

By: Representative Davis

To: Fees and Salaries of
Public Officers; County
Affairs

HOUSE BILL NO. 1438

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF FORREST COUNTY TO PAY THE
3 SHERIFF AN ANNUAL SUPPLEMENT; AND FOR RELATED PURPOSES.

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

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

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

10 From and after October 1, 1998, the annual salary for each
11 sheriff shall be based upon the total population of his county
12 according to the latest federal decennial census in the following
13 categories and for the following amounts; however, no sheriff
14 shall be paid less than the salary authorized under this section
15 to be paid the sheriff based upon the population of the county
16 according to the 1980 federal decennial census:

17 (a) For counties with a total population of more than
18 two hundred thousand (200,000), a salary of Seventy-five Thousand
19 Dollars (\$75,000.00).

20 (b) For counties with a total population of more than
21 one hundred thousand (100,000) and not more than two hundred
22 thousand (200,000), a salary of Seventy Thousand Dollars
23 (\$70,000.00).

24 (c) For counties with a total population of more than
25 forty-five thousand (45,000) and not more than one hundred
26 thousand (100,000), a salary of Sixty-five Thousand Dollars
27 (\$65,000.00).

28 (d) For counties with a total population of more than
29 thirty-four thousand (34,000) and not more than forty-five
30 thousand (45,000), a salary of Sixty Thousand Dollars
31 (\$60,000.00).

32 (e) For counties with a total population of more than
33 twenty-five thousand (25,000) and not more than thirty-four
34 thousand (34,000), a salary of Fifty-two Thousand Dollars
35 (\$52,000.00).

36 (f) For counties with a total population of more than
37 fifteen thousand (15,000) and not more than twenty-five thousand
38 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

39 (g) For counties with a total population of more than
40 nine thousand five hundred (9,500) and not more than fifteen
41 thousand (15,000), a salary of Forty-seven Thousand Dollars
42 (\$47,000.00).

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

47 (i) For counties with a total population of not more
48 than seven thousand five hundred (7,500), a salary of Forty-two
49 Thousand Dollars (\$42,000.00).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

103 (h) The patrolling of the state properties located
104 within the county has imposed additional duties on the sheriff;
105 and

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

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

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

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

126 (a) Hinds County has the greatest population of any
127 county, two hundred fifty-four thousand four hundred forty-one
128 (254,441) by the 1990 census, being almost one hundred thousand
129 (100,000) more than the next most populous county;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

204 (c) The patrolling of the state properties located
205 within the county has imposed additional duties on the sheriff
206 justifying additional compensation.

207 (10) In addition to the salary provided for in subsection
208 (1) of this section, the Board of Supervisors of Forrest County
209 shall pay an annual supplement to the Sheriff of the county in an
210 amount equal to Ten Thousand Dollars (\$10,000.00). The
211 Legislature finds and declares that the annual supplement
212 authorized by this subsection is justified in such county for the
213 following reasons:

214 (a) The Mississippi Department of Corrections operates
215 a community work center within Forrest County;

216 (b) There is a resident circuit court judge whose
217 office is located at the Forrest County Courthouse;

218 (c) There are three (3) resident chancery court judges
219 whose offices are located in the Forrest County Chancery Court
220 building;

221 (d) The Forrest County Court Judge has an office in the
222 Forrest County court building;

223 (e) The Magistrate of the United States Southern
224 District has an office in Forrest County;

225 (f) The United States Southern District Courthouse is
226 located in Forrest County;

227 (g) Pinebelt Mental Health operates eleven (11)
228 different sites and facilities in Forrest County;

229 (h) Pine Grove Recovery Center operates three (3)
230 different facilities within Forrest County to provide drug and
231 alcohol treatment;

232 (i) Forrest General Hospital is located in Forrest
233 County;

234 (j) The University of Southern Mississippi campus is
235 located within Forrest County;

236 (k) William Carey College campus is located in Forrest
237 County;

238 (l) The Enhanced E-911 System dispatches for Forrest
239 County Law Enforcement and Forrest County Fire Service has been
240 placed under the direction and control of the sheriff; and

241 (m) The increased activity of the Child Support
242 Division of the Department of Human Services in enforcing the
243 courts' parental obligations has imposed additional duties on the
244 sheriff.

245 (11) The salaries herein provided shall be payable monthly
246 on the first day of each calendar month by chancery clerk's
247 warrant drawn on the general fund of the county; however, the
248 board of supervisors, by resolution duly adopted and entered on
249 its minutes, may provide that such salaries shall be paid
250 semimonthly on the first and fifteenth day of each month. If a
251 pay date falls on a weekend or legal holiday, salary payments
252 shall be made on the workday immediately preceding the weekend or
253 legal holiday.

254 **SECTION 2.** The Attorney General of the State of Mississippi
255 shall submit this act, immediately upon approval by the Governor,

256 or upon approval by the Legislature subsequent to a veto, to the
257 Attorney General of the United States or to the United States
258 District Court for the District of Columbia in accordance with the
259 provisions of the Voting Rights Act of 1965, as amended and
260 extended.

261 **SECTION 3.** This act shall take effect and be in force from
262 and after the date it is effectuated under Section 5 of the Voting
263 Rights Act of 1965, as amended and extended.