
1149 (25,000), a salary not to exceed Nineteen Thousand Four Hundred
1150 Seventy Dollars (\$19,470.00).

1151 (g) For counties with a total population of more than
1152 ten thousand (10,000) and not more than fifteen thousand (15,000),
1153 a salary not to exceed Seventeen Thousand Seven Hundred Ten
1154 Dollars (\$17,710.00).

1155 (h) For counties with a total population of more than
1156 six thousand (6,000) and not more than ten thousand (10,000), a
1157 salary not to exceed Fifteen Thousand Nine Hundred Fifty Dollars
1158 (\$15,950.00).

1159 (i) For counties with a total population of six
1160 thousand (6,000) or less, the board of supervisors, in its
1161 discretion, may appoint a county prosecuting attorney, and it may
1162 pay such county prosecuting attorney an annual salary not to
1163 exceed Fourteen Thousand One Hundred Ninety Dollars (\$14,190.00).

1164 In all cases of conviction there shall be taxed against the
1165 convicted defendant, as an item of cost, the sum of Three Dollars
1166 (\$3.00), which shall be turned in to the county treasury as a part
1167 of the general county funds; however, the Three Dollars (\$3.00)
1168 shall not be taxed in any case in which it is not the specific
1169 duty of the county attorney to appear and prosecute.

1170 From and after October 1, 1993, in addition to the salaries
1171 provided for in this subsection, the board of supervisors of any
1172 county, in its discretion, may pay the county prosecuting attorney
1173 an additional amount not to exceed ten percent (10%) of the
1174 maximum allowable salary prescribed herein.

1175 (2) In the following counties, the county prosecuting
1176 attorney shall receive for his services an annual salary to be
1177 paid by the board of supervisors, as follows:

1178 (a) In any county bordering upon the Mississippi River
1179 and having a population of not less than thirty thousand (30,000)
1180 and not more than thirty-five thousand five hundred (35,500)
1181 according to the federal census of 1990, and in counties having a
1182 population of not more than thirty-seven thousand (37,000)
1183 according to the federal census of 1990 in which Interstate
1184 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
1185 attorney shall receive a salary equal to the justice court judge
1186 of such county; and in any county wherein is located the state's
1187 oldest state-supported institution of higher learning and wherein

1188 Mississippi State Highways 7 and 6 intersect, the county
1189 prosecuting attorney shall receive an annual salary equal to that
1190 of a member of the board of supervisors of such county.

1191 (b) In counties having a population in excess of fifty
1192 thousand (50,000) in the 1960 federal census, wherein is located a
1193 state-supported university and in which U.S. Highways 49 and 11
1194 intersect, the salary of the county prosecuting attorney shall be
1195 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
1196 per year. The Board of Supervisors of Forrest County,
1197 Mississippi, may, in its discretion, and by agreement with the
1198 county prosecuting attorney, employ the county prosecuting
1199 attorney as a full-time elected official during his/her term of
1200 office, designate additional duties and responsibilities of the
1201 office and pay additional compensation up to, but not in excess
1202 of, ninety percent (90%) of the annual compensation and salary of
1203 the county court judge and the youth court judge of Forrest County
1204 as authorized by law and provide a reasonable office and
1205 reasonable office expenses to the county prosecuting attorney.
1206 The salary authorized by this paragraph (b) for the county
1207 prosecuting attorney shall be the sole and complete salary for
1208 such prosecuting attorney in each county to which this paragraph
1209 applies, notwithstanding any other provision of law to the
1210 contrary.

1211 (c) In any county wherein is housed the seat of state
1212 government, wherein U.S. Highways 80 and 49 intersect, and having
1213 two (2) judicial districts, the board of supervisors, in its
1214 discretion, may pay the county prosecuting attorney an annual
1215 salary equal to the annual salary of members of the board of
1216 supervisors in the county.

1217 (d) In any county which has two (2) judicial districts
1218 and wherein Highway 8 and Highway 15 intersect, having a
1219 population of greater than seventeen thousand (17,000), according
1220 to the 1980 federal decennial census, the board of supervisors

1221 shall pay the county prosecuting attorney a salary equal to that
1222 of a member of the board of supervisors of such county; provided
1223 that if such county prosecuting attorney is paid a sum for the
1224 purpose of defraying office or secretarial expenses, then the
1225 salary prescribed herein shall be reduced by that amount.

1226 (e) In any county bordering the State of Tennessee and
1227 in which Mississippi Highways No. 4 and 15 intersect, and having a
1228 population of less than twenty thousand (20,000) in the 1970
1229 federal census, the salary of the county prosecuting attorney
1230 shall be no less than Six Thousand Dollars (\$6,000.00).

1231 (f) In any county having a population of more than
1232 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45
1233 intersect, the salary of the county attorney shall be * * * not
1234 less than Eight Thousand Dollars (\$8,000.00).

1235 In addition, such county prosecuting attorney shall receive
1236 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month
1237 for the purpose of defraying secretarial expense.

1238 (g) In any county wherein I-20 and State Highway 15
1239 intersect; and in any county wherein I-20 and State Highway 35
1240 intersect, the salary of the county prosecuting attorney shall be
1241 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1242 (h) In any Class 1 county bordering on the Mississippi
1243 River, lying in whole or in part within a levee district, wherein
1244 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
1245 and Stales Bayou, the board of supervisors, in its discretion, may
1246 pay an annual salary equal to the annual salary of members of the
1247 board of supervisors in the county. In addition, such county
1248 prosecuting attorney shall receive the sum of One Thousand Dollars
1249 (\$1,000.00) per month for the purpose of defraying secretarial
1250 expenses.

1251 (i) In any county bordering on the Gulf of Mexico
1252 having two (2) judicial districts, and wherein U.S. Highways 90
1253 and 49 intersect, the salary of the county prosecuting attorney

1254 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
1255 year. The Board of Supervisors of Harrison County, Mississippi,
1256 may, in its discretion, and by agreement with the county
1257 prosecuting attorney, employ the county prosecuting attorney and
1258 his/her assistant during his/her term of office, and designate
1259 additional duties and responsibilities of the office and pay
1260 additional compensation up to, but not in excess of, ninety
1261 percent (90%) of the annual compensation and salary of the county
1262 court judges of Harrison County as authorized by law and provide
1263 adequate office space and reasonable office expenses to the county
1264 prosecuting attorney and his/her assistant. The salary authorized
1265 by this paragraph (i) for the county prosecuting attorney and
1266 his/her assistant shall be the sole and complete salary paid by
1267 the county for such prosecuting attorney and his/her assistant in
1268 each county to which this paragraph applies, notwithstanding any
1269 other provision of law to the contrary.

1270 (j) In any county bordering on the State of Alabama,
1271 having a population in excess of seventy-five thousand (75,000)
1272 according to the 1980 decennial census in which is located an
1273 institution of higher learning and a United States military
1274 installation and which is traversed by an interstate highway, the
1275 salary of the county prosecuting attorney shall not be less than
1276 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
1277 the annual salary received by a member of the board of supervisors
1278 of that county.

1279 (k) In any county with a land area wherein Mississippi
1280 Highways 8 and 9 intersect, the salary of the county prosecuting
1281 attorney shall be not less than Eight Thousand Five Hundred
1282 Dollars (\$8,500.00) per year.

1283 (l) In any Class 2 county wherein Mississippi Highways
1284 6 and 3 intersect, the salary of the county prosecuting attorney
1285 shall be not less than Twelve Thousand Dollars (\$12,000.00) per

1286 year nor more than the amount of the annual salary received by a
1287 member of the board of supervisors of that county.

1288 (m) In any county wherein Interstate Highway 55 and
1289 State Highway 8 intersect, the salary of the county prosecuting
1290 attorney shall be not less than Twelve Thousand Dollars
1291 (\$12,000.00) per year.

1292 (n) In any county wherein U.S. Highway 51 intersects
1293 Mississippi Highway 6, and having two (2) judicial districts, the
1294 salary of the county prosecuting attorney shall be not less than
1295 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1296 (o) In any county bordering on the Alabama state line,
1297 having a population of greater than fifteen thousand (15,000)
1298 according to the 1970 federal decennial census, wherein U.S.
1299 Highway 45 and Mississippi Highway 18 intersect, the salary of the
1300 county prosecuting attorney shall be not less than Three Thousand
1301 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
1302 of the board of supervisors of such county. All prior acts,
1303 orders and resolutions of the board of supervisors of such county
1304 which authorized the payment of the salary in conformity with the
1305 provisions of this paragraph, whether or not heretofore
1306 specifically authorized by law are hereby ratified, approved and
1307 confirmed.

1308 (p) In any county wherein is located a state-supported
1309 institution of higher learning and wherein U.S. Highway 82 and
1310 Mississippi Highway 389 intersect, the board of supervisors, in
1311 its discretion, may pay the county prosecuting attorney an annual
1312 salary equal to the annual salary of members of the board of
1313 supervisors in the county.

1314 (q) In any county having two (2) judicial districts
1315 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the
1316 salary of the county prosecuting attorney shall be not less than
1317 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1318 (r) In any county traversed by the Natchez Trace
1319 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
1320 intersect, the board of supervisors, in its discretion, may pay
1321 the county prosecuting attorney an annual salary equal to the
1322 annual salary of justice court judges in the county.

1323 (s) In any county having a population of more than
1324 fourteen thousand (14,000) according to the 1970 census and which
1325 county is bordered on the north by the State of Tennessee and on
1326 the east by the State of Alabama and in which U.S. Highway No. 72
1327 and Highway No. 25 intersect, the board of supervisors, in its
1328 discretion, may pay the county prosecuting attorney an annual
1329 salary equal to the annual salary of justice court judges in the
1330 county.

1331 (t) (i) In any county wherein Interstate Highway 55
1332 and State Highway 22 intersect, and which is also traversed in
1333 whole or part by U.S. Highways 49 and 51, and State Highways 16,
1334 17, 43 and the Natchez Trace Parkway, and also containing a part
1335 of a public lake or reservoir, in excess of thirty thousand
1336 (30,000) acres, the board of supervisors, in its discretion, may
1337 pay the county prosecuting attorney an annual salary in the amount
1338 of Twenty-eight Thousand Dollars (\$28,000.00).

1339 (ii) From and after October 1, 1993, in addition
1340 to the salary provided for in subparagraph (i) of this paragraph,
1341 the board of supervisors, in its discretion, may pay the county
1342 prosecuting attorney an additional amount not to exceed ten
1343 percent (10%) of the maximum allowable salary prescribed herein.

1344 (u) In any county having a population in the 1970
1345 census in excess of thirty-five thousand (35,000) and in which
1346 U.S. Highways 49W and 82 intersect, and in which is located a
1347 state penitentiary, the annual salary of a county prosecuting
1348 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
1349 (\$30,420.00).

1350 (v) In any county wherein Mississippi Highway 50
1351 intersects U.S. Highway 45-Alternate, and having a population
1352 greater than twenty thousand (20,000) according to the 1980
1353 federal decennial census, a salary equal to that of a member of
1354 the board of supervisors of such county; provided that if such
1355 county prosecuting attorney is paid a sum for the purpose of
1356 defraying office or secretarial expenses, then the salary
1357 prescribed herein shall be reduced by that amount.

1358 (w) In any county in which the 1975 assessed valuation
1359 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred
1360 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and
1361 Mississippi Highway 8 intersect, the salary of the county
1362 prosecuting attorney shall be equal to that of a member of the
1363 board of supervisors of such county.

1364 (x) In any county bordering on the Mississippi River
1365 having a population greater than fifty thousand (50,000) according
1366 to the 1980 federal decennial census and also having a national
1367 military park and national cemetery, an annual salary of
1368 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
1369 that of a member of the board of supervisors in such county,
1370 whichever is greater. In addition, such county prosecuting
1371 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
1372 per month for the purpose of defraying secretarial expenses.

1373 (y) In any county bordering on the Alabama state line,
1374 traversed by the Chickasawhay River, and wherein U.S. Highway 45
1375 and U.S. Highway 84 intersect, a salary that shall be equal to the
1376 annual salary of a member of the board of supervisors of such
1377 county. All prior acts, orders and resolutions of the board of
1378 supervisors of such county which authorize the payment of the
1379 salary of the county prosecuting attorney in conformity with the
1380 provisions of this section as it existed immediately prior to the
1381 effective date of Chapter 506, Laws of 1985, are hereby ratified,
1382 approved, confirmed and validated.

1383 (z) In any county having a population greater than
1384 sixty-five thousand five hundred eighty (65,580) but less than
1385 sixty-five thousand five hundred ninety (65,590) according to the
1386 1990 federal decennial census, wherein U.S. Highway 45 intersects
1387 with Mississippi Highway 6, an annual salary equal to Thirty
1388 Thousand Dollars (\$30,000.00).

1389 (aa) In any county where an institution of higher
1390 learning is located and wherein U.S. Highway 82 and U.S. Highway
1391 45 intersect, the salary of the county prosecuting attorney shall
1392 be not less than that of a member of the board of supervisors in
1393 such county, and the board of supervisors may, in its discretion,
1394 pay such county prosecuting attorney a salary in an amount not to
1395 exceed the amount of the salary of the District Attorney for the
1396 Sixteenth Judicial District of Mississippi.

1397 (bb) In any county having a population greater than six
1398 thousand (6,000) according to the federal decennial census and
1399 wherein U.S. Highway 61 and Highway 24 intersect, the board of
1400 supervisors, in its discretion, may pay the county prosecuting
1401 attorney an annual salary equal to the annual salary of members of
1402 the board of supervisors in the county.

1403 (cc) In any county having a population greater than
1404 thirty-one thousand (31,000) according to the 1990 federal
1405 decennial census and wherein U.S. Highway 61 and U.S. Highway 49
1406 intersect, a salary of not less than the annual salary of justice
1407 court judges in the county.

1408 (dd) (i) The Rankin County prosecuting attorney, if
1409 such person is not employed on a full-time basis, shall receive an
1410 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1411 (ii) The Board of Supervisors of Rankin County, in
1412 its discretion, may employ the elected county prosecuting attorney
1413 and an assistant on a full-time basis during his or her term of
1414 office and may pay compensation to such full-time prosecuting
1415 attorney in an amount of not more than ninety percent (90%) of the

1416 annual compensation and salary of the county court judges of the
1417 county as authorized by law, and may provide adequate office space
1418 and reasonable office expenses to the county prosecuting attorney
1419 and his/her assistant. The Board of Supervisors of Rankin County,
1420 in its discretion, may also employ a full-time assistant county
1421 prosecuting attorney and may pay such person an annual salary in
1422 such amount as determined by the board of supervisors. The salary
1423 authorized by this subparagraph (dd)(ii) for the elected county
1424 prosecuting attorney and an assistant shall be the sole and
1425 complete salary paid by the county for the elected prosecuting
1426 attorney and assistant in Rankin County, notwithstanding any other
1427 provisions of law to the contrary.

1428 (ee) In any county having a population greater than
1429 eight thousand (8,000) but less than eight thousand two hundred
1430 (8,200) according to the 1990 federal census, and in which U.S.
1431 Highway 61 and Mississippi Highway 4 intersect, the board of
1432 supervisors may, in its discretion, pay the county prosecuting
1433 attorney an amount not to exceed Fourteen Thousand Dollars
1434 (\$14,000.00), in addition to the maximum allowable salary for that
1435 attorney under subsection (1), beginning on April 1, 1997.

1436 (ff) In any county having a population greater than
1437 thirty thousand three hundred (30,300) but less than thirty
1438 thousand four hundred (30,400) according to the 1990 federal
1439 census, and in which U.S. Highway 78 and Mississippi Highway 7
1440 intersect, a salary of not less than the annual salary of a member
1441 of the board of supervisors in such county.

1442 (gg) In any county having a population greater than
1443 thirteen thousand three hundred (13,300) but less than thirteen
1444 thousand four hundred (13,400) according to the 1990 federal
1445 census, and in which Mississippi Highway 24 and Mississippi
1446 Highway 48 intersect, the board of supervisors may, in its
1447 discretion, pay the county prosecuting attorney an additional

1448 amount not to exceed ten percent (10%) of the maximum allowable
1449 salary for that attorney under subsection (1).

1450 (hh) In any county having a population greater than
1451 eight thousand three hundred (8,300) but less than eight thousand
1452 four hundred (8,400) according to the 1990 federal census, and in
1453 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
1454 supervisors may, in its discretion, pay the county prosecuting
1455 attorney an additional amount not to exceed ten percent (10%) of
1456 the maximum allowable salary for that attorney under subsection
1457 (1).

1458 (ii) In any county having a population of more than
1459 thirty thousand four hundred (30,400) and which is traversed in
1460 whole or part by I-59, U.S. Highways 98 and 11 and State Highway
1461 13, the annual salary of the county prosecuting attorney shall be
1462 Twenty-five Thousand Dollars (\$25,000.00).

1463 (jj) In any county having a population greater than
1464 twenty thousand (20,000) according to the 1990 federal census and
1465 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
1466 board of supervisors, in its discretion, may pay the county
1467 prosecuting attorney an annual salary equal to the annual salary
1468 of justice court judges in the county.

1469 (kk) In any county having a population greater than
1470 twelve thousand four hundred (12,400) but less than twelve
1471 thousand five hundred (12,500) according to the 1990 federal
1472 census, and in which U.S. Highway 84 and Mississippi Highway 27
1473 intersect, the board of supervisors may, in its discretion, pay
1474 the county prosecuting attorney an additional amount not to exceed
1475 ten percent (10%) of the maximum allowable salary for that
1476 attorney under subsection (1).

1477 (ll) In any county having a population greater than
1478 thirty thousand two hundred (30,200) but less than thirty thousand
1479 three hundred (30,300) according to the 1990 federal census, and
1480 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,

1481 the board of supervisors may, in its discretion, pay the county
1482 prosecuting attorney an additional amount not to exceed ten
1483 percent (10%) of the maximum allowable salary for that attorney
1484 under subsection (1).

1485 (mm) In any county on the Mississippi River levee,
1486 having a population greater than forty-one thousand eight hundred
1487 (41,800) but less than forty-one thousand nine hundred (41,900)
1488 according to the 1990 federal census wherein U.S. Highway 61 and
1489 Mississippi Highway 8 intersect, the board of supervisors, in its
1490 discretion, may pay the county prosecuting attorney an annual
1491 salary equal to the annual salary of members of the board of
1492 supervisors in the county. In addition, the board of supervisors,
1493 in its discretion, may pay the county prosecuting attorney the sum
1494 of One Thousand Dollars (\$1,000.00) per month for the purpose of
1495 defraying secretarial expenses.

1496 (nn) In any county having a population greater than
1497 twenty-four thousand seven hundred (24,700) and less than
1498 twenty-four thousand nine hundred (24,900) according to the 1990
1499 federal census, wherein Mississippi Highways 15 and 16 intersect,
1500 the board of supervisors, in its discretion, may pay the county
1501 prosecuting attorney an annual salary equal to the annual salary
1502 of members of the board of supervisors in the county.

1503 (oo) In any county having a population greater than
1504 thirty-seven thousand (37,000) but less than thirty-eight thousand
1505 (38,000) according to the 1990 federal census, in which is located
1506 a state supported institution of higher learning, and in which
1507 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
1508 supervisors may, in its discretion, pay the county prosecuting
1509 attorney a salary in an amount not to exceed the amount of the
1510 salary of the District Attorney for the Fourth Judicial District
1511 of Mississippi.

1512 (pp) In any county in which U.S. Highway 78 and
1513 Mississippi Highway 15 intersect and which is traversed by the

1514 Tallahatchie River, a salary equal to that of members of the board
1515 of supervisors of the county, which salary shall be in addition to
1516 any sums received for the purpose of defraying office or
1517 secretarial expenses and sums received as youth court prosecutor
1518 fees.

1519 (qq) In any county bordering on the State of Tennessee
1520 and the State of Arkansas, wherein Interstate Highway 55 and
1521 Mississippi Highway 302 intersect, the board of supervisors, in
1522 its discretion, may pay the county prosecuting attorney an annual
1523 salary equal to the annual salary of justice court judges in the
1524 county.

1525 (rr) In any county that is traversed by the Natchez
1526 Trace Parkway and in which Mississippi Highway 35 and Mississippi
1527 Highway 12 intersect, the board of supervisors, in its discretion,
1528 may pay the county prosecuting attorney an annual salary in the
1529 amount of the annual salary of justice court judges in the county.

1530 (ss) In any county in which Mississippi Highway 14 and
1531 Mississippi Highway 25 intersect, the board of supervisors, in its
1532 discretion, may pay the county prosecuting attorney an annual
1533 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1534 (tt) In any county in which Interstate Highway 59 and
1535 U.S. Highway 84 intersect, the board of supervisors, in its
1536 discretion, may pay the county prosecuting attorney an annual
1537 salary equal to the annual salary of members of the board of
1538 supervisors in the county.

1539 (uu) In addition to the salary provided for in
1540 subsection (1) of this section, the Board of Supervisors of
1541 Tallahatchie County, in its discretion, may pay a monthly
1542 supplement to the county prosecuting attorney in an amount not to
1543 exceed One Thousand Dollars (\$1,000.00). The Legislature finds
1544 and declares that the monthly supplement authorized by this
1545 subsection is justified in such county for the following reasons:

1546 (i) The population of the county has increased;

1547 and

1548 (ii) The number of inmates in its correctional
1549 facility has increased.

1550 (3) In any case where a salary, expense allowance or other
1551 sum is authorized or paid by the board of supervisors pursuant to
1552 this section, that salary, expense allowance or other sum shall
1553 not be reduced or terminated during the term for which the county
1554 attorney was elected.

1555 **SECTION 14.** Section 41-61-75, Mississippi Code of 1972, is
1556 amended as follows:

1557 41-61-75. (1) For each investigation with the preparation
1558 and submission of the required reports, the following fees shall
1559 be billed to and paid by the county for which the service is
1560 provided:

1561 (a) A medical examiner or his deputy shall receive One
1562 Hundred Dollars (\$100.00) for each completed report of
1563 investigation of death, plus the examiner's actual expenses.

1564 (b) The pathologist performing autopsies as provided in
1565 Section 41-61-65 shall receive Five Hundred Fifty Dollars
1566 (\$550.00) per completed autopsy, plus mileage expenses to and from
1567 the site of the autopsy.

1568 (2) Any medical examiner, physician or pathologist who is
1569 subpoenaed for appearance and testimony before a grand jury,
1570 courtroom trial or deposition shall be entitled to an expert
1571 witness hourly fee to be set by the court and mileage expenses to
1572 and from the site of the testimony, and such amount shall be paid
1573 by the jurisdiction or party issuing the subpoena.

1574 **SECTION 15.** Section 25-3-31, Mississippi Code of 1972, is
1575 amended as follows:

1576 25-3-31. The annual salaries of the following elected state
1577 and district officers are fixed as follows:

1578 Governor..... \$122,160.00

1579	Attorney General.....	108,960.00
1580	Secretary of State.....	90,000.00
1581	Commissioner of Insurance.....	90,000.00
1582	State Treasurer.....	90,000.00
1583	State Auditor of Public Accounts.....	90,000.00
1584	Commissioner of Agriculture and Commerce.....	90,000.00
1585	Transportation Commissioners.....	78,000.00
1586	Public Service Commissioners.....	78,000.00

1587 * * *

1588 The above fixed salary of the Governor shall be the reference
1589 amount utilized in computing average compensation and earned
1590 compensation pursuant to Section 25-11-103(f) and Section
1591 25-11-103(k) and to related sections which require such
1592 computations.

1593 * * *

1594 **SECTION 16.** Section 25-3-34, Mississippi Code of 1972, is
1595 amended as follows:

1596 25-3-34. (1) In addition to the salary provided in Section
1597 25-3-31, any elected state or district official, except members of
1598 the State Legislature, provided therein shall receive the award of
1599 an education benchmark as defined in State Personnel Board rules
1600 for the possession or attainment of any of the following:

- 1601 (a) The Certified Public Manager designation;
- 1602 (b) A job-related Ph.D (Doctor of Philosophy) degree
1603 which is not required as a minimum qualification of the position;
- 1604 (c) A job related certification, licensure or
1605 registration requiring the passage of an examination, which is not
1606 required as a minimum qualification of the position.

1607 (2) No such official or employee may receive more than a
1608 total of three (3) eligible benchmarks, only one of which may be
1609 for a job related certification, licensure or registration.

1610 (3) The State Personnel Board shall promulgate rules and
1611 regulations to carry out the provisions of this section.

1612 **SECTION 17.** Section 25-3-5, Mississippi Code of 1972, which
1613 establishes the salaries of tax assessors and tax collectors in
1614 counties where the two offices have been separated, is repealed.

1615 **SECTION 18.** The Attorney General of the State of Mississippi
1616 shall submit this act, immediately upon approval by the Governor,
1617 or upon approval by the Legislature subsequent to a veto, to the
1618 Attorney General of the United States or to the United States
1619 District Court for the District of Columbia in accordance with the
1620 provisions of the Voting Rights Act of 1965, as amended and
1621 extended.

1622 **SECTION 19.** Sections 1 through 14 and Section 17 shall take
1623 effect and be in force from and after October 1, 2004, or from and
1624 after the date that such sections are effectuated under Section 5
1625 of the Voting Rights Act of 1965, as amended and extended,
1626 whichever date is later. Sections 15 and 16 shall take effect and
1627 be in force from and after July 1, 2004, or from and after the
1628 date that such sections are effectuated under Section 5 of the
1629 Voting Rights Act of 1965, as amended and extended, whichever date
1630 is later.