

By: Senator(s) Chamberlin, Flowers

To: Fees, Salaries and Administration

SENATE BILL NO. 2552

1 AN ACT TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE COUNTY BOARD OF SUPERVISORS OF ANY COUNTY TO PAY ITS  
3 COUNTY COURT JUDGE A CERTAIN SALARY IN RELATION TO THAT PAID TO A  
4 CIRCUIT JUDGE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 9-9-11, Mississippi Code of 1972, is  
7 amended as follows:

8 9-9-11. (1) Except as otherwise provided in subsections (2)  
9 and (3), the county court judge shall receive an annual salary  
10 payable monthly out of the county treasury in an amount not to  
11 exceed One Thousand Dollars (\$1,000.00) less than the salary which  
12 is now or shall hereafter be provided for circuit and chancery  
13 judges of this state, in the discretion of the board of  
14 supervisors of said county; provided, however, that the salary of  
15 such judge shall not be reduced during his term of office.  
16 Provided further, that the office of county court judge in any  
17 county receiving an annual salary of Thirty-six Thousand Dollars  
18 (\$36,000.00) or more shall be a full-time position, and the holder  
19 thereof shall not otherwise engage in the practice of law.

20 (2) In the event of the establishment of a county court by  
21 agreement between two (2) or more counties as provided in Section  
22 9-9-3, the county judge of the court so established shall be paid  
23 a salary equal to one and one-half (1-1/2) times that salary that  
24 he would be paid if he were the judge of the smallest of such two  
25 (2) or more counties, such salary to be paid in monthly  
26 installments as provided by law; provided that such salary shall  
27 not exceed One Thousand Dollars (\$1,000.00) less than the salary  
28 of the circuit and chancery judges of this state.

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

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

37           (b) In any county having a population of sixty thousand  
38 (60,000) or more but less than seventy thousand (70,000) according  
39 to the 1980 federal census, the county judge shall receive an  
40 annual salary of Forty Thousand Dollars (\$40,000.00). The office  
41 of county judge shall be a full-time position, and the holder  
42 thereof shall not otherwise engage in the practice of law. The  
43 county judge shall not be eligible for any additional salary  
44 except as may be authorized in subsection (4).

45           (c) In any county having a population of twenty-seven  
46 thousand (27,000) or more but less than sixty thousand (60,000)  
47 according to the 1980 federal census, the county judge shall  
48 receive an annual salary of not less than Twelve Thousand Dollars  
49 (\$12,000.00) but not more than Forty Thousand Dollars  
50 (\$40,000.00), in the discretion of the board of supervisors of  
51 said county. The county judge shall not be eligible for any  
52 additional salary except as may be authorized in subsection (4).  
53 In the event that the board of supervisors of said county elects  
54 to pay such county judge an annual salary of Thirty Thousand  
55 Dollars (\$30,000.00) or more, the office of county judge shall be  
56 a full-time position, and the holder thereof shall not otherwise  
57 engage in the practice of law.

58           (d) In any county having a population of less than  
59 twenty-seven thousand (27,000) according to the 1980 federal  
60 census, the county judge shall receive an annual salary of not  
61 less than Four Thousand Two Hundred Dollars (\$4,200.00) and not

62 more than Eight Thousand Five Hundred Dollars (\$8,500.00), in the  
63 discretion of the board of supervisors of said county. The county  
64 judge shall not be eligible for any additional salary except as  
65 may be authorized in subsection (4).

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

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

78 (b) The county judge of any Class 1 county having an  
79 area in excess of nine hundred twenty-five (925) square miles  
80 shall receive an annual salary of not less than Thirty Thousand  
81 Dollars (\$30,000.00) but, in the discretion of the board of  
82 supervisors of such county, such salary may be not more than Five  
83 Hundred Dollars (\$500.00) less than the annual salary of a circuit  
84 judge, payable monthly out of the county treasury, and the county  
85 judge shall not practice law.

86 (c) The office of county judge in any such Class 1  
87 county with a population according to the 1970 federal decennial  
88 census of greater than thirty-nine thousand (39,000), and where  
89 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive  
90 an annual salary to be paid in monthly installments of not less  
91 than an amount equal to ninety percent (90%) of the annual salary  
92 which is now or shall hereafter be provided for circuit and  
93 chancery judges of the state, as follows: The salary of the  
94 county judge shall be increased by ten percent (10%) annually

95 above the base salary of the preceding year until such time as the  
96 judge's salary is equal to the amount that is provided by this  
97 subsection. The office of county judge shall be a full-time  
98 position and the holder thereof shall not otherwise engage in the  
99 practice of law.

100 (d) In any Class 1 county bordering on the Mississippi  
101 River and which has situated therein a national military park and  
102 national military cemetery, the office of county judge shall be a  
103 full-time position and the holder thereof shall not otherwise  
104 engage in the practice of law. The salary for the county judge in  
105 said county shall be fixed at a sum which is One Thousand Dollars  
106 (\$1,000.00) less than the salary which is now or shall hereafter  
107 be provided for circuit and chancery judges of this state.

108 (e) The county judge in any county having a population  
109 of at least forty-two thousand one hundred eleven (42,111),  
110 according to the 1970 census, and where U.S. Highway 49E and U.S.  
111 Highway 82 intersect, shall receive an annual salary to be paid in  
112 monthly installments of not less than Thirty Thousand Dollars  
113 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars  
114 (\$2,500.00) less than the annual salary of the circuit judge, in  
115 the discretion of the board of supervisors of said county.

116 (f) The county judge in any Class 1 county bordering on  
117 the Mississippi River and having an area of less than four hundred  
118 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect  
119 shall receive an annual salary of Four Thousand Dollars  
120 (\$4,000.00) less than the annual salary of a circuit judge, and  
121 such county judge shall not practice law in any manner. The  
122 county judge in such county shall not be eligible to receive any  
123 additional salary authorized by this section or from any other  
124 source other than that set out and authorized by this paragraph.

125 (g) The county judge of any Class 1 county bordering on  
126 the Mississippi River on the west and the State of Tennessee on  
127 the north, and traversed north to south by Interstate Highway 55,

128 shall receive an annual salary of ninety percent (90%) of the  
129 salary which is now or shall hereafter be provided for chancery  
130 and circuit judges of this state, but in any event not less than  
131 Sixty Thousand Two Hundred Dollars (\$60,200.00).

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

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

149 (j) The county judge of any county having two (2)  
150 judicial districts, having a population in excess of sixty-one  
151 thousand nine hundred (61,900) according to the 1980 federal  
152 decennial census, in which U.S. Interstate Highway 59 intersects  
153 with U.S. Highway 84, shall receive an annual salary of One  
154 Thousand Dollars (\$1,000.00) less than the salary which is now or  
155 hereafter authorized to be paid circuit and chancery court judges  
156 of this state. The office of such county judge shall be a  
157 full-time position, and the holder thereof shall not otherwise  
158 engage in the practice of law.

159 (k) The office of county judge of any Class I county  
160 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a

161 full-time position and the holder thereof shall not otherwise  
162 engage in the practice of law. The annual salary for the office  
163 of county judge in said county may be fixed, in the discretion of  
164 the board of supervisors of said county, at a sum not to exceed  
165 Two Thousand Dollars (\$2,000.00) less than the salary which is now  
166 or shall hereafter be provided for circuit and chancery judges of  
167 this state.

168 (l) The county judge of any county having a population  
169 of more than forty-one thousand six hundred (41,600) but less than  
170 forty-one thousand six hundred fifty (41,650) according to the  
171 1980 federal census, and wherein U.S. Highway 49 intersects with  
172 Mississippi Highway 22, shall receive an annual salary in an  
173 amount established by the board of supervisors, but in no event to  
174 exceed the salary provided now or hereafter for circuit and  
175 chancery judges of this state.

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

184 (n) The county judge of any county having a population  
185 of more than fifty-seven thousand three hundred (57,300) according  
186 to the 1980 federal decennial census, wherein is located a  
187 state-supported university and wherein United States Highways 82  
188 and 45 intersect, shall receive an annual salary in an amount  
189 established by the board of supervisors, but in no event to exceed  
190 the salary provided now or hereafter for circuit and chancery  
191 judges of this state.

192 (5) The salary of a county court judge or justice court  
193 judge shall not be reduced during his term of office as a result

194 of a population decrease based upon the 1990 federal decennial  
195 census.

196 (6) The salary of a sheriff shall not be reduced during his  
197 term of office as a result of a population decrease based upon the  
198 1990 federal decennial census.

199 (7) Notwithstanding any provision of this section to the  
200 contrary, the board of supervisors of any county, in its  
201 discretion, may pay its county court judge an annual salary of One  
202 Thousand Dollars (\$1,000.00) less than that paid to a circuit  
203 court judge. The office of county judge shall be a full-time  
204 position, and the holder thereof shall not otherwise engage in the  
205 practice of law.

206 **SECTION 2.** The Attorney General of the State of Mississippi  
207 shall submit this act, immediately upon approval by the Governor,  
208 or upon approval by the Legislature subsequent to a veto, to the  
209 Attorney General of the United States or to the United States  
210 District Court for the District of Columbia in accordance with the  
211 provisions of the Voting Rights Act of 1965, as amended and  
212 extended.

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