

By: Senator(s) Dearing

To: Fees, Salaries and Administration

SENATE BILL NO. 2040

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

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

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

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

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

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

21 (b) For counties with a total population of more than
22 one hundred thousand (100,000) and not more than two hundred
23 thousand (200,000), a salary of Seventy Thousand Dollars
24 (\$70,000.00).

25 (c) For counties with a total population of more than
26 forty-five thousand (45,000) and not more than one hundred
27 thousand (100,000), a salary of Sixty-five Thousand Dollars
28 (\$65,000.00).

29 (d) For counties with a total population of more than
30 thirty-four thousand (34,000) and not more than forty-five
31 thousand (45,000), a salary of Sixty Thousand Dollars
32 (\$60,000.00).

33 (e) For counties with a total population of more than
34 twenty-five thousand (25,000) and not more than thirty-four
35 thousand (34,000), a salary of Fifty-two Thousand Dollars
36 (\$52,000.00).

37 (f) For counties with a total population of more than
38 fifteen thousand (15,000) and not more than twenty-five thousand
39 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

40 (g) For counties with a total population of more than
41 nine thousand five hundred (9,500) and not more than fifteen
42 thousand (15,000), a salary of Forty-seven Thousand Dollars
43 (\$47,000.00).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

127 (a) Hinds County has the greatest population of any
128 county, two hundred fifty-four thousand four hundred forty-one
129 (254,441) by the 1990 census, being almost one hundred thousand
130 (100,000) more than the next most populous county;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

208 (10) In addition to the salary provided for in subsection
209 (1) of this section, the Board of Supervisors of Franklin County,
210 in its discretion, may pay an annual supplement to the sheriff of
211 the county in an amount not to exceed Ten Thousand Dollars
212 (\$10,000.00). The Legislature finds and declares that the annual
213 supplement authorized by this subsection is justified in such
214 county because the sheriff has certain contractual duties
215 regarding a regional correctional facility within Jefferson County
216 used for the private incarceration of state inmates.

217 (11) The salaries herein provided shall be payable monthly
218 on the first day of each calendar month by chancery clerk's
219 warrant drawn on the general fund of the county; however, the
220 board of supervisors, by resolution duly adopted and entered on
221 its minutes, may provide that such salaries shall be paid
222 semimonthly on the first and fifteenth day of each month. If a
223 pay date falls on a weekend or legal holiday, salary payments

224 shall be made on the workday immediately preceding the weekend or
225 legal holiday.

226 **SECTION 2.** The Attorney General of the State of Mississippi
227 shall submit this act, immediately upon approval by the Governor,
228 or upon approval by the Legislature subsequent to a veto, to the
229 Attorney General of the United States or to the United States
230 District Court for the District of Columbia in accordance with the
231 provisions of the Voting Rights Act of 1965, as amended and
232 extended.

233 **SECTION 3.** This act shall take effect and be in force from
234 and after the date it is effectuated under Section 5 of the Voting
235 Rights Act of 1965, as amended and extended, or October 1, 2004,
236 whichever occurs later.