

By: Senator(s) Browning

To: Fees, Salaries and Administration

SENATE BILL NO. 2571

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE BOARD OF SUPERVISORS OF PONTOTOC 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 Pontotoc 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 the  
214 county for the following reasons:

215           (a) There is a resident chancery judge in the county  
216 whose office is located at the Pontotoc County Courthouse;

217           (b) The Region III Mental Health Center, which serves a  
218 multicounty area, calls upon the sheriff to provide security for  
219 out-of-town mental patients, as well as patients from within the  
220 county;

221           (c) Millcreek Rehabilitation residential facility,  
222 which houses troubled juveniles, calls upon the sheriff to provide

223 security for out-of-town patients, as well as patients from within  
224 the county;

225 (d) Bodock Grove residential mental health facility,  
226 which provides care for patients in the North Mississippi Regional  
227 Center system, calls upon the sheriff to provide security for  
228 out-of-town patients, as well as patients from within the county;

229 (e) The increased activity of the Child Support  
230 Division of the Department of Human Services in enforcing the  
231 court's parental obligations imposes additional duties on the  
232 sheriff;

233 (f) The dispatchers of the enhanced E-911 system in  
234 place in Pontotoc County are under the direction and control of  
235 the Sheriff; and

236 (g) The patrolling of the state properties located  
237 within the county imposes additional duties on the sheriff.

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

247 **SECTION 2.** The Attorney General of the State of Mississippi  
248 shall submit this act, immediately upon approval by the Governor,  
249 or upon approval by the Legislature subsequent to a veto, to the  
250 Attorney General of the United States or to the United States  
251 District Court for the District of Columbia in accordance with the  
252 provisions of the Voting Rights Act of 1965, as amended and  
253 extended.

254 **SECTION 3.** This act shall take effect and be in force from  
255 and after the date it is effectuated under Section 5 of the Voting



256 Rights Act of 1965, as amended and extended, or October 1, 2004,  
257 whichever occurs later.