

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

To: Fees and Salaries of
Public Officers;
Appropriations

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 25-11-125, MISSISSIPPI CODE OF
23 1972, TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO PAY THE
24 REQUIRED EMPLOYER CONTRIBUTION TO THE PUBLIC EMPLOYEES' RETIREMENT
25 SYSTEM FOR ALL CIRCUIT AND CHANCERY CLERKS; TO AMEND SECTION
26 27-105-343, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION
27 OF CHANCERY CLERKS FOR THE PERFORMANCE OF THEIR DUTIES AS COUNTY
28 TREASURERS; TO AMEND SECTION 25-3-9, MISSISSIPPI CODE OF 1972, TO
29 PROVIDE THAT NO COUNTY PROSECUTING ATTORNEY SHALL RECEIVE AN
30 ANNUAL SALARY LESS THAN THE SALARY PAID TO A JUSTICE COURT JUDGE
31 IN HIS RESPECTIVE COUNTY; TO REPEAL SECTION 25-3-5, MISSISSIPPI
32 CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX ASSESSORS AND
33 TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES HAVE BEEN
34 SEPARATED; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO
35 AUTHORIZE AN ANNUAL SUPPLEMENT FOR CERTAIN STATE OFFICERS; TO
36 AMEND SECTION 25-3-34, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE
37 PRECEDING SECTION; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF
38 1972, TO INCREASE MEDICAL EXAMINERS FEE FOR AN INVESTIGATION
39 REPORT; AND FOR RELATED PURPOSES.

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

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

43 25-3-3. (1) The term "total assessed valuation" as used in
44 this section only refers to the ad valorem assessment for the
45 county and, in addition, in counties where oil or gas is produced,

46 the actual value of oil at the point of production, as certified
47 to the counties by the State Tax Commission under the provisions
48 of Sections 27-25-501 through 27-25-525, and the actual value of
49 gas as certified by the State Tax Commission under the provisions
50 of Sections 27-25-701 through 27-25-723.

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

59 (a) For counties having a total assessed valuation of
60 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
61 Sixty-four Thousand Dollars (\$64,000.00);

62 (b) For counties having a total assessed valuation of
63 at least One Billion Dollars (\$1,000,000,000.00), but less than
64 Two Billion Dollars (\$2,000,000,000.00), a salary of Sixty-one
65 Thousand Five Hundred Dollars (\$61,500.00);

66 (c) For counties having a total assessed valuation of
67 at least Five Hundred Million Dollars (\$500,000,000.00), but less
68 than One Billion Dollars (\$1,000,000,000.00), a salary of
69 Fifty-eight Thousand Five Hundred Dollars (\$58,500.00);

70 (d) For counties having a total assessed valuation of
71 at least Two Hundred Fifty Million Dollars (\$250,000,000.00), but
72 less than Five Hundred Million Dollars (\$500,000,000.00), a salary
73 of Fifty-six Thousand Dollars (\$56,000.00);

74 (e) For counties having a total assessed valuation of
75 at least One Hundred Fifty Million Dollars (\$150,000,000.00), but
76 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a
77 salary of Fifty-four Thousand Dollars (\$54,000.00);

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

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

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

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

93 (4) The annual salary established for * * * assessors and
94 tax collectors shall not be reduced as a result of a reduction in
95 total assessed valuation. The salaries shall be increased as a
96 result of an increase in total assessed valuation.

97 (5) In addition to all other compensation paid to assessors
98 and tax collectors in counties having two (2) judicial districts,
99 the board of supervisors shall pay such assessors and tax
100 collectors * * * an additional Three Thousand Five Hundred Dollars
101 (\$3,500.00) per year. In addition to all other compensation paid
102 to assessors or tax collectors, in counties maintaining two (2)
103 full-time offices, the board of supervisors shall pay the assessor
104 or tax collector * * * an additional Three Thousand Five Hundred
105 Dollars (\$3,500.00) per year.

106 (6) In addition to all other compensation paid to assessors
107 and tax collectors, the board of supervisors of a county shall
108 allow for such assessor or tax collector, or both, to be paid
109 additional compensation when there is a contract between the
110 county and one or more municipalities providing that the assessor

111 or tax collector, or both, shall assess * * * or collect taxes, or
112 both, for the municipality or municipalities; and such assessor or
113 tax collector, or both, shall be authorized to receive such
114 additional compensation from the county and/or the municipality or
115 municipalities in any amount allowed by the county and/or the
116 municipality or municipalities for performing those services.

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

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

141 (9) The salaries * * * provided for in this section shall be
142 payable monthly on the first day of each calendar month by
143 chancery clerk's warrant drawn on the general fund of the county;

144 however, the board of supervisors, by resolution duly adopted and
145 entered on its minutes, may provide that such salaries shall be
146 paid semimonthly on the first and fifteenth day of each month. If
147 a pay date falls on a weekend or legal holiday, salary payments
148 shall be made on the workday immediately preceding the weekend or
149 legal holiday.

150 * * *

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

153 25-3-13. The salaries of the members of the boards of
154 supervisors of the various counties are * * * fixed as full
155 compensation for their services.

156 The annual salary of each member of the board of supervisors
157 shall be based upon the total assessed valuation of his respective
158 county for the preceding taxable year in the following categories
159 and for the following amounts:

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

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

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

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

175 (e) For counties having a total assessed valuation of
176 at least One Hundred Twenty-five Million Dollars

177 (\$125,000,000.00), but less than Three Hundred Million Dollars
178 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars
179 (\$40,400.00);

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

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

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

191 The salary of the members of the board of supervisors shall
192 not be increased under this section until the board of supervisors
193 shall have passed a resolution stating the amount of the increase
194 and spread it on its minutes.

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

197 25-3-25. (1) Except as otherwise provided in subsections
198 (2) through (9), the salaries of sheriffs of the various counties
199 are * * * fixed as full compensation for their services.

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

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

210 (b) For counties with a total population of more than
211 one hundred thousand (100,000) and not more than two hundred
212 thousand (200,000), a salary of Eighty-four Thousand Dollars
213 (\$84,000.00).

214 (c) For counties with a total population of more than
215 forty-five thousand (45,000) and not more than one hundred
216 thousand (100,000), a salary of Seventy-eight Thousand Dollars
217 (\$78,000.00).

218 (d) For counties with a total population of more than
219 thirty-four thousand (34,000) and not more than forty-five
220 thousand (45,000), a salary of Seventy-two Thousand Dollars
221 (\$72,000.00).

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

226 (f) For counties with a total population of more than
227 fifteen thousand (15,000) and not more than twenty-five thousand
228 (25,000), a salary of Sixty Thousand Dollars (\$60,000.00).

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

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

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

240 (2) In addition to the salary provided for in subsection (1)
241 of this section, the Board of Supervisors of Leflore County * * *,
242 in its discretion, may pay an annual supplement to the sheriff of

243 the county in an amount not to exceed Ten Thousand Dollars
244 (\$10,000.00). The Legislature finds and declares that the annual
245 supplement authorized by this subsection is justified in such
246 county for the following reasons:

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

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

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

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

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

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

262 (g) The increased activity of the Child Support
263 Division of the Department of Human Services in enforcing in the
264 courts parental obligations has imposed additional duties on the
265 sheriff; and

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

269 (3) In addition to the salary provided for in subsection (1)
270 of this section, the Board of Supervisors of Rankin County * * *,
271 in its discretion, may pay an annual supplement to the sheriff of
272 the county in an amount not to exceed Ten Thousand Dollars
273 (\$10,000.00). The Legislature finds and declares that the annual
274 supplement authorized by this subsection is justified in such
275 county for the following reasons:

276 (a) The Mississippi Department of Corrections operates
277 and maintains the Central Mississippi Correctional Facility within
278 the county;

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

281 (c) Hudspeth Regional Center, a facility maintained for
282 the care and treatment of the mentally retarded, is located within
283 the county;

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

286 (e) The State Fire Academy is operated and maintained
287 within the county;

288 (f) The Pearl River Valley Water Supply District,
289 ordinarily known as the "Reservoir District," is located within
290 the county;

291 (g) The Jackson International Airport is located within
292 the county;

293 (h) The patrolling of the state properties located
294 within the county has imposed additional duties on the sheriff;
295 and

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

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

305 (5) In addition to the salary provided for in subsection (1)
306 of this section, the Board of Supervisors of Tunica County * * *,
307 in its discretion, may pay an annual supplement to the sheriff of

308 the county an amount equal to Ten Thousand Dollars (\$10,000.00),
309 payable beginning April 1, 1997.

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

316 (a) Hinds County has the greatest population of any
317 county, two hundred fifty-four thousand four hundred forty-one
318 (254,441) by the 1990 census, being almost one hundred thousand
319 (100,000) more than the next most populous county;

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

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

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

327 (e) There are four (4) resident circuit judges, four
328 (4) resident chancery judges, and three (3) resident county judges
329 in Hinds County, the most of any county, with the sheriff acting
330 as chief executive officer and provider of bailiff services for
331 all;

332 (f) The main offices for the clerk and most of the
333 judges and magistrates for the United States District Court for
334 the Southern District of Mississippi are located within the
335 county;

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

338 (h) The University of Mississippi Medical Center,
339 combining the medical school, dental school, nursing school and
340 hospital, is located within the county;

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

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

345 (k) Hinds County has the largest criminal population in
346 the state, such that the Hinds County Sheriff's Department
347 operates the largest county jail system in the state, housing
348 almost one thousand (1,000) inmates in three (3) separate
349 detention facilities;

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

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

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

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

362 (7) In addition to the salary provided for in subsection (1)
363 of this section, the Board of Supervisors of Wilkinson County, in
364 its discretion, may pay an annual supplement to the sheriff of the
365 county in an amount not to exceed Ten Thousand Dollars
366 (\$10,000.00). The Legislature finds and declares that the annual
367 supplement authorized by this subsection is justified in such
368 county because the Mississippi Department of Corrections contracts
369 for the private incarceration of state inmates at a private
370 correctional facility within the county.

371 (8) In addition to the salary provided for in subsection (1)
372 of this section, the Board of Supervisors of Marshall County, in
373 its discretion, may pay an annual supplement to the sheriff of the

374 county in an amount not to exceed Ten Thousand Dollars
375 (\$10,000.00). The Legislature finds and declares that the annual
376 supplement authorized by this subsection is justified in such
377 county because the Mississippi Department of Corrections contracts
378 for the private incarceration of state inmates at a private
379 correctional facility within the county.

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

387 (a) The Mississippi Department of Corrections operates
388 and maintains the South Mississippi Correctional Facility within
389 the county;

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

394 (c) The patrolling of the state properties located
395 within the county has imposed additional duties on the sheriff
396 justifying additional compensation.

397 (10) In addition to the salary provided for in subsection
398 (1) of this section, the Board of Supervisors of Tallahatchie
399 County, in its discretion, may pay an annual supplement to the
400 sheriff of the county in an amount not to exceed Ten Thousand
401 Dollars (\$10,000.00). The Legislature finds and declares that the
402 annual supplement authorized by this subsection is justified in
403 such county for the following reasons:

404 (a) The number of inmates in its correctional facility
405 has increased; and

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

407 (11) The salaries * * * provided in this section shall be
408 payable monthly on the first day of each calendar month by
409 chancery clerk's warrant drawn on the general fund of the county;
410 however, the board of supervisors, by resolution duly adopted and
411 entered on its minutes, may provide that such salaries shall be
412 paid semimonthly on the first and fifteenth day of each month. If
413 a pay date falls on a weekend or legal holiday, salary payments
414 shall be made on the workday immediately preceding the weekend or
415 legal holiday.

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

418 25-3-36. (1) * * * Every justice court judge shall receive
419 as full compensation for his or her services and in lieu of any
420 and all other fees, costs or compensation heretofore authorized
421 for such justice court judge, an annual salary based upon the
422 number of justice court judges authorized pursuant to Section
423 9-11-2(1). The amount of which salary shall be determined as
424 follows:

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

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

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

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

437 * * *

438 The board of supervisors of any county having two (2)
439 judicial districts and two (2) justice court judges for the county

440 shall pay the justice court judges an amount equal to that
441 hereinabove provided for judges in the next higher * * * category
442 per year, if the justice court judge maintains regular office
443 hours and are personally present in the office they maintain for
444 at least thirty (30) hours per week. In any county having a
445 population greater than eight thousand (8,000) but less than eight
446 thousand five hundred (8,500) according to the 1990 federal
447 decennial census and in which U.S. Highway 61 and Mississippi
448 Highway 4 intersect, the board of supervisors may, in its
449 discretion, pay such justice court judges an additional amount not
450 to exceed the sum of Eleven Thousand Five Hundred Fifty Dollars
451 (\$11,550.00) per year, payable beginning April 1, 1997.

452 In any county having a population greater than ten thousand
453 (10,000) but less than ten thousand five hundred (10,500)
454 according to the 1990 federal decennial census and in which
455 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
456 board of supervisors may, in its discretion, pay such justice
457 court judges an additional amount not to exceed One Thousand Four
458 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning
459 April 1, 1997. In any county having a population greater than
460 twenty-four thousand seven hundred (24,700) and less than
461 twenty-four thousand nine hundred (24,900), according to the 1990
462 federal census, wherein Mississippi Highways 15 and 16 intersect,
463 the board of supervisors shall pay such justice court judge an
464 additional amount equal to Two Thousand Five Hundred Dollars
465 (\$2,500.00) per year.

466 (2) Notwithstanding the provisions of subsection (1) of this
467 section, in the event that the number of justice court judges
468 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
469 the provisions of Section 9-11-2(4), the aggregate of the salaries
470 paid to the justice court judges of such a county shall not exceed
471 the amount sufficient to pay the number of justice court judges
472 authorized pursuant to Section 9-11-2(1) and such amount shall be

473 equally divided among those justice court judges continuing to
474 hold office under the provisions of Section 9-11-2(4).

475 (3) From and after January 1, 1984, all fees, costs, fines
476 and penalties charged and collected in the justice court shall be
477 paid to the clerk of the justice court for deposit, along with
478 monies from cash bonds and other monies which have been forfeited
479 in criminal cases, into the general fund of the county as provided
480 in Section 9-11-19; and the clerk of the board of supervisors
481 shall be authorized and empowered, upon approval by the board of
482 supervisors, to make disbursements and withdrawals from the
483 general fund of the county in order to pay any reasonable and
484 necessary expenses incurred in complying with this section,
485 including payment of the salaries of justice court judges as
486 provided by subsection (1) of this section. The provisions of
487 this subsection shall not, except as to cash bonds and other
488 monies which have been forfeited in criminal cases, apply to
489 monies required to be deposited in the justice court clerk
490 clearing account as provided in Section 9-11-18, Mississippi Code
491 of 1972.

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

500 (5) * * * The salary of a justice court judge shall not be
501 reduced during his term of office as a result of a population
502 change following a federal decennial census or as a result of the
503 number of justice court judges authorized pursuant to Section
504 9-11-2(1).

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

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

511 41-61-59. (1) A person's death which affects the public
512 interest as specified in subsection (2) of this section shall be
513 promptly reported to the medical examiner by the physician in
514 attendance, any hospital employee, any law enforcement officer
515 having knowledge of the death, the embalmer or other funeral home
516 employee, any emergency medical technician, any relative or any
517 other person present. The appropriate medical examiner shall
518 notify the municipal or state law enforcement agency or sheriff
519 and take charge of the body. The appropriate medical examiner
520 shall notify the Mississippi Bureau of Narcotics within
521 twenty-four (24) hours of receipt of the body in cases of death as
522 described in subsection (2)(m) or (n) of this section.

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

525 (a) Violent death, including homicidal, suicidal or
526 accidental death.

527 (b) Death caused by thermal, chemical, electrical or
528 radiation injury.

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

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

533 (e) Death that has occurred unexpectedly or from an
534 unexplained cause.

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

537 (g) Death of a person where a physician was not in
538 attendance within thirty-six (36) hours preceding death, or in
539 prediagnosed terminal or bedfast cases, within thirty (30) days
540 preceding death.

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

543 (i) Death of a person where the identity of the
544 deceased is unknown.

545 (j) Death of a child under the age of two (2) years
546 where death results from an unknown cause or where the
547 circumstances surrounding the death indicate that sudden infant
548 death syndrome may be the cause of death.

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

553 (l) Where a person is presented to a hospital emergency
554 room unconscious and/or unresponsive, with cardiopulmonary
555 resuscitative measures being performed, and dies within
556 twenty-four (24) hours of admission without regaining
557 consciousness or responsiveness, unless a physician was in
558 attendance within thirty-six (36) hours preceding presentation to
559 the hospital, or in cases in which the decedent had a prediagnosed
560 terminal or bedfast condition, unless a physician was in
561 attendance within thirty (30) days preceding presentation to the
562 hospital.

563 (m) Death which is caused by drug overdose or which is
564 believed to be caused by drug overdose.

565 (n) When a stillborn fetus is delivered and the cause
566 of the demise is medically believed to be from the use by the
567 mother of any controlled substance as defined in Section
568 41-29-105.

569 (3) The State Medical Examiner is empowered to investigate
570 deaths, under the authority hereinafter conferred, in any and all
571 political subdivisions of the state. The county medical examiners
572 and county medical examiner investigators, while appointed for a
573 specific county, may serve other counties on a regular basis with
574 written authorization by the State Medical Examiner, or may serve
575 other counties on an as-needed basis upon the request of the
576 ranking officer of the investigating law enforcement agency. The
577 county medical examiner or county medical examiner investigator of
578 any county which has established a regional medical examiner
579 district under subsection (4) of Section 41-61-77 may serve other
580 counties which are parties to the agreement establishing the
581 district, in accordance with the terms of the agreement, and may
582 contract with counties which are not part of the district to
583 provide medical examiner services for such counties. If a death
584 affecting the public interest takes place in a county other than
585 the one where injuries or other substantial causal factors leading
586 to the death have occurred, jurisdiction for investigation of the
587 death may be transferred, by mutual agreement of the respective
588 medical examiners of the counties involved, to the county where
589 such injuries or other substantial causal factors occurred, and
590 the costs of autopsy or other studies necessary to the further
591 investigation of the death shall be borne by the county assuming
592 jurisdiction.

593 (4) The chief county medical examiner or chief county
594 medical examiner investigator may receive from the county in which
595 he serves a salary of Nine Hundred Dollars (\$900.00) per month, in
596 addition to the fees specified in Sections 41-61-69 and 41-61-75,
597 provided that no county shall pay the chief county medical
598 examiner or chief county medical examiner investigator less than
599 One Hundred Dollars (\$100.00) per month as a salary, in addition
600 to other compensation provided by law. In any county having one
601 or more deputy medical examiners or deputy medical examiner

602 investigators, each deputy may receive from the county in which he
603 serves, in the discretion of the board of supervisors, a salary of
604 not more than Nine Hundred Dollars (\$900.00) per month, in
605 addition to the fees specified in Sections 41-61-69 and 41-61-75.
606 For this salary the chief shall assure twenty-four-hour daily and
607 readily available death investigators for the county, and shall
608 maintain copies of all medical examiner death investigations for
609 the county for at least the previous five (5) years. He shall
610 coordinate his office and duties and cooperate with the State
611 Medical Examiner, and the State Medical Examiner shall cooperate
612 with him.

613 (5) A body composed of the State Medical Examiner, whether
614 appointed on a permanent or interim basis, the Director of the
615 State Board of Health or his designee, the Attorney General or his
616 designee, the President of the Mississippi Coroners' Association
617 (or successor organization) or his designee, and a certified
618 pathologist appointed by the Mississippi State Medical Association
619 shall adopt, promulgate, amend and repeal rules and regulations as
620 may be deemed necessary by them from time to time for the proper
621 enforcement, interpretation and administration of Sections
622 41-61-51 through 41-61-79, in accordance with the provisions of
623 the Mississippi Administrative Procedures Law, being Section
624 25-43-1 et seq.

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

627 9-13-19. (1) Court reporters for circuit and chancery
628 courts shall be paid an annual salary * * * payable by the
629 Administrative Office of Courts not to exceed Forty Thousand
630 Dollars (\$40,000.00) for court reporters with five (5) years
631 experience or less; not to exceed Forty-three Thousand Dollars
632 (\$43,000.00) for court reporters who have more than five (5) years
633 experience but less than ten (10) years; and not to exceed
634 Forty-five Thousand Six Hundred Dollars (\$45,600.00) for court

635 reporters who have ten (10) years or more experience. In
636 addition, any court reporter performing the duties of a court
637 administrator in the same judicial district in which the person is
638 employed as a court reporter may be paid additional compensation
639 for performing the court administrator duties. The annual amount
640 of the additional compensation shall be set by vote of the judges
641 and chancellors for whom the court administrator duties are
642 performed, with consideration given to the number of hours per
643 month devoted by the court reporter to performing the duties of a
644 court administrator. The additional compensation shall be
645 submitted to the Administrative Office of Courts for approval.

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

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

668 (3) The salary and any additional compensation for the
669 performance of court administrator duties shall be paid in twelve
670 (12) installments on the last working day of each month after it
671 has been duly authorized by the appointing judge or chancellor and
672 an order duly placed on the minutes of the court. Each county
673 shall transfer to the Administrative Office of Courts one-twelfth
674 (1/12) of the amount required to be paid pursuant to subsection
675 (2) of this section by the twentieth day of each month for the
676 salary that is to be paid on the last working day of the month.
677 The Administrative Office of Courts shall pay to the court
678 reporter the total amount of salary due for that month. Any
679 county may pay, in the discretion of the board of supervisors, by
680 the twentieth day of January of any year, the amount due for a
681 full twelve (12) months.

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

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

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

690 (7) For all travel required in the performance of official
691 duties, the circuit or chancery court reporter shall be paid
692 mileage by the county in which the duties were performed at the
693 same rate as provided for state employees in Section 25-3-41. The
694 court reporter shall file in the office of the clerk of the court
695 which he serves a certificate of mileage expense incurred during
696 that term and payment of such expense to the court reporter shall
697 be paid on allowance by the judge of such court.

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

700 19-25-31. Each judge of a circuit, chancery or county court,
701 or a court of eminent domain may, in the judge's discretion, by
702 order entered on the minutes of the court, allow the sheriff
703 riding bailiffs to serve in the respective court of such judge,
704 not to exceed four (4) bailiffs. Any such person so employed
705 shall be paid by the county on allowances of the court on issuance
706 of a warrant therefor in an amount of Fifty-five Dollars (\$55.00)
707 for each day, or part thereof, for which he serves as bailiff when
708 the court is in session. No full-time deputy sheriff shall be
709 paid as a riding bailiff of any court. County court judges shall
710 be limited to one (1) bailiff per each court day.

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

713 25-7-27. (1) Marshals and constables shall charge the
714 following fees:

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

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

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

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

731 (b) * * * After final judgment has been enrolled,
732 further proceedings involving levy of execution on judgments, and

733 attachment and garnishment proceedings shall be a new suit for
734 which the marshal or constable shall be entitled to the following
735 fee..... \$25.00

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

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

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

744 (e) For service as a bailiff in any court in a civil
745 case, to be paid by the county on allowance of the court on
746 issuance of a warrant therefor, an amount equal to the per diem
747 compensation provided under Section 25-3-69 for each day, or part
748 thereof, for which he serves as bailiff when the court is in
749 session.

750 (f) For serving all warrants and other process and
751 attending all trials in state cases in which the state fails in
752 the prosecution, to be paid out of the county treasury on the
753 allowance of the board of supervisors without itemization,
754 subject, however, to the condition that the marshal or constable
755 must not have overcharged in the collection of fees for costs,
756 contrary to the provisions of this section, annually * * *
757 \$1,800.00

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

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

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

768 25-7-13. (1) The clerks of the circuit court shall charge
769 the following fees:

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

772 The fee set forth in this paragraph shall be the total fee
773 for all services performed by the clerk up to and including entry
774 of judgment with respect to each complaint, petition or
775 indictment, including all answers, claims, orders, continuances
776 and other papers filed therein, issuing each writ, summons,
777 subpoena or other such instruments, swearing witnesses, taking and
778 recording bonds and pleas, and recording judgments, orders, fiats
779 and certificates; the fee shall be payable upon filing and shall
780 accrue to the clerk at the time of collection. The clerk or his
781 successor in office shall perform all duties set forth above
782 without additional compensation or fee.

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

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

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

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

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

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

796 (e) Recording orders, fiats, licenses, certificates,
797 oaths and bonds:

798 First page..... \$ 2.00

799 Each additional page..... \$ 1.00

800 (f) Furnishing copies of any papers of record or on

801 file and entering marginal notations on documents of record:

802 If performed by the clerk or his employee,

803 per page..... \$ 1.00

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

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

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

807 (i) For taking and recording application for marriage

808 license, for filing and recording consent of parents when required

809 by law, for filing and recording medical certificate, filing and

810 recording proof of age, recording and issuing license, recording

811 and filing returns..... \$20.00

812 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee

813 collected for a marriage license in the Victims of Domestic

814 Violence Fund established in Section 93-21-117, on a monthly

815 basis.

816 (j) For certified copy of marriage license and search

817 of record, the same fee charged by the Bureau of Vital Statistics

818 of the State Board of Health.

819 (k) For public service not particularly provided for,

820 the circuit court may allow the clerk, per annum, to be paid by

821 the county on presentation of the circuit court's order, the

822 following amount..... \$6,500.00

823 However, in the counties having two (2) judicial districts,

824 such above allowance shall be made for each judicial district.

825 (l) For drawing jurors and issuing venire, to be paid

826 by the county..... \$ 5.00

827 (m) For each day's attendance upon the circuit court

828 term, for himself and necessary deputies allowed by the court,

829 each to be paid by the county..... \$ 50.00

830 (n) Summons, each juror to be paid by the county upon

831 the allowance of the court..... \$ 1.00

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

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

838 (4) The clerk's fees in state cases where the state fails in
839 the prosecution, or in cases of felony where the defendant is
840 convicted and the cost cannot be made out of his estate, in an
841 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)
842 year, shall be paid out of the county treasury on approval of the
843 circuit court, and the allowance thereof by the board of
844 supervisors of the county. In counties having two (2) judicial
845 districts, such allowance shall be made in each judicial district;
846 however, the maximum thereof shall not exceed Eight Hundred
847 Dollars (\$800.00). Clerks in the circuit court, in cases where
848 appeals are taken in criminal cases and no appeal bond is filed,
849 shall be allowed by the board of supervisors of the county after
850 approval of their accounts by the circuit court, in addition to
851 the above fees, for making such transcript the rate of Two Dollars
852 (\$2.00) per page.

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

857 (6) For making final records required by law, including, but
858 not limited to, circuit and county court minutes, and furnishing
859 transcripts of records, the circuit clerk shall charge Two Dollars
860 (\$2.00) per page. The same fees shall be allowed to all officers
861 for making and certifying copies of records or papers which they
862 are authorized to copy and certify.

863 (7) The circuit clerk shall prepare an itemized statement of
864 fees for services performed, cost incurred, or for furnishing

865 copies of any papers of record or on file, and shall submit the
866 statement to the parties or, if represented, to their attorneys
867 within sixty (60) days. A bill for same shall accompany the
868 statement.

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

871 25-7-9. (1) The clerks of the chancery courts shall charge
872 the following fees:

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

875 (b) Recording deeds, wills, leases, amendments,
876 subordinations, liens, releases, cancellations, orders, decrees,
877 oaths, etc., including indexing; for the first fifteen (15) pages
878 10.00

879 Each additional page..... 1.00
880 Sectional index entries per section or subdivision.... 1.00

881 (c) Recording deeds of trust, for the first fifteen
882 (15) pages..... 15.00

883 Each additional page..... 1.00
884 Sectional index entries per section or subdivision.... 1.00

885 (d) * * * Recording oil and gas leases, cancellations,
886 assignments, etc., including indexing in general indices; for the
887 first fifteen (15) pages 18.00

888 Each additional page..... 1.00
889 Sectional index entries per section or subdivision.... 1.00

890 * * *

891 (e) Furnishing copies of any papers of record or on
892 file and entering marginal notations on documents of record:

893 If performed by the clerk or his employee, per page. .50

894 If performed by any other person, per page..... .25

895 (f) For each day's attendance on the board of
896 supervisors, for himself and one (1) deputy, each..... 20.00

897 (g) For other services as clerk of the board of
898 supervisors an allowance shall be made * * * (payable semiannually
899 at the July and January meetings) out of the county treasury, an
900 annual sum not exceeding..... 3,000.00

901 (h) For each day's attendance on the chancery court, to
902 be approved by the chancellor:

903 For the first chancellor sitting only, clerk and two (2)
904 deputies, each..... 30.00

905 For the second chancellor sitting, clerk only..... 30.00

906 Provided that the fees herein prescribed shall be the total
907 remuneration for the clerk and his deputies for attending chancery
908 court.

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

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

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

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

928 (a) Divorce to be contested..... \$75.00

929 (b) Divorce uncontested..... 30.00

| | | | |
|-----|-----|--|-------|
| 930 | (c) | Alteration of birth or marriage certificate. | 25.00 |
| 931 | (d) | Removal of minority..... | 25.00 |
| 932 | (e) | Guardianship or conservatorship..... | 75.00 |
| 933 | (f) | Estate of deceased, intestate..... | 75.00 |
| 934 | (g) | Estate of deceased, testate..... | 75.00 |
| 935 | (h) | Adoption..... | 75.00 |
| 936 | (i) | Land dispute..... | 75.00 |
| 937 | (j) | Injunction..... | 75.00 |
| 938 | (k) | Settlement of small claim..... | 30.00 |
| 939 | (l) | Contempt in child support..... | 75.00 |
| 940 | (m) | Partition suit..... | 75.00 |
| 941 | (n) | Any cross-complaint..... | 25.00 |

942 Cost of process shall be borne by the issuing party.
943 Additionally, should the attorney or person filing the pleadings
944 desire the clerk to pay the cost to the sheriff for serving
945 process on one person or more, or to pay the cost of publication,
946 the clerk shall demand the actual charges therefor, at the time of
947 filing.

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

950 9-1-43. (1) After making deductions for employee salaries
951 and related salary expenses, and expenses allowed as deductions by
952 Schedule C of the Internal Revenue Code, no office of the chancery
953 clerk or circuit clerk of any county in the state shall receive
954 fees as compensation for the chancery clerk's or circuit clerk's
955 services in excess of Ninety Thousand Dollars (\$90,000.00). All
956 such fees received by the office of chancery or circuit clerks
957 that are in excess of the salary limitation shall be deposited by
958 such clerk into the county general fund on or before April 15 for
959 the preceding calendar year. If the chancery clerk or circuit
960 clerk serves less than one (1) year, then he shall not receive as
961 compensation any fees in excess of that portion of the salary
962 limitation that can be attributed to his time in office on a pro

963 rata basis. Upon leaving office, income earned by any clerk in
964 his last full year of office but not received until after his last
965 full year of office shall not be included in determining the
966 salary limitation of the successor clerk. There shall be exempted
967 from the provisions of this subsection any monies or commissions
968 from private or governmental sources which: (a) are to be held by
969 the chancery or circuit clerk in a trust or custodial capacity as
970 prescribed in subsections (4) and (5); or (b) are received as
971 compensation for services performed upon order of a court or board
972 of supervisors which are not required of the chancery clerk or
973 circuit clerk by statute.

974 (2) It shall be unlawful for any chancery clerk or circuit
975 clerk to use fees in excess of Ninety Thousand Dollars
976 (\$90,000.00), to pay the salaries or actual or necessary expenses
977 of employees who are related to such clerk by blood or marriage
978 within the first degree of kinship according to the civil law
979 method of computing kinship as provided in Sections 1-3-71 and
980 1-3-73. However, the prohibition of this subsection shall not
981 apply to any individual who was an employee of the clerk's office
982 prior to the date his or her relative was elected as chancery or
983 circuit clerk. The spouse and/or any children of the chancery
984 clerk or circuit clerk employed in the office of the chancery
985 clerk may be paid a salary; however, the combined annual salaries
986 of the clerk, spouse and any child of the clerk may not exceed an
987 amount equal to the salary limitation.

988 (3) The chancery clerk and the circuit clerk shall be liable
989 on their official bond for the proper deposit and accounting of
990 all monies received by his office. The State Auditor shall
991 promulgate uniform accounting methods for the accounting of all
992 sources of income by the offices of the chancery and circuit
993 clerk.

994 (4) There is created in the county depository of each county
995 a clearing account to be designated as the "chancery court clerk

996 clearing account," into which shall be deposited: (a) all such
997 monies as the clerk of the chancery court shall receive from any
998 person complying with any writ of garnishment, attachment,
999 execution or other like process authorized by law for the
1000 enforcement of child support, spousal support or any other
1001 judgment; (b) any portion of any fees required by law to be
1002 collected in civil cases which are to pay for the service of
1003 process or writs in another county; and (c) any other money as
1004 shall be deposited with the court which by its nature is not, at
1005 the time of its deposit, public monies, but which is to be held by
1006 the court in a trust or custodial capacity in a case or proceeding
1007 before the court. The clerk of the chancery court shall account
1008 for all monies deposited in and disbursed from such account and
1009 shall be authorized and empowered to draw and issue checks on such
1010 account at such times, in such amounts and to such persons as
1011 shall be proper and in accordance with law.

1012 The following monies paid to the chancery clerk shall be
1013 subject to the salary limitation prescribed under subsection (1):
1014 (a) all fees required by law to be collected for the filing,
1015 recording or abstracting of any bill, petition, pleading or decree
1016 in any civil case in chancery; (b) all fees collected for land
1017 recordings, charters, notary bonds, certification of decrees and
1018 copies of any documents; (c) all land redemption and mineral
1019 documentary stamp commissions; and (d) any other monies or
1020 commissions from private or governmental sources for statutory
1021 functions which are not to be held by the court in a trust
1022 capacity. Such fees as shall exceed the salary limitations shall
1023 be maintained in a bank account in the county depository and
1024 accounted for separately from those monies paid into the chancery
1025 court clerk clearing account.

1026 (5) There is created in the county depository in each county
1027 a clearing account to be designated as the "circuit court clerk
1028 civil clearing account," into which shall be deposited: (a) all

1029 such monies and fees as the clerk of the circuit court shall
1030 receive from any person complying with any writ of garnishment,
1031 attachment, execution or any other like process authorized by law
1032 for the enforcement of a judgment; (b) any portion of any fees
1033 required by law or court order to be collected in civil cases;
1034 (c) all fees collected for the issuance of marriage licenses; and
1035 (d) any other money as shall be deposited with the court which by
1036 its nature is not, at the time of its deposit, public monies but
1037 which is to be held by the court in a trust or custodial capacity
1038 in a case or proceeding before the court.

1039 There is created in the county depository in each county a
1040 clearing account to be designated as the "circuit court clerk
1041 criminal clearing account," into which shall be deposited: (a)
1042 all such monies as are received in criminal cases in the circuit
1043 court pursuant to any order requiring payment as restitution to
1044 the victims of criminal offenses; (b) any portion of any fees and
1045 fines required by law or court order to be collected in criminal
1046 cases; and (c) all cash bonds as shall be deposited with the
1047 court. The clerk of the circuit court shall account for all
1048 monies deposited in and disbursed from such account and shall be
1049 authorized and empowered to draw and issue checks on such account,
1050 at such times, in such amounts and to such persons as shall be
1051 proper and in accordance with law; however, such monies as are
1052 forfeited in criminal cases shall be paid by the clerk of the
1053 circuit court to the clerk of the board of supervisors for deposit
1054 in the general fund of the county.

1055 The following monies paid to the circuit clerk shall be
1056 subject to the salary limitation prescribed under subsection (1):
1057 (a) all fees required by law to be collected for the filing,
1058 recording or abstracting of any bill, petition, pleading or decree
1059 in any civil action in circuit court; (b) copies of any documents;
1060 and (c) any other monies or commissions from private or

1061 governmental sources for statutory functions which are not to be
1062 held by the court in a trust capacity.

1063 (6) The chancery clerk and the circuit clerk shall establish
1064 and maintain a cash journal for recording cash receipts from
1065 private or government sources for furnishing copies of any papers
1066 of record or on file, or for rendering services as a notary
1067 public, or other fees wherein the total fee for the transaction is
1068 Ten Dollars (\$10.00) or less. The cash journal entry shall
1069 include the date, amount and type of transaction, and the clerk
1070 shall not be required to issue a receipt to the person receiving
1071 such services. The State Auditor shall not take exception to the
1072 furnishing of copies or the rendering of services as a notary by
1073 any clerk free of charge.

1074 In any county having two (2) judicial districts, whenever the
1075 chancery clerk serves as deputy to the circuit clerk in one (1)
1076 judicial district and the circuit clerk serves as deputy to the
1077 chancery clerk in the other judicial district, the chancery clerk
1078 may maintain a cash journal, separate from the cash journal
1079 maintained for chancery clerk receipts, for recording the cash
1080 receipts paid to him as deputy circuit clerk, and the circuit
1081 clerk may maintain a cash journal, separate from the cash journal
1082 maintained for circuit clerk receipts, for recording the cash
1083 receipts paid to him as deputy chancery clerk. The cash receipts
1084 collected by the chancery clerk in his capacity as deputy circuit
1085 clerk and the cash receipts collected by the circuit clerk in his
1086 capacity as deputy chancery clerk shall be subject to the salary
1087 limitation prescribed under subsection (1).

1088 (7) Any clerk who knowingly shall fail to deposit funds or
1089 otherwise violate the provisions of this section shall be guilty
1090 of a misdemeanor in office and, upon conviction thereof, shall be
1091 fined in an amount not to exceed double the amount that he failed
1092 to deposit, or imprisoned for not to exceed six (6) months in the
1093 county jail, or be punished by both such fine and imprisonment.

1094 **SECTION 12.** Section 25-11-125, Mississippi Code of 1972, is
1095 amended as follows:

1096 25-11-125. The board of supervisors is hereby authorized and
1097 empowered to appropriate and include in its budget for public
1098 purposes a sufficient sum to pay the required employer
1099 contribution to the Public Employees' Retirement System for all
1100 fee paid elected officials in judicial capacities of the county
1101 and supervisors' districts, and for all circuit and chancery
1102 clerks of the county. Such contributions shall be included by the
1103 clerk of the board in his regular reports and remittals to the
1104 executive secretary of the Public Employees' Retirement System for
1105 other county officers and regular county employees whose employer
1106 contributions are not included in and paid from the annual county
1107 budget.

1108 **SECTION 13.** Section 27-105-343, Mississippi Code of 1972, is
1109 amended as follows:

1110 27-105-343. From and after the passage of this section, all
1111 the duties except the duty of receiving and disbursing money that
1112 were imposed by law on county treasurers shall be required to be
1113 done by chancery clerks, and they shall be the custodians of all
1114 the books, records, papers, and vouchers heretofore belonging to
1115 county treasurers, and shall be custodians of all the promissory
1116 notes, bonds, and other like property belonging to or deposited
1117 with the county, and said clerks shall in all respects be liable
1118 on their official bonds for the proper care of the same.

1119 The duty of receipting for and disbursing all monies
1120 heretofore deposited with county treasurers shall be done and
1121 performed by the designated county and drainage district
1122 depositories appointed in the manner provided by law; and any
1123 person or corporation required to pay money into a county treasury
1124 shall hereafter pay the same to a properly designated depository
1125 and such depository shall issue receipts therefor in duplicate,
1126 one of which shall be filed with the chancery clerk and the other

1127 retained by the person or corporation making such payment, and
1128 such payment when made to a designated depository shall discharge
1129 the person or corporation making such payment from any further
1130 liability therefor.

1131 In the event there shall be no designated depository for any
1132 money required to be paid into a county treasury, such payment
1133 shall be made to the tax collector who shall receipt for same in
1134 duplicate as required in the preceding paragraph and shall pay the
1135 same over to a legally appointed depository within ten (10) days
1136 after one is qualified to receive the same. The tax collector
1137 shall be the custodian of all money belonging to a county or any
1138 subdivision thereof until there be appointed a depository for any
1139 such funds and the said tax collectors shall be liable on their
1140 official bond for the proper accounting and payment of any funds
1141 so paid to them.

1142 Boards of supervisors shall allow chancery clerks for their
1143 compensation for performance of the duties required of them by
1144 this section the sum of Two Thousand Five Hundred Dollars
1145 (\$2,500.00) per annum.

1146 Nothing in this section shall preclude drainage districts
1147 from selecting their treasurer or depository as now provided by
1148 law.

1149 **SECTION 14.** Section 25-3-9, Mississippi Code of 1972, is
1150 amended as follows:

1151 25-3-9. (1) Except as provided in subsections (2), (3) and
1152 (4) of this section, the county prosecuting attorney may receive
1153 for his services an annual salary to be paid by the board of
1154 supervisors as follows:

1155 (a) For counties with a total population of more than
1156 two hundred thousand (200,000), a salary not to exceed
1157 Twenty-eight Thousand Five Hundred Dollars (\$28,500.00).

1158 (b) For counties with a total population of more than
1159 one hundred thousand (100,000) and not more than two hundred

1160 thousand (200,000), a salary not to exceed Twenty-six Thousand
1161 Five Hundred Dollars (\$26,500.00).

1162 (c) For counties with a total population of more than
1163 fifty thousand (50,000) and not more than one hundred thousand
1164 (100,000), a salary not to exceed Twenty-one Thousand Seven
1165 Hundred Dollars (\$21,700.00).

1166 (d) For counties with a total population of more than
1167 thirty-five thousand (35,000) and not more than fifty thousand
1168 (50,000), a salary not to exceed Twenty Thousand Four Hundred
1169 Dollars (\$20,400.00).

1170 (e) For counties with a total population of more than
1171 twenty-five thousand (25,000) and not more than thirty-five
1172 thousand (35,000), a salary not to exceed Nineteen Thousand Three
1173 Hundred Dollars (\$19,300.00).

1174 (f) For counties with a total population of more than
1175 fifteen thousand (15,000) and not more than twenty-five thousand
1176 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred
1177 Dollars (\$17,700.00).

1178 (g) For counties with a total population of more than
1179 ten thousand (10,000) and not more than fifteen thousand (15,000),
1180 a salary not to exceed Sixteen Thousand One Hundred Dollars
1181 (\$16,100.00).

1182 (h) For counties with a total population of more than
1183 six thousand (6,000) and not more than ten thousand (10,000), a
1184 salary not to exceed Fourteen Thousand Five Hundred Dollars
1185 (\$14,500.00).

1186 (i) For counties with a total population of six
1187 thousand (6,000) or less, the board of supervisors, in its
1188 discretion, may appoint a county prosecuting attorney, and it may
1189 pay such county prosecuting attorney an annual salary not to
1190 exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00).

1191 In all cases of conviction there shall be taxed against the
1192 convicted defendant, as an item of cost, the sum of Three Dollars

1193 (\$3.00), which shall be turned in to the county treasury as a part
1194 of the general county funds; however, the Three Dollars (\$3.00)
1195 shall not be taxed in any case in which it is not the specific
1196 duty of the county attorney to appear and prosecute.

1197 From and after October 1, 1993, in addition to the salaries
1198 provided for in this subsection, the board of supervisors of any
1199 county, in its discretion, may pay the county prosecuting attorney
1200 an additional amount not to exceed ten percent (10%) of the
1201 maximum allowable salary prescribed herein.

1202 (2) In the following counties, the county prosecuting
1203 attorney shall receive for his services an annual salary to be
1204 paid by the board of supervisors, as follows:

1205 (a) In any county bordering upon the Mississippi River
1206 and having a population of not less than thirty thousand (30,000)
1207 and not more than thirty-five thousand five hundred (35,500)
1208 according to the federal census of 1990, and in counties having a
1209 population of not more than thirty-seven thousand (37,000)
1210 according to the federal census of 1990 in which Interstate
1211 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
1212 attorney shall receive a salary equal to the justice court judge
1213 of such county; and in any county wherein is located the state's
1214 oldest state-supported institution of higher learning and wherein
1215 Mississippi State Highways 7 and 6 intersect, the county
1216 prosecuting attorney shall receive an annual salary equal to that
1217 of a member of the board of supervisors of such county.

1218 (b) In counties having a population in excess of fifty
1219 thousand (50,000) in the 1960 federal census, wherein is located a
1220 state-supported university and in which U.S. Highways 49 and 11
1221 intersect, the salary of the county prosecuting attorney shall be
1222 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
1223 per year. The Board of Supervisors of Forrest County,
1224 Mississippi, may, in its discretion, and by agreement with the
1225 county prosecuting attorney, employ the county prosecuting

1226 attorney as a full-time elected official during his/her term of
1227 office, designate additional duties and responsibilities of the
1228 office and pay additional compensation up to, but not in excess
1229 of, ninety percent (90%) of the annual compensation and salary of
1230 the county court judge and the youth court judge of Forrest County
1231 as authorized by law and provide a reasonable office and
1232 reasonable office expenses to the county prosecuting attorney.
1233 The salary authorized by this paragraph (b) for the county
1234 prosecuting attorney shall be the sole and complete salary for
1235 such prosecuting attorney in each county to which this paragraph
1236 applies, notwithstanding any other provision of law to the
1237 contrary.

1238 (c) In any county wherein is housed the seat of state
1239 government, wherein U.S. Highways 80 and 49 intersect, and having
1240 two (2) judicial districts, the board of supervisors, in its
1241 discretion, may pay the county prosecuting attorney an annual
1242 salary equal to the annual salary of members of the board of
1243 supervisors in the county.

1244 (d) In any county which has two (2) judicial districts
1245 and wherein Highway 8 and Highway 15 intersect, having a
1246 population of greater than seventeen thousand (17,000), according
1247 to the 1980 federal decennial census, the board of supervisors
1248 shall pay the county prosecuting attorney a salary equal to that
1249 of a member of the board of supervisors of such county; provided
1250 that if such county prosecuting attorney is paid a sum for the
1251 purpose of defraying office or secretarial expenses, then the
1252 salary prescribed herein shall be reduced by that amount.

1253 (e) In any county bordering the State of Tennessee and
1254 in which Mississippi Highways No. 4 and 15 intersect, and having a
1255 population of less than twenty thousand (20,000) in the 1970
1256 federal census, the salary of the county prosecuting attorney
1257 shall be no less than Six Thousand Dollars (\$6,000.00).

1258 (f) In any county having a population of more than
1259 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45
1260 intersect, the salary of the county attorney shall be * * * not
1261 less than Eight Thousand Dollars (\$8,000.00).

1262 In addition, such county prosecuting attorney shall receive
1263 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month
1264 for the purpose of defraying secretarial expense.

1265 (g) In any county wherein I-20 and State Highway 15
1266 intersect; and in any county wherein I-20 and State Highway 35
1267 intersect, the salary of the county prosecuting attorney shall be
1268 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1269 (h) In any Class 1 county bordering on the Mississippi
1270 River, lying in whole or in part within a levee district, wherein
1271 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
1272 and Stales Bayou, the board of supervisors, in its discretion, may
1273 pay an annual salary equal to the annual salary of members of the
1274 board of supervisors in the county. In addition, such county
1275 prosecuting attorney shall receive the sum of One Thousand Dollars
1276 (\$1,000.00) per month for the purpose of defraying secretarial
1277 expenses.

1278 (i) In any county bordering on the Gulf of Mexico
1279 having two (2) judicial districts, and wherein U.S. Highways 90
1280 and 49 intersect, the salary of the county prosecuting attorney
1281 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
1282 year. The Board of Supervisors of Harrison County, Mississippi,
1283 may, in its discretion, and by agreement with the county
1284 prosecuting attorney, employ the county prosecuting attorney and
1285 his/her assistant during his/her term of office, and designate
1286 additional duties and responsibilities of the office and pay
1287 additional compensation up to, but not in excess of, ninety
1288 percent (90%) of the annual compensation and salary of the county
1289 court judges of Harrison County as authorized by law and provide
1290 adequate office space and reasonable office expenses to the county

1291 prosecuting attorney and his/her assistant. The salary authorized
1292 by this paragraph (i) for the county prosecuting attorney and
1293 his/her assistant shall be the sole and complete salary paid by
1294 the county for such prosecuting attorney and his/her assistant in
1295 each county to which this paragraph applies, notwithstanding any
1296 other provision of law to the contrary.

1297 (j) In any county bordering on the State of Alabama,
1298 having a population in excess of seventy-five thousand (75,000)
1299 according to the 1980 decennial census in which is located an
1300 institution of higher learning and a United States military
1301 installation and which is traversed by an interstate highway, the
1302 salary of the county prosecuting attorney shall not be less than
1303 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
1304 the annual salary received by a member of the board of supervisors
1305 of that county.

1306 (k) In any county with a land area wherein Mississippi
1307 Highways 8 and 9 intersect, the salary of the county prosecuting
1308 attorney shall be not less than Eight Thousand Five Hundred
1309 Dollars (\$8,500.00) per year.

1310 (l) In any Class 2 county wherein Mississippi Highways
1311 6 and 3 intersect, the salary of the county prosecuting attorney
1312 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
1313 year nor more than the amount of the annual salary received by a
1314 member of the board of supervisors of that county.

1315 (m) In any county wherein Interstate Highway 55 and
1316 State Highway 8 intersect, the salary of the county prosecuting
1317 attorney shall be not less than Twelve Thousand Dollars
1318 (\$12,000.00) per year.

1319 (n) In any county wherein U.S. Highway 51 intersects
1320 Mississippi Highway 6, and having two (2) judicial districts, the
1321 salary of the county prosecuting attorney shall be not less than
1322 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1323 (o) In any county bordering on the Alabama state line,
1324 having a population of greater than fifteen thousand (15,000)
1325 according to the 1970 federal decennial census, wherein U.S.
1326 Highway 45 and Mississippi Highway 18 intersect, the salary of the
1327 county prosecuting attorney shall be not less than Three Thousand
1328 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
1329 of the board of supervisors of such county. All prior acts,
1330 orders and resolutions of the board of supervisors of such county
1331 which authorized the payment of the salary in conformity with the
1332 provisions of this paragraph, whether or not heretofore
1333 specifically authorized by law are hereby ratified, approved and
1334 confirmed.

1335 (p) In any county wherein is located a state-supported
1336 institution of higher learning and wherein U.S. Highway 82 and
1337 Mississippi Highway 389 intersect, the board of supervisors, in
1338 its discretion, may pay the county prosecuting attorney an annual
1339 salary equal to the annual salary of members of the board of
1340 supervisors in the county.

1341 (q) In any county having two (2) judicial districts
1342 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the
1343 salary of the county prosecuting attorney shall be not less than
1344 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1345 (r) In any county traversed by the Natchez Trace
1346 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
1347 intersect, the board of supervisors, in its discretion, may pay
1348 the county prosecuting attorney an annual salary equal to the
1349 annual salary of justice court judges in the county.

1350 (s) In any county having a population of more than
1351 fourteen thousand (14,000) according to the 1970 census and which
1352 county is bordered on the north by the State of Tennessee and on
1353 the east by the State of Alabama and in which U.S. Highway No. 72
1354 and Highway No. 25 intersect, the board of supervisors, in its
1355 discretion, may pay the county prosecuting attorney an annual

1356 salary equal to the annual salary of justice court judges in the
1357 county.

1358 (t) (i) In any county wherein Interstate Highway 55
1359 and State Highway 22 intersect, and which is also traversed in
1360 whole or part by U.S. Highways 49 and 51, and State Highways 16,
1361 17, 43 and the Natchez Trace Parkway, and also containing a part
1362 of a public lake or reservoir, in excess of thirty thousand
1363 (30,000) acres, the board of supervisors, in its discretion, may
1364 pay the county prosecuting attorney an annual salary in the amount
1365 of Twenty-eight Thousand Dollars (\$28,000.00).

1366 (ii) From and after October 1, 1993, in addition
1367 to the salary provided for in subparagraph (i) of this paragraph,
1368 the board of supervisors, in its discretion, may pay the county
1369 prosecuting attorney an additional amount not to exceed ten
1370 percent (10%) of the maximum allowable salary prescribed herein.

1371 (u) In any county having a population in the 1970
1372 census in excess of thirty-five thousand (35,000) and in which
1373 U.S. Highways 49W and 82 intersect, and in which is located a
1374 state penitentiary, the annual salary of a county prosecuting
1375 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
1376 (\$30,420.00).

1377 (v) In any county wherein Mississippi Highway 50
1378 intersects U.S. Highway 45-Alternate, and having a population
1379 greater than twenty thousand (20,000) according to the 1980
1380 federal decennial census, a salary equal to that of a member of
1381 the board of supervisors of such county; provided that if such
1382 county prosecuting attorney is paid a sum for the purpose of
1383 defraying office or secretarial expenses, then the salary
1384 prescribed herein shall be reduced by that amount.

1385 (w) In any county in which the 1975 assessed valuation
1386 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred
1387 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and
1388 Mississippi Highway 8 intersect, the salary of the county

1389 prosecuting attorney shall be equal to that of a member of the
1390 board of supervisors of such county.

1391 (x) In any county bordering on the Mississippi River
1392 having a population greater than fifty thousand (50,000) according
1393 to the 1980 federal decennial census and also having a national
1394 military park and national cemetery, an annual salary of
1395 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
1396 that of a member of the board of supervisors in such county,
1397 whichever is greater. In addition, such county prosecuting
1398 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
1399 per month for the purpose of defraying secretarial expenses.

1400 (y) In any county bordering on the Alabama state line,
1401 traversed by the Chickasawhay River, and wherein U.S. Highway 45
1402 and U.S. Highway 84 intersect, a salary that shall be equal to the
1403 annual salary of a member of the board of supervisors of such
1404 county. All prior acts, orders and resolutions of the board of
1405 supervisors of such county which authorize the payment of the
1406 salary of the county prosecuting attorney in conformity with the
1407 provisions of this section as it existed immediately prior to the
1408 effective date of Chapter 506, Laws of 1985, are hereby ratified,
1409 approved, confirmed and validated.

1410 (z) In any county having a population greater than
1411 sixty-five thousand five hundred eighty (65,580) but less than
1412 sixty-five thousand five hundred ninety (65,590) according to the
1413 1990 federal decennial census, wherein U.S. Highway 45 intersects
1414 with Mississippi Highway 6, an annual salary equal to Thirty
1415 Thousand Dollars (\$30,000.00).

1416 (aa) In any county where an institution of higher
1417 learning is located and wherein U.S. Highway 82 and U.S. Highway
1418 45 intersect, the salary of the county prosecuting attorney shall
1419 be not less than that of a member of the board of supervisors in
1420 such county, and the board of supervisors may, in its discretion,
1421 pay such county prosecuting attorney a salary in an amount not to

1422 exceed the amount of the salary of the District Attorney for the
1423 Sixteenth Judicial District of Mississippi.

1424 (bb) In any county having a population greater than six
1425 thousand (6,000) according to the federal decennial census and
1426 wherein U.S. Highway 61 and Highway 24 intersect, the board of
1427 supervisors, in its discretion, may pay the county prosecuting
1428 attorney an annual salary equal to the annual salary of members of
1429 the board of supervisors in the county.

1430 (cc) In any county having a population greater than
1431 thirty-one thousand (31,000) according to the 1990 federal
1432 decennial census and wherein U.S. Highway 61 and U.S. Highway 49
1433 intersect, a salary of not less than the annual salary of justice
1434 court judges in the county.

1435 (dd) (i) The Rankin County prosecuting attorney, if
1436 such person is not employed on a full-time basis, shall receive an
1437 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1438 (ii) The Board of Supervisors of Rankin County, in
1439 its discretion, may employ the elected county prosecuting attorney
1440 and an assistant on a full-time basis during his or her term of
1441 office and may pay compensation to such full-time prosecuting
1442 attorney in an amount of not more than ninety percent (90%) of the
1443 annual compensation and salary of the county court judges of the
1444 county as authorized by law, and may provide adequate office space
1445 and reasonable office expenses to the county prosecuting attorney
1446 and his/her assistant. The Board of Supervisors of Rankin County,
1447 in its discretion, may also employ a full-time assistant county
1448 prosecuting attorney and may pay such person an annual salary in
1449 such amount as determined by the board of supervisors. The salary
1450 authorized by this subparagraph (dd)(ii) for the elected county
1451 prosecuting attorney and an assistant shall be the sole and
1452 complete salary paid by the county for the elected prosecuting
1453 attorney and assistant in Rankin County, notwithstanding any other
1454 provisions of law to the contrary.

1455 (ee) In any county having a population greater than
1456 eight thousand (8,000) but less than eight thousand two hundred
1457 (8,200) according to the 1990 federal census, and in which U.S.
1458 Highway 61 and Mississippi Highway 4 intersect, the board of
1459 supervisors may, in its discretion, pay the county prosecuting
1460 attorney an amount not to exceed Fourteen Thousand Dollars
1461 (\$14,000.00), in addition to the maximum allowable salary for that
1462 attorney under subsection (1), beginning on April 1, 1997.

1463 (ff) In any county having a population greater than
1464 thirty thousand three hundred (30,300) but less than thirty
1465 thousand four hundred (30,400) according to the 1990 federal
1466 census, and in which U.S. Highway 78 and Mississippi Highway 7
1467 intersect, a salary of not less than the annual salary of a member
1468 of the board of supervisors in such county.

1469 (gg) In any county having a population greater than
1470 thirteen thousand three hundred (13,300) but less than thirteen
1471 thousand four hundred (13,400) according to the 1990 federal
1472 census, and in which Mississippi Highway 24 and Mississippi
1473 Highway 48 intersect, the board of supervisors may, in its
1474 discretion, pay the county prosecuting attorney an additional
1475 amount not to exceed ten percent (10%) of the maximum allowable
1476 salary for that attorney under subsection (1).

1477 (hh) In any county having a population greater than
1478 eight thousand three hundred (8,300) but less than eight thousand
1479 four hundred (8,400) according to the 1990 federal census, and in
1480 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
1481 supervisors may, in its discretion, pay the county prosecuting
1482 attorney an additional amount not to exceed ten percent (10%) of
1483 the maximum allowable salary for that attorney under subsection
1484 (1).

1485 (ii) In any county having a population of more than
1486 thirty thousand four hundred (30,400) and which is traversed in
1487 whole or part by I-59, U.S. Highways 98 and 11 and State Highway

1488 13, the annual salary of the county prosecuting attorney shall be
1489 Twenty-five Thousand Dollars (\$25,000.00).

1490 (jj) In any county having a population greater than
1491 twenty thousand (20,000) according to the 1990 federal census and
1492 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
1493 board of supervisors, in its discretion, may pay the county
1494 prosecuting attorney an annual salary equal to the annual salary
1495 of justice court judges in the county.

1496 (kk) In any county having a population greater than
1497 twelve thousand four hundred (12,400) but less than twelve
1498 thousand five hundred (12,500) according to the 1990 federal
1499 census, and in which U.S. Highway 84 and Mississippi Highway 27
1500 intersect, the board of supervisors may, in its discretion, pay
1501 the county prosecuting attorney an additional amount not to exceed
1502 ten percent (10%) of the maximum allowable salary for that
1503 attorney under subsection (1).

1504 (ll) In any county having a population greater than
1505 thirty thousand two hundred (30,200) but less than thirty thousand
1506 three hundred (30,300) according to the 1990 federal census, and
1507 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,
1508 the board of supervisors may, in its discretion, pay the county
1509 prosecuting attorney an additional amount not to exceed ten
1510 percent (10%) of the maximum allowable salary for that attorney
1511 under subsection (1).

1512 (mm) In any county on the Mississippi River levee,
1513 having a population greater than forty-one thousand eight hundred
1514 (41,800) but less than forty-one thousand nine hundred (41,900)
1515 according to the 1990 federal census wherein U.S. Highway 61 and
1516 Mississippi Highway 8 intersect, the board of supervisors, in its
1517 discretion, may pay the county prosecuting attorney an annual
1518 salary equal to the annual salary of members of the board of
1519 supervisors in the county. In addition, the board of supervisors,
1520 in its discretion, may pay the county prosecuting attorney the sum

1521 of One Thousand Dollars (\$1,000.00) per month for the purpose of
1522 defraying secretarial expenses.

1523 (nn) In any county having a population greater than
1524 twenty-four thousand seven hundred (24,700) and less than
1525 twenty-four thousand nine hundred (24,900) according to the 1990
1526 federal census, wherein Mississippi Highways 15 and 16 intersect,
1527 the board of supervisors, in its discretion, may pay the county
1528 prosecuting attorney an annual salary equal to the annual salary
1529 of members of the board of supervisors in the county.

1530 (oo) In any county having a population greater than
1531 thirty-seven thousand (37,000) but less than thirty-eight thousand
1532 (38,000) according to the 1990 federal census, in which is located
1533 a state supported institution of higher learning, and in which
1534 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
1535 supervisors may, in its discretion, pay the county prosecuting
1536 attorney a salary in an amount not to exceed the amount of the
1537 salary of the District Attorney for the Fourth Judicial District
1538 of Mississippi.

1539 (pp) In any county in which U.S. Highway 78 and
1540 Mississippi Highway 15 intersect and which is traversed by the
1541 Tallahatchie River, a salary equal to that of members of the board
1542 of supervisors of the county, which salary shall be in addition to
1543 any sums received for the purpose of defraying office or
1544 secretarial expenses and sums received as youth court prosecutor
1545 fees.

1546 (qq) In any county bordering on the State of Tennessee
1547 and the State of Arkansas, wherein Interstate Highway 55 and
1548 Mississippi Highway 302 intersect, the board of supervisors, in
1549 its discretion, may pay the county prosecuting attorney an annual
1550 salary equal to the annual salary of justice court judges in the
1551 county.

1552 (rr) In any county that is traversed by the Natchez
1553 Trace Parkway and in which Mississippi Highway 35 and Mississippi

1554 Highway 12 intersect, the board of supervisors, in its discretion,
1555 may pay the county prosecuting attorney an annual salary in the
1556 amount of the annual salary of justice court judges in the county.

1557 (ss) In any county in which Mississippi Highway 14 and
1558 Mississippi Highway 25 intersect, the board of supervisors, in its
1559 discretion, may pay the county prosecuting attorney an annual
1560 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1561 (tt) In any county in which Interstate Highway 59 and
1562 U.S. Highway 84 intersect, the board of supervisors, in its
1563 discretion, may pay the county prosecuting attorney an annual
1564 salary equal to the annual salary of members of the board of
1565 supervisors in the county.

1566 (3) In any case where a salary, expense allowance or other
1567 sum is authorized or paid by the board of supervisors pursuant to
1568 this section, that salary, expense allowance or other sum shall
1569 not be reduced or terminated during the term for which the county
1570 attorney was elected.

1571 (4) Notwithstanding any provision of this section to the
1572 contrary, no county prosecuting attorney shall receive for his
1573 services an annual salary less than the salary paid to a justice
1574 court judge in his respective county.

1575 **SECTION 15.** Section 41-61-75, Mississippi Code of 1972, is
1576 amended as follows:

1577 41-61-75. (1) For each investigation with the preparation
1578 and submission of the required reports, the following fees shall
1579 be billed to and paid by the county for which the service is
1580 provided:

1581 (a) A medical examiner or his deputy shall receive One
1582 Hundred Dollars (\$100.00) for each completed report of
1583 investigation of death, plus the examiner's actual expenses.

1584 (b) The pathologist performing autopsies as provided in
1585 Section 41-61-65 shall receive Five Hundred Fifty Dollars

1586 (\$550.00) per completed autopsy, plus mileage expenses to and from
1587 the site of the autopsy.

1588 (2) Any medical examiner, physician or pathologist who is
1589 subpoenaed for appearance and testimony before a grand jury,
1590 courtroom trial or deposition shall be entitled to an expert
1591 witness hourly fee to be set by the court and mileage expenses to
1592 and from the site of the testimony, and such amount shall be paid
1593 by the jurisdiction or party issuing the subpoena.

1594 **SECTION 16.** Section 25-3-31, Mississippi Code of 1972, is
1595 amended as follows:

1596 25-3-31. (1) The annual salaries of the following elected
1597 state and district officers are fixed as follows:

| | | |
|------|---|--------------|
| 1598 | Governor..... | \$122,160.00 |
| 1599 | Attorney General..... | 108,960.00 |
| 1600 | Secretary of State..... | 90,000.00 |
| 1601 | Commissioner of Insurance..... | 90,000.00 |
| 1602 | State Treasurer..... | 90,000.00 |
| 1603 | State Auditor of Public Accounts..... | 90,000.00 |
| 1604 | Commissioner of Agriculture and Commerce..... | 90,000.00 |
| 1605 | Transportation Commissioners..... | 78,000.00 |
| 1606 | Public Service Commissioners..... | 78,000.00 |

1607 * * *

1608 The above fixed salary of the Governor shall be the reference
1609 amount utilized in computing average compensation and earned
1610 compensation pursuant to Section 25-11-103(f) and Section
1611 25-11-103(k) and to related sections which require such
1612 computations.

1613 * * *

1614 (2) From and after July 1, 2004, in addition to the
1615 compensation provided for in this section, the State Personnel
1616 Board, in its discretion, may authorize an annual supplement for
1617 each elected state and district official listed in subsection (1),
1618 which action shall be adopted and spread on the minutes of the

1619 State Personnel Board and certified to the Senate and House Fees,
1620 Salaries and Administration Committees and the Joint Legislative
1621 Budget Committee.

1622 **SECTION 17.** Section 25-3-34, Mississippi Code of 1972, is
1623 amended as follows:

1624 25-3-34. (1) In addition to the salary provided in Section
1625 25-3-31, any elected state or district official * * * provided
1626 therein shall receive the award of an education benchmark as
1627 defined in State Personnel Board rules for the possession or
1628 attainment of any of the following:

1629 (a) The Certified Public Manager designation;

1630 (b) A job-related Ph.D (Doctor of Philosophy) degree
1631 which is not required as a minimum qualification of the position;

1632 (c) A job related certification, licensure or
1633 registration requiring the passage of an examination, which is not
1634 required as a minimum qualification of the position.

1635 (2) No such official or employee may receive more than a
1636 total of three (3) eligible benchmarks, only one of which may be
1637 for a job related certification, licensure or registration.

1638 (3) The State Personnel Board shall promulgate rules and
1639 regulations to carry out the provisions of this section.

1640 **SECTION 18.** Section 25-3-5, Mississippi Code of 1972, which
1641 establishes the salaries of tax assessors and tax collectors in
1642 counties where the two offices have been separated, is repealed.

1643 **SECTION 19.** The Attorney General of the State of Mississippi
1644 shall submit this act, immediately upon approval by the Governor,
1645 or upon approval by the Legislature subsequent to a veto, to the
1646 Attorney General of the United States or to the United States
1647 District Court for the District of Columbia in accordance with the
1648 provisions of the Voting Rights Act of 1965, as amended and
1649 extended.

1650 **SECTION 20.** This act shall take effect and be in force from
1651 and after the date it is effectuated under Section 5 of the Voting
1652 Rights Act of 1965, as amended and extended.