

By: Senator(s) Little

To: Fees, Salaries and Administration

SENATE BILL NO. 2253

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 9-9-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE
 10 SALARIES OF CERTAIN COUNTY COURT JUDGES; TO AMEND SECTION
 11 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARY
 12 ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS AND CHIEF COUNTY
 13 MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 9-13-19,
 14 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COURT
 15 REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO
 16 INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING BAILIFFS; TO
 17 REPEAL SECTION 25-3-5, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES
 18 THE SALARIES OF TAX ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE
 19 THE TWO OFFICES HAVE BEEN SEPARATED; AND FOR RELATED PURPOSES.

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

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

23 25-3-3. (1) The term "total assessed valuation" as used in
 24 this section only refers to the ad valorem assessment for the
 25 county and, in addition, in counties where oil or gas is produced,
 26 the actual value of oil at the point of production, as certified
 27 to the counties by the State Tax Commission under the provisions
 28 of Sections 27-25-501 through 27-25-525, and the actual value of
 29 gas as certified by the State Tax Commission under the provisions
 30 of Sections 27-25-701 through 27-25-723.

31 (2) The salary of assessors and collectors of the various
 32 counties is * * * fixed as full compensation for their services as
 33 county assessors or tax collectors, or both if the office of
 34 assessor has been combined with the office of tax collector. The
 35 annual salary of each assessor or tax collector, or both if the

36 offices have been combined, shall be based upon the total assessed
37 valuation of his respective county for the preceding taxable year
38 in the following categories and for the following amounts:

39 (a) For counties having a total assessed valuation of
40 One Billion Dollars (\$1,000,000,000.00) or more, a salary of
41 Sixty-five Thousand Dollars (\$65,000.00);

42 (b) For counties having a total assessed valuation of
43 at least Five Hundred Million Dollars (\$500,000,000.00) but less
44 than One Billion Dollars (\$1,000,000,000.00), a salary of Sixty
45 Thousand Dollars (\$60,000.00);

46 (c) For counties having a total assessed valuation of
47 at least Two Hundred Million Dollars (\$200,000,000.00) but less
48 than Five Hundred Million Dollars (\$500,000,000.00), a salary of
49 Fifty-five Thousand Dollars (\$55,000.00);

50 (d) For counties having a total assessed valuation of
51 at least Seventy-five Million Dollars (\$75,000,000.00) but less
52 than Two Hundred Million Dollars (\$200,000,000.00), a salary of
53 Fifty Thousand Dollars (\$50,000.00);

54 (e) For counties having a total assessed valuation of
55 at least Thirty-five Million Dollars (\$35,000,000.00) but less
56 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
57 Forty-five Thousand Dollars (\$45,000.00);

58 (f) For counties having a total assessed valuation of
59 less than Thirty-five Million Dollars (\$35,000,000.00), a salary
60 of Forty Thousand Dollars (\$40,000.00).

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

65 (4) The annual salary established for * * * assessors and
66 tax collectors shall not be reduced as a result of a reduction in
67 total assessed valuation. The salaries shall be increased as a
68 result of an increase in total assessed valuation.

69 (5) In addition to all other compensation paid to assessors
70 and tax collectors in counties having two (2) judicial districts,
71 the board of supervisors shall pay such assessors and tax
72 collectors * * * an additional Three Thousand Five Hundred Dollars
73 (\$3,500.00) per year. In addition to all other compensation paid
74 to assessors or tax collectors, in counties maintaining two (2)
75 full-time offices, the board of supervisors shall pay the assessor
76 or tax collector * * * an additional Three Thousand Five Hundred
77 Dollars (\$3,500.00) per year.

78 (6) In addition to all other compensation paid to assessors
79 and tax collectors, the board of supervisors of a county shall
80 allow for such assessor or tax collector, or both, to be paid
81 additional compensation when there is a contract between the
82 county and one or more municipalities providing that the assessor
83 or tax collector, or both, shall assess * * * or collect taxes, or
84 both, for the municipality or municipalities; and such assessor or
85 tax collector, or both, shall be authorized to receive such
86 additional compensation from the county and/or the municipality or
87 municipalities in any amount allowed by the county and/or the
88 municipality or municipalities for performing those services.

89 (7) When any tax assessor holds a valid certificate of
90 educational recognition from the International Association of
91 Assessing Officers or is a licensed appraiser under Section
92 73-34-1 et seq., he shall receive an additional One Thousand Five
93 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
94 year after completion. When any tax assessor is a licensed state
95 certified Residential Appraiser (RA) or licensed state certified
96 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
97 any tax assessor holds a valid designation from the International
98 Association of Assessing Officers as a Cadastral Mapping
99 Specialist (CMS) or Personal Property Specialist (PPS) or
100 Residential Evaluation Specialist (RES), he shall receive an
101 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually

102 beginning the next fiscal year after completion. When any tax
103 assessor holds the valid designation of Certified Assessment
104 Evaluator (CAE) from the International Association of Assessing
105 Officers or is a state certified General Real Estate Appraiser
106 (GA) under Section 73-34-1 et seq., he shall receive an additional
107 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
108 the next fiscal year after completion.

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

113 (9) The salaries * * * provided for in this section shall be
114 payable monthly on the first day of each calendar month by
115 chancery clerk's warrant drawn on the general fund of the county;
116 however, the board of supervisors, by resolution duly adopted and
117 entered on its minutes, may provide that such salaries shall be
118 paid semimonthly on the first and fifteenth day of each month. If
119 a pay date falls on a weekend or legal holiday, salary payments
120 shall be made on the workday immediately preceding the weekend or
121 legal holiday.

122 * * *

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

125 25-3-13. The salaries of the members of the boards of
126 supervisors of the various counties are * * * fixed as full
127 compensation for their services.

128 The annual salary of each member of the board of supervisors
129 shall be based upon the total assessed valuation of his respective
130 county for the preceding taxable year in the following categories
131 and for the following amounts:

132 (a) For counties having a total assessed valuation of
133 less than Twenty Million Dollars (\$20,000,000.00), a salary of

134 Twenty-five Thousand Eight Hundred Eighty-two Dollars

135 (\$25,882.00);

136 (b) For counties having a total assessed valuation of
137 at least Twenty Million Dollars (\$20,000,000.00), but less than
138 Twenty-five Million Dollars (\$25,000,000.00), a salary of
139 Twenty-six Thousand Five Hundred Fifty-one Dollars (\$26,551.00);

140 (c) For counties having a total assessed valuation of
141 at least Twenty-five Million Dollars (\$25,000,000.00), but less
142 than Thirty-five Million Dollars (\$35,000,000.00), a salary of
143 Twenty-seven Thousand Two Hundred Nineteen Dollars (\$27,219.00);

144 (d) For counties having a total assessed valuation of
145 at least Thirty-five Million Dollars (\$35,000,000.00), but less
146 than Fifty Million Dollars (\$50,000,000.00), a salary of
147 Twenty-nine Thousand Five Hundred Fifty-six Dollars (\$29,556.00);

148 (e) For counties having a total assessed valuation of
149 at least Fifty Million Dollars (\$50,000,000.00), but less than
150 Seventy-five Million Dollars (\$75,000,000.00), a salary of Thirty
151 Thousand Eight Hundred Ninety-one Dollars (\$30,891.00);

152 (f) For counties having a total assessed valuation of
153 at least Seventy-five Million Dollars (\$75,000,000.00), but less
154 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
155 salary of Thirty-one Thousand Eight Hundred Ninety-three Dollars
156 (\$31,893.00);

157 (g) For counties having a total assessed valuation of
158 One Hundred Twenty-five Million Dollars (\$125,000,000.00), but
159 less than Three Hundred Million Dollars (\$300,000,000.00), a
160 salary of Thirty-six Thousand Nine Hundred Three Dollars
161 (\$36,903.00);

162 (h) For counties having a total assessed valuation of
163 Three Hundred Million Dollars (\$300,000,000.00) or more, a salary
164 of Forty-one Thousand Seventy-seven Dollars (\$41,077.00).

165 The salary of the members of the board of supervisors shall
166 not be increased under this section until the board of supervisors

167 shall have passed a resolution stating the amount of the increase
168 and spread it on its minutes.

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

171 25-3-25. (1) Except as otherwise provided in subsections
172 (2) through (9), the salaries of sheriffs of the various counties
173 are * * * fixed as full compensation for their services.

174 From and after October 1, 1998, the annual salary for each
175 sheriff shall be based upon the total population of his county
176 according to the latest federal decennial census in the following
177 categories and for the following amounts; however, no sheriff
178 shall be paid less than the salary authorized under this section
179 to be paid the sheriff based upon the population of the county
180 according to the 1980 federal decennial census:

181 (a) For counties with a total population of more than
182 two hundred thousand (200,000), a salary of Eighty-two Thousand
183 Five Hundred Dollars (\$82,500.00).

184 (b) For counties with a total population of more than
185 one hundred thousand (100,000) and not more than two hundred
186 thousand (200,000), a salary of Seventy-seven Thousand Dollars
187 (\$77,000.00).

188 (c) For counties with a total population of more than
189 forty-five thousand (45,000) and not more than one hundred
190 thousand (100,000), a salary of Seventy-one Thousand Five Hundred
191 Dollars (\$71,500.00).

192 (d) For counties with a total population of more than
193 thirty-four thousand (34,000) and not more than forty-five
194 thousand (45,000), a salary of Sixty-six Thousand Dollars
195 (\$66,000.00).

196 (e) For counties with a total population of more than
197 twenty-five thousand (25,000) and not more than thirty-four
198 thousand (34,000), a salary of Fifty-seven Thousand Two Hundred
199 Dollars (\$57,200.00).

200 (f) For counties with a total population of more than
201 fifteen thousand (15,000) and not more than twenty-five thousand
202 (25,000), a salary of Fifty-five Thousand Dollars (\$55,000.00).

203 (g) For counties with a total population of more than
204 nine thousand five hundred (9,500) and not more than fifteen
205 thousand (15,000), a salary of Fifty-one Thousand Seven Hundred
206 Dollars (\$51,700.00).

207 (h) For counties with a total population of more than
208 seven thousand five hundred (7,500) and not more than nine
209 thousand five hundred (9,500), a salary of Forty-nine Thousand
210 Five Hundred Dollars (\$49,500.00).

211 (i) For counties with a total population of not more
212 than seven thousand five hundred (7,500), a salary of Forty-six
213 Thousand Two Hundred Dollars (\$46,200.00).

214 (2) In addition to the salary provided for in subsection (1)
215 of this section, the Board of Supervisors of Leflore County * * *,
216 in its discretion, may pay an annual supplement to the sheriff of
217 the county in an amount not to exceed Ten Thousand Dollars
218 (\$10,000.00). The Legislature finds and declares that the annual
219 supplement authorized by this subsection is justified in such
220 county for the following reasons:

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

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

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

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

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

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

236 (g) The increased activity of the Child Support
237 Division of the Department of Human Services in enforcing in the
238 courts parental obligations has imposed additional duties on the
239 sheriff; and

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

243 (3) In addition to the salary provided for in subsection (1)
244 of this section, the Board of Supervisors of Rankin County * * *,
245 in its discretion, may pay an annual supplement to the sheriff of
246 the county in an amount not to exceed Ten Thousand Dollars
247 (\$10,000.00). The Legislature finds and declares that the annual
248 supplement authorized by this subsection is justified in such
249 county for the following reasons:

250 (a) The Mississippi Department of Corrections operates
251 and maintains the Central Mississippi Correctional Facility within
252 the county;

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

255 (c) Hudspeth Regional Center, a facility maintained for
256 the care and treatment of the mentally retarded, is located within
257 the county;

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

260 (e) The State Fire Academy is operated and maintained
261 within the county;

262 (f) The Pearl River Valley Water Supply District,
263 ordinarily known as the "Reservoir District," is located within
264 the county;

265 (g) The Jackson International Airport is located within
266 the county;

267 (h) The patrolling of the state properties located
268 within the county has imposed additional duties on the sheriff;
269 and

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

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

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

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

290 (a) Hinds County has the greatest population of any
291 county, two hundred fifty-four thousand four hundred forty-one
292 (254,441) by the 1990 census, being almost one hundred thousand
293 (100,000) more than the next most populous county;

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

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

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

301 (e) There are four (4) resident circuit judges, four
302 (4) resident chancery judges, and three (3) resident county judges
303 in Hinds County, the most of any county, with the sheriff acting
304 as chief executive officer and provider of bailiff services for
305 all;

306 (f) The main offices for the clerk and most of the
307 judges and magistrates for the United States District Court for
308 the Southern District of Mississippi are located within the
309 county;

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

312 (h) The University of Mississippi Medical Center,
313 combining the medical school, dental school, nursing school and
314 hospital, is located within the county;

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

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

319 (k) Hinds County has the largest criminal population in
320 the state, such that the Hinds County Sheriff's Department
321 operates the largest county jail system in the state, housing
322 almost one thousand (1,000) inmates in three (3) separate
323 detention facilities;

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

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

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

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

336 (7) In addition to the salary provided for in subsection (1)
337 of this section, the Board of Supervisors of Wilkinson County, in
338 its discretion, may pay an annual supplement to the sheriff of the
339 county in an amount not to exceed Ten Thousand Dollars
340 (\$10,000.00). The Legislature finds and declares that the annual
341 supplement authorized by this subsection is justified in such
342 county because the Mississippi Department of Corrections contracts
343 for the private incarceration of state inmates at a private
344 correctional facility within the county.

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

354 (9) In addition to the salary provided in subsection (1) of
355 this section, the Board of Supervisors of Greene County, in its
356 discretion, may pay an annual supplement to the sheriff of the
357 county in an amount not to exceed Ten Thousand Dollars
358 (\$10,000.00). The Legislature finds and declares that the annual
359 supplement authorized by this subsection is justified in such
360 county for the following reasons:

361 (a) The Mississippi Department of Corrections operates
362 and maintains the South Mississippi Correctional Facility within
363 the county;

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

368 (c) The patrolling of the state properties located
369 within the county has imposed additional duties on the sheriff
370 justifying additional compensation.

371 (10) The salaries * * * provided in this section shall be
372 payable monthly on the first day of each calendar month by
373 chancery clerk's warrant drawn on the general fund of the county;
374 however, the board of supervisors, by resolution duly adopted and
375 entered on its minutes, may provide that such salaries shall be
376 paid semimonthly on the first and fifteenth day of each month. If
377 a pay date falls on a weekend or legal holiday, salary payments
378 shall be made on the workday immediately preceding the weekend or
379 legal holiday.

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

382 25-3-36. (1) From and after October 1, 1998, every justice
383 court judge shall receive as full compensation for his or her
384 services and in lieu of any and all other fees, costs or
385 compensation heretofore authorized for such justice court judge,
386 an annual salary based upon the population of his or her county
387 according to the 1990 federal decennial census; however, no
388 justice court judge shall be paid less than the salary authorized
389 under this section to be paid the justice court judge based upon
390 the population of the county according to the 1980 federal
391 decennial census. The amount of which salary shall be determined
392 as follows:

393 (a) In counties with a population of more than two
394 hundred thousand (200,000), a salary of Fifty Thousand Nine
395 Hundred Twenty-nine Dollars (\$50,929.00).

396 (b) In counties with a population of more than one
397 hundred fifty thousand (150,000) but not more than two hundred
398 thousand (200,000), a salary of Forty-six Thousand Seven Hundred
399 Fifty-five Dollars (\$46,755.00).

400 (c) In counties with a population of more than
401 seventy-five thousand (75,000) but not more than one hundred fifty
402 thousand (150,000), a salary of Forty-two Thousand Five Hundred
403 Eighty Dollars (\$42,580.00).

404 (d) In counties with a population of more than
405 forty-nine thousand (49,000) but not more than seventy-five
406 thousand (75,000), a salary of Thirty-six Thousand Seven Hundred
407 Thirty-six Dollars (\$36,736.00).

408 (e) In counties with a population of more than
409 thirty-four thousand (34,000) but not more than forty-nine
410 thousand (49,000), a salary of Thirty-one Thousand Seven Hundred
411 Twenty-six Dollars (\$31,726.00).

412 (f) In counties with a population of more than
413 twenty-four thousand five hundred (24,500) but not more than
414 thirty-four thousand (34,000), a salary of Thirty Thousand
415 Fifty-six Dollars (\$30,056.00).

416 (g) In counties with a population of more than
417 twenty-one thousand (21,000) but not more than twenty-four
418 thousand five hundred (24,500), a salary of Twenty-six Thousand
419 Seven Hundred Seventeen Dollars (\$26,717.00).

420 (h) In counties with a population of more than sixteen
421 thousand five hundred (16,500) but not more than twenty-one
422 thousand (21,000), a salary of Twenty-three Thousand Three Hundred
423 Seventy-seven Dollars (\$23,377.00).

424 (i) In counties with a population of more than twelve
425 thousand (12,000) but not more than sixteen thousand five hundred

426 (16,500), a salary of Twenty Thousand Thirty-eight Dollars
427 (\$20,038.00).

428 (j) In counties with a population of more than eight
429 thousand (8,000) but not more than twelve thousand (12,000), a
430 salary of Sixteen Thousand Five Hundred Dollars (\$16,500.00).

431 (k) In counties with a population of eight thousand
432 (8,000) or less, a salary of Thirteen Thousand Two Hundred Dollars
433 (\$13,200.00).

434 The board of supervisors of any county having two (2)
435 judicial districts and two (2) justice court judges for the county
436 shall pay each justice court judge an amount equal to that * * *
437 provided in this subsection for judges in the next higher
438 population category per year, if the justice court judge maintains
439 regular office hours and is personally present in the office they
440 maintain for at least thirty (30) hours per week.

441 In any county having a population greater than eight thousand
442 (8,000) but less than eight thousand five hundred (8,500)
443 according to the 1990 federal decennial census and in which U.S.
444 Highway 61 and Mississippi Highway 4 intersect, the board of
445 supervisors * * *, in its discretion, may pay such justice court
446 judges an additional amount not to exceed the sum of Eleven
447 Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable
448 beginning April 1, 1997.

449 In any county having a population greater than ten thousand
450 (10,000) but less than ten thousand five hundred (10,500)
451 according to the 1990 federal decennial census and in which
452 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
453 board of supervisors * * *, in its discretion, may pay such
454 justice court judges an additional amount not to exceed One
455 Thousand Four Hundred Fifty Dollars (\$1,450.00) per year, payable
456 beginning April 1, 1997.

457 In any county having a population greater than twenty-four
458 thousand seven hundred (24,700) and less than twenty-four thousand

459 nine hundred (24,900), according to the 1990 federal census,
460 wherein Mississippi Highways 15 and 16 intersect, the board of
461 supervisors shall pay such justice court judge an additional
462 amount equal to Two Thousand Five Hundred Dollars (\$2,500.00) per
463 year.

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

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

490 (4) The salaries provided for in * * * this section shall be
491 payable monthly by warrant drawn by the clerk of the board of

492 supervisors on the general fund of the county; however, the board
493 of supervisors, by resolution duly adopted and entered on its
494 minutes, may provide that such salaries shall be paid semimonthly
495 on the first and fifteenth day of each month. If a pay date falls
496 on a weekend or legal holiday, salary payments shall be made on
497 the workday immediately preceding the weekend or legal holiday.

498 (5) * * * The salary of a justice court judge shall not be
499 reduced during his term of office as a result of a population
500 change following a federal decennial census.

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

505 **SECTION 5.** Section 9-9-11, Mississippi Code of 1972, is
506 amended as follows:

507 9-9-11. (1) Except as otherwise provided in subsections (2)
508 and (3), the county court judge shall receive an annual salary
509 payable monthly out of the county treasury in an amount not to
510 exceed One Thousand Dollars (\$1,000.00) less than the salary which
511 is now or shall hereafter be provided for circuit and chancery
512 judges of this state, in the discretion of the board of
513 supervisors of that county; * * * however, * * * the salary of
514 such judge shall not be reduced during his term of office. * * *
515 Further, * * * the office of county court judge in any county
516 receiving an annual salary of Thirty-six Thousand Dollars
517 (\$36,000.00) or more shall be a full-time position, and the holder
518 thereof shall not otherwise engage in the practice of law.

519 (2) In the event of the establishment of a county court by
520 agreement between two (2) or more counties as provided in Section
521 9-9-3, the county judge of the court so established shall be paid
522 a salary equal to one and one-half (1-1/2) times that salary that
523 he would be paid if he were the judge of the smallest of such two
524 (2) or more counties, such salary to be paid in monthly

525 installments as provided by law; provided that such salary shall
526 not exceed One Thousand Dollars (\$1,000.00) less than the salary
527 of the circuit and chancery judges of this state.

528 (3) The county court judge shall receive an annual salary
529 payable monthly out of the county treasury as follows:

530 (a) In any county having a population of seventy
531 thousand (70,000) or more according to the 1980 federal census,
532 the county judge shall receive an annual salary of One Thousand
533 Dollars (\$1,000.00) less than that paid to a circuit court judge.
534 The office of county judge shall be a full-time position, and the
535 holder thereof shall not otherwise engage in the practice of law.

536 (b) In any county having a population of sixty thousand
537 (60,000) or more but less than seventy thousand (70,000) according
538 to the 1980 federal census, the county judge shall receive an
539 annual salary of Forty-four Thousand Dollars (\$44,000.00). The
540 office of county judge shall be a full-time position, and the
541 holder thereof shall not otherwise engage in the practice of law.
542 The county judge shall not be eligible for any additional salary
543 except as may be authorized in subsection (4).

544 (c) In any county having a population of twenty-seven
545 thousand (27,000) or more but less than sixty thousand (60,000)
546 according to the 1980 federal census, the county judge shall
547 receive an annual salary of not less than Thirteen Thousand Two
548 Hundred Dollars (\$13,200.00) but not more than Forty-four Thousand
549 Dollars (\$44,000.00), in the discretion of the board of
550 supervisors of that county. The county judge shall not be
551 eligible for any additional salary except as may be authorized in
552 subsection (4). In the event that the board of supervisors of said
553 county elects to pay such county judge an annual salary of Thirty
554 Thousand Dollars (\$30,000.00) or more, the office of county judge
555 shall be a full-time position, and the holder thereof shall not
556 otherwise engage in the practice of law.

557 (d) In any county having a population of less than
558 twenty-seven thousand (27,000) according to the 1980 federal
559 census, the county judge shall receive an annual salary of not
560 less than Four Thousand Six Hundred Twenty Dollars (\$4,620.00) and
561 not more than Nine Thousand Three Hundred Fifty Dollars
562 (\$9,350.00), in the discretion of the board of supervisors of said
563 county. The county judge shall not be eligible for any additional
564 salary except as may be authorized in subsection (4).

565 (4) The county judge of any county described in this
566 subsection shall be paid the compensation, and he shall be subject
567 to any restrictions, set forth in the following paragraphs:

568 (a) The county judge of any such Class 1 county with
569 population according to the latest federal decennial census of
570 forty-five thousand (45,000) or more and lying wholly within a
571 levee district and having two (2) judicial districts shall, in the
572 discretion of the board of supervisors of such county, shall
573 receive an annual salary not exceeding Forty Thousand Dollars
574 (\$40,000.00), or a sum which is One Thousand Dollars (\$1,000.00)
575 less than the salary which is now or shall hereafter be provided
576 for circuit and chancery judges of the state, whichever is
577 greater.

578 (b) The county judge of any Class 1 county having an
579 area in excess of nine hundred twenty-five (925) square miles
580 shall receive an annual salary of not less than Thirty Thousand
581 Dollars (\$30,000.00) but, in the discretion of the board of
582 supervisors of such county, such salary may be not more than Five
583 Hundred Dollars (\$500.00) less than the annual salary of a circuit
584 judge, payable monthly out of the county treasury, and the county
585 judge shall not practice law.

586 (c) The office of county judge in any such Class 1
587 county with a population according to the 1970 federal decennial
588 census of greater than thirty-nine thousand (39,000), and where
589 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive

590 an annual salary to be paid in monthly installments of not less
591 than an amount equal to ninety percent (90%) of the annual salary
592 which is now or shall hereafter be provided for circuit and
593 chancery judges of the state, as follows: The salary of the
594 county judge shall be increased by ten percent (10%) annually
595 above the base salary of the preceding year until such time as the
596 judge's salary is equal to the amount that is provided by this
597 subsection. The office of county judge shall be a full-time
598 position and the holder thereof shall not otherwise engage in the
599 practice of law.

600 (d) In any Class 1 county bordering on the Mississippi
601 River and which has situated therein a national military park and
602 national military cemetery, the office of county judge shall be a
603 full-time position and the holder thereof shall not otherwise
604 engage in the practice of law. The salary for the county judge in
605 said county shall be fixed at a sum which is One Thousand Dollars
606 (\$1,000.00) less than the salary which is now or shall hereafter
607 be provided for circuit and chancery judges of this state.

608 (e) The county judge in any county having a population
609 of at least forty-two thousand one hundred eleven (42,111),
610 according to the 1970 census, and where U.S. Highway 49E and U.S.
611 Highway 82 intersect, shall receive an annual salary to be paid in
612 monthly installments of not less than Thirty Thousand Dollars
613 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars
614 (\$2,500.00) less than the annual salary of the circuit judge, in
615 the discretion of the board of supervisors of that county.

616 (f) The county judge in any Class 1 county bordering on
617 the Mississippi River and having an area of less than four hundred
618 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect
619 shall receive an annual salary of Four Thousand Dollars
620 (\$4,000.00) less than the annual salary of a circuit judge, and
621 such county judge shall not practice law in any manner. The
622 county judge in such county shall not be eligible to receive any

623 additional salary authorized by this section or from any other
624 source other than that set out and authorized by this paragraph.

625 (g) The county judge of any Class 1 county bordering on
626 the Mississippi River on the west and the State of Tennessee on
627 the north, and traversed north to south by Interstate Highway 55,
628 shall receive an annual salary of One Thousand Dollars (\$1,000.00)
629 less than that paid to a circuit court judge * * *. The office of
630 county judge shall be a full-time position, and the holder thereof
631 shall not otherwise engage in the practice of law.

632 (h) The county judge of any Class 1 county with a
633 population of greater than sixty-nine thousand (69,000) according
634 to the 1980 federal decennial census, and wherein U.S. Highway 80
635 and Mississippi Highway 43 intersect, shall receive an annual
636 salary in an amount not greater than the sum of Five Hundred
637 Dollars (\$500.00) less than the salary which is now or shall
638 hereafter be provided for circuit and chancery judges of this
639 state, in the discretion of the board of supervisors of said
640 county.

641 (i) The county judge of any county having a population
642 in excess of sixty-six thousand (66,000) according to the 1980
643 federal decennial census, wherein is located a state-supported
644 university and in which U.S. Highways 49 and 11 intersect, shall
645 receive an annual salary of One Thousand Dollars (\$1,000.00) less
646 than that paid to a circuit court judge. The office of such
647 county judge shall be a full-time position, and the holder thereof
648 shall not otherwise engage in the practice of law.

649 (j) The county judge of any county having two (2)
650 judicial districts, having a population in excess of sixty-one
651 thousand nine hundred (61,900) according to the 1980 federal
652 decennial census, in which U.S. Interstate Highway 59 intersects
653 with U.S. Highway 84, shall receive an annual salary of One
654 Thousand Dollars (\$1,000.00) less than the salary which is now or
655 hereafter authorized to be paid circuit and chancery court judges

656 of this state. The office of such county judge shall be a
657 full-time position, and the holder thereof shall not otherwise
658 engage in the practice of law.

659 (k) The office of county judge of any Class I county
660 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a
661 full-time position and the holder thereof shall not otherwise
662 engage in the practice of law. The annual salary for the office
663 of county judge in that county may be fixed, in the discretion of
664 the board of supervisors of the county, at a sum not to exceed Two
665 Thousand Dollars (\$2,000.00) less than the salary which is now or
666 shall hereafter be provided for circuit and chancery judges of
667 this state.

668 (l) The county judge of any county having a population
669 of more than forty-one thousand six hundred (41,600) but less than
670 forty-one thousand six hundred fifty (41,650) according to the
671 1980 federal census, and wherein U.S. Highway 49 intersects with
672 Mississippi Highway 22, shall receive an annual salary in an
673 amount established by the board of supervisors, but in no event to
674 exceed the salary provided now or hereafter for circuit and
675 chancery judges of this state.

676 (m) The county judge of any county having a population
677 of more than fifty-seven thousand (57,000) but less than
678 fifty-seven thousand one hundred (57,100) according to the 1980
679 federal census, wherein U.S. Highway 45 intersects with
680 Mississippi Highway 6, shall receive an annual salary in an amount
681 established by the board of supervisors, but in no event to exceed
682 the salary provided now or hereafter for circuit and chancery
683 judges of this state.

684 (n) The county judge of any county having a population
685 of more than fifty-seven thousand three hundred (57,300) according
686 to the 1980 federal decennial census, wherein is located a
687 state-supported university and wherein United States Highways 82
688 and 45 intersect, shall receive an annual salary in an amount

689 established by the board of supervisors, but in no event to exceed
690 the salary provided now or hereafter for circuit and chancery
691 judges of this state.

692 (5) The salary of a county court judge or justice court
693 judge shall not be reduced during his term of office as a result
694 of a population decrease based upon the 1990 federal decennial
695 census.

696 * * *

697 (6) From and after October 1, 1993, * * * in addition to the
698 salaries set forth in this section, the board of supervisors of
699 any county, in its discretion, may pay any county court judge
700 whose salary is not established herein in relation to the salary
701 paid to chancery and circuit court judges, an additional amount
702 not to exceed ten percent (10%) of the maximum allowable salary
703 for that judge.

704 **SECTION 6.** Section 41-61-59, Mississippi Code of 1972, is
705 amended as follows:

706 41-61-59. (1) A person's death which affects the public
707 interest as specified in subsection (2) of this section shall be
708 promptly reported to the medical examiner by the physician in
709 attendance, any hospital employee, any law enforcement officer
710 having knowledge of the death, the embalmer or other funeral home
711 employee, any emergency medical technician, any relative or any
712 other person present. The appropriate medical examiner shall
713 notify the municipal or state law enforcement agency or sheriff
714 and take charge of the body. The appropriate medical examiner
715 shall notify the Mississippi Bureau of Narcotics within
716 twenty-four (24) hours of receipt of the body in cases of death as
717 described in subsection (2)(m) or (n) of this section.

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

720 (a) Violent death, including homicidal, suicidal or
721 accidental death.

722 (b) Death caused by thermal, chemical, electrical or
723 radiation injury.

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

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

728 (e) Death that has occurred unexpectedly or from an
729 unexplained cause.

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

732 (g) Death of a person where a physician was not in
733 attendance within thirty-six (36) hours preceding death, or in
734 prediagnosed terminal or bedfast cases, within thirty (30) days
735 preceding death.

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

738 (i) Death of a person where the identity of the
739 deceased is unknown.

740 (j) Death of a child under the age of two (2) years
741 where death results from an unknown cause or where the
742 circumstances surrounding the death indicate that sudden infant
743 death syndrome may be the cause of death.

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

748 (l) Where a person is presented to a hospital emergency
749 room unconscious and/or unresponsive, with cardiopulmonary
750 resuscitative measures being performed, and dies within
751 twenty-four (24) hours of admission without regaining
752 consciousness or responsiveness, unless a physician was in
753 attendance within thirty-six (36) hours preceding presentation to
754 the hospital, or in cases in which the decedent had a prediagnosed

755 terminal or bedfast condition, unless a physician was in
756 attendance within thirty (30) days preceding presentation to the
757 hospital.

758 (m) Death which is caused by drug overdose or which is
759 believed to be caused by drug overdose.

760 (n) When a stillborn fetus is delivered and the cause
761 of the demise is medically believed to be from the use by the
762 mother of any controlled substance as defined in Section
763 41-29-105.

764 (3) The State Medical Examiner is empowered to investigate
765 deaths, under the authority hereinafter conferred, in any and all
766 political subdivisions of the state. The county medical examiners
767 and county medical examiner investigators, while appointed for a
768 specific county, may serve other counties on a regular basis with
769 written authorization by the State Medical Examiner, or may serve
770 other counties on an as-needed basis upon the request of the
771 ranking officer of the investigating law enforcement agency. The
772 county medical examiner or county medical examiner investigator of
773 any county which has established a regional medical examiner
774 district under subsection (4) of Section 41-61-77 may serve other
775 counties which are parties to the agreement establishing the
776 district, in accordance with the terms of the agreement, and may
777 contract with counties which are not part of the district to
778 provide medical examiner services for such counties. If a death
779 affecting the public interest takes place in a county other than
780 the one where injuries or other substantial causal factors leading
781 to the death have occurred, jurisdiction for investigation of the
782 death may be transferred, by mutual agreement of the respective
783 medical examiners of the counties involved, to the county where
784 such injuries or other substantial causal factors occurred, and
785 the costs of autopsy or other studies necessary to the further
786 investigation of the death shall be borne by the county assuming
787 jurisdiction.

788 (4) The chief county medical examiner or chief county
789 medical examiner investigator may receive from the county in which
790 he serves a salary of Eight Hundred Twenty-five Dollars (\$825.00)
791 per month, in addition to the fees specified in Sections 41-61-69
792 and 41-61-75, provided that no county shall pay the chief county
793 medical examiner or chief county medical examiner investigator
794 less than One Hundred Dollars (\$100.00) per month as a salary, in
795 addition to other compensation provided by law. In any county
796 having one or more deputy medical examiners or deputy medical
797 examiner investigators, each deputy may receive from the county in
798 which he serves, in the discretion of the board of supervisors, a
799 salary of not more than Eight Hundred Twenty-five Dollars
800 (\$825.00) per month, in addition to the fees specified in Sections
801 41-61-69 and 41-61-75. For this salary the chief shall assure
802 twenty-four-hour daily and readily available death investigators
803 for the county, and shall maintain copies of all medical examiner
804 death investigations for the county for at least the previous five
805 (5) years. He shall coordinate his office and duties and
806 cooperate with the State Medical Examiner, and the State Medical
807 Examiner shall cooperate with him.

808 (5) A body composed of the State Medical Examiner, whether
809 appointed on a permanent or interim basis, the Director of the
810 State Board of Health, or his designee, the Attorney General, or
811 his designee, the President of the Mississippi Coroners'
812 Association (or successor organization), or his designee, and a
813 certified pathologist appointed by the Mississippi State Medical
814 Association shall adopt, promulgate, amend and repeal rules and
815 regulations as may be deemed necessary by them from time to time
816 for the proper enforcement, interpretation and administration of
817 Sections 41-61-51 through 41-61-79, in accordance with the
818 provisions of the Mississippi Administrative Procedures Law, being
819 Section 25-43-1 et seq.

820 **SECTION 7.** Section 9-13-19, Mississippi Code of 1972, is
821 amended as follows:

822 9-13-19. (1) Court reporters for circuit and chancery
823 courts shall be paid an annual salary of Forty-one Thousand Eight
824 Hundred Dollars (\$41,800.00) payable by the Administrative Office
825 of Courts. In addition, any court reporter performing the duties
826 of a court administrator in the same judicial district in which
827 the person is employed as a court reporter may be paid additional
828 compensation for performing the court administrator duties. The
829 annual amount of the additional compensation shall be set by vote
830 of the judges and chancellors for whom the court administrator
831 duties are performed, with consideration given to the number of
832 hours per month devoted by the court reporter to performing the
833 duties of a court administrator. The additional compensation
834 shall be submitted to the Administrative Office of Courts for
835 approval.

836 (2) The several counties in each respective court district
837 shall transfer from the general funds of those county treasuries
838 to the Administrative Office of Courts a proportionate amount to
839 be paid toward the annual compensation of the court reporter,
840 including any additional compensation paid for the performance of
841 court administrator duties. The amount to be paid by each county
842 shall be determined by the number of weeks in which court is held
843 in each county in proportion to the total number of weeks court is
844 held in the district. For purposes of this section, the term
845 "compensation" means the gross salary plus all amounts paid for
846 benefits, or otherwise, as a result of employment or as required
847 by employment, but does not include transcript fees otherwise
848 authorized to be paid by or through the counties. However, only
849 salary earned for services rendered shall be reported and credited
850 for retirement purposes. Amounts paid for transcript fees,
851 benefits or otherwise, including reimbursement for travel

852 expenses, shall not be reported or credited for retirement
853 purposes.

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

858 (3) The salary and any additional compensation for the
859 performance of court administrator duties shall be paid in twelve
860 (12) installments on the last working day of each month after it
861 has been duly authorized by the appointing judge or chancellor and
862 an order duly placed on the minutes of the court. Each county
863 shall transfer to the Administrative Office of Courts one-twelfth
864 (1/12) of the amount required to be paid pursuant to subsection
865 (2) of this section by the twentieth day of each month for the
866 salary that is to be paid on the last working day of the month.
867 The Administrative Office of Courts shall pay to the court
868 reporter the total amount of salary due for that month. Any
869 county may pay, in the discretion of the board of supervisors, by
870 the twentieth day of January of any year, the amount due for a
871 full twelve (12) months.

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

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

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

880 (7) For all travel required in the performance of official
881 duties, the circuit or chancery court reporter shall be paid
882 mileage by the county in which the duties were performed at the
883 same rate as provided for state employees in Section 25-3-41. The
884 court reporter shall file in the office of the clerk of the court

885 which he serves a certificate of mileage expense incurred during
886 that term and payment of such expense to the court reporter shall
887 be paid on allowance by the judge of such court.

888 **SECTION 8.** Section 19-25-31, Mississippi Code of 1972, is
889 amended as follows:

890 19-25-31. Each judge of a circuit, chancery or county court,
891 or a court of eminent domain may, in the judge's discretion, by
892 order entered on the minutes of the court, allow the sheriff
893 riding bailiffs to serve in the respective court of such judge,
894 not to exceed four (4) bailiffs. Any such person so employed
895 shall be paid by the county on allowances of the court on issuance
896 of a warrant therefor in an amount of Sixty Dollars (\$60.00) for
897 each day, or part thereof, for which he serves as bailiff when the
898 court is in session. No full-time deputy sheriff shall be paid as
899 a riding bailiff of any court. County court judges shall be
900 limited to one (1) bailiff per each court day.

901 **SECTION 9.** Section 25-3-5, Mississippi Code of 1972, which
902 establishes the salaries of tax assessors and tax collectors in
903 counties where the two offices have been separated, is repealed.

904 **SECTION 10.** The Attorney General of the State of Mississippi
905 shall submit this act, immediately upon approval by the Governor,
906 or upon approval by the Legislature subsequent to a veto, to the
907 Attorney General of the United States or to the United States
908 District Court for the District of Columbia in accordance with the
909 provisions of the Voting Rights Act of 1965, as amended and
910 extended.

911 **SECTION 11.** This act shall take effect and be in force from
912 and after the date it is effectuated under Section 5 of the Voting
913 Rights Act of 1965, as amended and extended.