

By: Senator(s) Little, Thames, Gordon, Tollison, Jackson (11th), Burton, Dawkins, Browning, Jordan, Mettetal, Jackson (32nd), Carmichael, King, Harden, Walls, Doxey, Brown, Butler, Nunnelee, Clarke, Jackson (15th), Thomas, Frazier, Flowers, Wilemon, White

To: Fees, Salaries and Administration

SENATE BILL NO. 2647

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 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE
10 SALARY ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS AND CHIEF
11 COUNTY MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 9-13-19,
12 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COURT
13 REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO
14 INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING BAILIFFS;
15 TO AMEND SECTION 25-7-27, MISSISSIPPI CODE OF 1972, TO REVISE THE
16 FEES CHARGED BY MARSHALS AND CONSTABLES; TO AMEND SECTION 25-7-13,
17 MISSISSIPPI CODE OF 1972, TO INCREASE THE CIRCUIT CLERK'S FEE FOR
18 EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM; TO AMEND
19 SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO REVISE THE FEES
20 CHARGED BY CHANCERY CLERKS; TO AMEND SECTION 9-1-43, MISSISSIPPI
21 CODE OF 1972, TO REVISE THE LIMIT ON COMPENSATION OF CHANCERY AND
22 CIRCUIT CLERKS; TO AMEND SECTION 25-11-125, MISSISSIPPI CODE OF
23 1972, TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO PAY THE
24 REQUIRED EMPLOYER CONTRIBUTION TO THE PUBLIC EMPLOYEES' RETIREMENT
25 SYSTEM FOR ALL CIRCUIT AND CHANCERY CLERKS; TO AMEND SECTION
26 27-105-343, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION
27 OF CHANCERY CLERKS FOR THE PERFORMANCE OF THEIR DUTIES AS COUNTY
28 TREASURERS; TO AMEND SECTION 25-3-9, MISSISSIPPI CODE OF 1972, TO
29 PROVIDE THAT NO COUNTY PROSECUTING ATTORNEY SHALL RECEIVE AN
30 ANNUAL SALARY LESS THAN THE SALARY PAID TO A JUSTICE COURT JUDGE
31 IN HIS RESPECTIVE COUNTY; TO REPEAL SECTION 25-3-5, MISSISSIPPI
32 CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX ASSESSORS AND
33 TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES HAVE BEEN
34 SEPARATED; AND FOR RELATED PURPOSES.

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

36 SECTION 1. Section 25-3-3, Mississippi Code of 1972, is
37 amended as follows:

38 25-3-3. (1) The term "total assessed valuation" as used in
39 this section only refers to the ad valorem assessment for the
40 county and, in addition, in counties where oil or gas is produced,
41 the actual value of oil at the point of production, as certified
42 to the counties by the State Tax Commission under the provisions
43 of Sections 27-25-501 through 27-25-525, and the actual value of

44 gas as certified by the State Tax Commission under the provisions
45 of Sections 27-25-701 through 27-25-723.

46 (2) The salary of assessors and collectors of the various
47 counties is * * * fixed as full compensation for their services as
48 county assessors or tax collectors, or both if the office of
49 assessor has been combined with the office of tax collector. The
50 annual salary of each assessor or tax collector, or both if the
51 offices have been combined, shall be based upon the total assessed
52 valuation of his respective county for the preceding taxable year
53 in the following categories and for the following amounts:

54 (a) For counties having a total assessed valuation of
55 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
56 Sixty-four Thousand Dollars (\$64,000.00);

57 (b) For counties having a total assessed valuation of
58 at least One Billion Dollars (\$1,000,000,000.00) but less than Two
59 Billion Dollars (\$2,000,000,000.00), a salary of Sixty-one
60 Thousand Five Hundred Dollars (\$61,500.00);

61 (c) For counties having a total assessed valuation of
62 at least Five Hundred Million Dollars (\$500,000,000.00) but less
63 than One Billion Dollars (\$1,000,000,000.00), a salary of
64 Fifty-eight Five Hundred Thousand Dollars (\$58,500.00);

65 (d) For counties having a total assessed valuation of
66 at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but
67 less than Five Hundred Million Dollars (\$500,000,000.00), a salary
68 of Fifty-six Thousand Dollars (\$56,000.00);

69 (e) For counties having a total assessed valuation of
70 at least One Hundred Fifty Million Dollars (\$150,000,000.00) but
71 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a
72 salary of Fifty-four Thousand Dollars (\$54,000.00);

73 (f) For counties having a total assessed valuation of
74 at least Seventy-five Million Dollars (\$75,000,000.00) but less
75 than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary
76 of Fifty-two Thousand Five Hundred Dollars (\$52,500.00);

77 (g) For counties having a total assessed valuation of
78 at least Thirty-five Million Dollars (\$35,000,000.00) but less
79 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
80 Forty-eight Thousand Five Hundred Dollars (\$48,500.00);

81 (h) For counties having a total assessed valuation of
82 less than Thirty-five Million Dollars (\$35,000,000.00), a salary
83 of Forty-one Thousand Five Hundred Dollars (\$41,500.00).

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

88 (4) The annual salary established for * * * assessors and
89 tax collectors shall not be reduced as a result of a reduction in
90 total assessed valuation. The salaries shall be increased as a
91 result of an increase in total assessed valuation.

92 (5) In addition to all other compensation paid to assessors
93 and tax collectors in counties having two (2) judicial districts,
94 the board of supervisors shall pay such assessors and tax
95 collectors * * * an additional Three Thousand Five Hundred Dollars
96 (\$3,500.00) per year. In addition to all other compensation paid
97 to assessors or tax collectors, in counties maintaining two (2)
98 full-time offices, the board of supervisors shall pay the assessor
99 or tax collector * * * an additional Three Thousand Five Hundred
100 Dollars (\$3,500.00) per year.

101 (6) In addition to all other compensation paid to assessors
102 and tax collectors, the board of supervisors of a county shall
103 allow for such assessor or tax collector, or both, to be paid
104 additional compensation when there is a contract between the
105 county and one or more municipalities providing that the assessor
106 or tax collector, or both, shall assess * * * or collect taxes, or
107 both, for the municipality or municipalities; and such assessor or
108 tax collector, or both, shall be authorized to receive such
109 additional compensation from the county and/or the municipality or

110 municipalities in any amount allowed by the county and/or the
111 municipality or municipalities for performing those services.

112 (7) When any tax assessor holds a valid certificate of
113 educational recognition from the International Association of
114 Assessing Officers or is a licensed appraiser under Section
115 73-34-1 et seq., he shall receive an additional One Thousand Five
116 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
117 year after completion. When any tax assessor is a licensed state
118 certified Residential Appraiser (RA) or licensed state certified
119 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
120 any tax assessor holds a valid designation from the International
121 Association of Assessing Officers as a Cadastral Mapping
122 Specialist (CMS) or Personal Property Specialist (PPS) or
123 Residential Evaluation Specialist (RES), he shall receive an
124 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
125 beginning the next fiscal year after completion. When any tax
126 assessor holds the valid designation of Certified Assessment
127 Evaluator (CAE) from the International Association of Assessing
128 Officers or is a state certified General Real Estate Appraiser
129 (GA) under Section 73-34-1 et seq., he shall receive an additional
130 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
131 the next fiscal year after completion.

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

136 (9) The salaries * * * provided for in this section shall be
137 payable monthly on the first day of each calendar month by
138 chancery clerk's warrant drawn on the general fund of the county;
139 however, the board of supervisors, by resolution duly adopted and
140 entered on its minutes, may provide that such salaries shall be
141 paid semimonthly on the first and fifteenth day of each month. If
142 a pay date falls on a weekend or legal holiday, salary payments

143 shall be made on the workday immediately preceding the weekend or
144 legal holiday.

145 * * *

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

148 25-3-13. The salaries of the members of the boards of
149 supervisors of the various counties are * * * fixed as full
150 compensation for their services.

151 The annual salary of each member of the board of supervisors
152 shall be based upon the total assessed valuation of his respective
153 county for the preceding taxable year in the following categories
154 and for the following amounts:

155 (a) For counties having a total assessed valuation of
156 less than Thirty Million Dollars (\$30,000,000.00), a salary of
157 Twenty-nine Thousand Dollars (\$29,000.00);

158 (b) For counties having a total assessed valuation of
159 at least Thirty Million Dollars (\$30,000,000.00), but less than
160 Fifty Million Dollars (\$50,000,000.00), a salary of Thirty-two
161 Thousand Three Hundred Dollars (\$32,300.00);

162 (c) For counties having a total assessed valuation of
163 at least Fifty Million Dollars (\$50,000,000.00), but less than
164 Seventy-five Million Dollars (\$75,000,000.00), a salary of
165 Thirty-three Thousand Seven Hundred Dollars (\$33,700.00);

166 (d) For counties having a total assessed valuation of
167 at least Seventy-five Million Dollars (\$75,000,000.00), but less
168 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
169 salary of Thirty-four Thousand Seven Hundred Dollars (\$34,700.00);

170 (e) For counties having a total assessed valuation of
171 at least One Hundred Twenty-five Million Dollars
172 (\$125,000,000.00), but less than Three Hundred Million Dollars
173 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars
174 (\$40,400.00);

175 (f) For counties having a total assessed valuation of
176 at least Three Hundred Million Dollars (\$300,000,000.00), but less
177 than One Billion Dollars (\$1,000,000,000.00), a salary of
178 Forty-four Thousand Seven Hundred Dollars (\$44,700.00);

179 (g) For counties having a total assessed valuation of
180 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion
181 Dollars (\$2,000,000,000.00), a salary of Forty-five Thousand Seven
182 Hundred Dollars (\$45,700.00);

183 (h) For counties having a total assessed valuation of
184 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
185 Forty-six Thousand Seven Hundred Dollars (\$46,700.00).

186 The salary of the members of the board of supervisors shall
187 not be increased under this section until the board of supervisors
188 shall have passed a resolution stating the amount of the increase
189 and spread it on its minutes.

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

192 25-3-25. (1) Except as otherwise provided in subsections
193 (2) through (9), the salaries of sheriffs of the various counties
194 are * * * fixed as full compensation for their services.

195 From and after October 1, 1998, the annual salary for each
196 sheriff shall be based upon the total population of his county
197 according to the latest federal decennial census in the following
198 categories and for the following amounts; however, no sheriff
199 shall be paid less than the salary authorized under this section
200 to be paid the sheriff based upon the population of the county
201 according to the 1980 federal decennial census:

202 (a) For counties with a total population of more than
203 two hundred thousand (200,000), a salary of Ninety Thousand
204 Dollars (\$90,000.00).

205 (b) For counties with a total population of more than
206 one hundred thousand (100,000) and not more than two hundred

207 thousand (200,000), a salary of Eighty-four Thousand Dollars
208 (\$84,000.00).

209 (c) For counties with a total population of more than
210 forty-five thousand (45,000) and not more than one hundred
211 thousand (100,000), a salary of Seventy-eight Thousand Dollars
212 (\$78,000.00).

213 (d) For counties with a total population of more than
214 thirty-four thousand (34,000) and not more than forty-five
215 thousand (45,000), a salary of Seventy-two Thousand Dollars
216 (\$72,000.00).

217 (e) For counties with a total population of more than
218 twenty-five thousand (25,000) and not more than thirty-four
219 thousand (34,000), a salary of Sixty-two Thousand Four Hundred
220 Dollars (\$62,400.00).

221 (f) For counties with a total population of more than
222 fifteen thousand (15,000) and not more than twenty-five thousand
223 (25,000), a salary of Sixty Thousand Dollars (\$60,000.00).

224 (g) For counties with a total population of more than
225 nine thousand five hundred (9,500) and not more than fifteen
226 thousand (15,000), a salary of Fifty-six Thousand Four Hundred
227 Dollars (\$56,400.00).

228 (h) For counties with a total population of more than
229 seven thousand five hundred (7,500) and not more than nine
230 thousand five hundred (9,500), a salary of Fifty-four Thousand
231 Dollars (\$54,000.00).

232 (i) For counties with a total population of not more
233 than seven thousand five hundred (7,500), a salary of Fifty
234 Thousand Four Hundred Dollars (\$50,400.00).

235 (2) In addition to the salary provided for in subsection (1)
236 of this section, the Board of Supervisors of Leflore County * * *,
237 in its discretion, may pay an annual supplement to the sheriff of
238 the county in an amount not to exceed Ten Thousand Dollars
239 (\$10,000.00). The Legislature finds and declares that the annual

240 supplement authorized by this subsection is justified in such
241 county for the following reasons:

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

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

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

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

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

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

257 (g) The increased activity of the Child Support
258 Division of the Department of Human Services in enforcing in the
259 courts parental obligations has imposed additional duties on the
260 sheriff; and

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

264 (3) In addition to the salary provided for in subsection (1)
265 of this section, the Board of Supervisors of Rankin County * * *,
266 in its discretion, may pay an annual supplement to the sheriff of
267 the county in an amount not to exceed Ten Thousand Dollars
268 (\$10,000.00). The Legislature finds and declares that the annual
269 supplement authorized by this subsection is justified in such
270 county for the following reasons:

271 (a) The Mississippi Department of Corrections operates
272 and maintains the Central Mississippi Correctional Facility within
273 the county;

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

276 (c) Hudspeth Regional Center, a facility maintained for
277 the care and treatment of the mentally retarded, is located within
278 the county;

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

281 (e) The State Fire Academy is operated and maintained
282 within the county;

283 (f) The Pearl River Valley Water Supply District,
284 ordinarily known as the "Reservoir District," is located within
285 the county;

286 (g) The Jackson International Airport is located within
287 the county;

288 (h) The patrolling of the state properties located
289 within the county has imposed additional duties on the sheriff;
290 and

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

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

300 (5) In addition to the salary provided for in subsection (1)
301 of this section, the Board of Supervisors of Tunica County * * *,
302 in its discretion, may pay an annual supplement to the sheriff of

303 the county an amount equal to Ten Thousand Dollars (\$10,000.00),
304 payable beginning April 1, 1997.

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

311 (a) Hinds County has the greatest population of any
312 county, two hundred fifty-four thousand four hundred forty-one
313 (254,441) by the 1990 census, being almost one hundred thousand
314 (100,000) more than the next most populous county;

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

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

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

322 (e) There are four (4) resident circuit judges, four
323 (4) resident chancery judges, and three (3) resident county judges
324 in Hinds County, the most of any county, with the sheriff acting
325 as chief executive officer and provider of bailiff services for
326 all;

327 (f) The main offices for the clerk and most of the
328 judges and magistrates for the United States District Court for
329 the Southern District of Mississippi are located within the
330 county;

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

333 (h) The University of Mississippi Medical Center,
334 combining the medical school, dental school, nursing school and
335 hospital, is located within the county;

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

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

340 (k) Hinds County has the largest criminal population in
341 the state, such that the Hinds County Sheriff's Department
342 operates the largest county jail system in the state, housing
343 almost one thousand (1,000) inmates in three (3) separate
344 detention facilities;

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

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

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

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

357 (7) In addition to the salary provided for in subsection (1)
358 of this section, the Board of Supervisors of Wilkinson County, in
359 its discretion, may pay an annual supplement to the sheriff of the
360 county in an amount not to exceed Ten Thousand Dollars
361 (\$10,000.00). The Legislature finds and declares that the annual
362 supplement authorized by this subsection is justified in such
363 county because the Mississippi Department of Corrections contracts
364 for the private incarceration of state inmates at a private
365 correctional facility within the county.

366 (8) In addition to the salary provided for in subsection (1)
367 of this section, the Board of Supervisors of Marshall County, in
368 its discretion, may pay an annual supplement to the sheriff of the

369 county in an amount not to exceed Ten Thousand Dollars
370 (\$10,000.00). The Legislature finds and declares that the annual
371 supplement authorized by this subsection is justified in such
372 county because the Mississippi Department of Corrections contracts
373 for the private incarceration of state inmates at a private
374 correctional facility within the county.

375 (9) In addition to the salary provided in subsection (1) of
376 this section, the Board of Supervisors of Greene County, in its
377 discretion, may pay an annual supplement to the sheriff of the
378 county in an amount not to exceed Ten Thousand Dollars
379 (\$10,000.00). The Legislature finds and declares that the annual
380 supplement authorized by this subsection is justified in such
381 county for the following reasons:

382 (a) The Mississippi Department of Corrections operates
383 and maintains the South Mississippi Correctional Facility within
384 the county;

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

389 (c) The patrolling of the state properties located
390 within the county has imposed additional duties on the sheriff
391 justifying additional compensation.

392 (10) The salaries * * * provided in this section shall be
393 payable monthly on the first day of each calendar month by
394 chancery clerk's warrant drawn on the general fund of the county;
395 however, the board of supervisors, by resolution duly adopted and
396 entered on its minutes, may provide that such salaries shall be
397 paid semimonthly on the first and fifteenth day of each month. If
398 a pay date falls on a weekend or legal holiday, salary payments
399 shall be made on the workday immediately preceding the weekend or
400 legal holiday.

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

403 25-3-36. (1) * * * Every justice court judge shall receive
404 as full compensation for his or her services and in lieu of any
405 and all other fees, costs or compensation heretofore authorized
406 for such justice court judge, an annual salary based upon the
407 population of his or her county according to the latest federal
408 decennial census; however, no justice court judge shall be paid
409 less than the salary authorized under this section to be paid the
410 justice court judge based upon the population of the county
411 according to the 1980 federal decennial census. The amount of
412 which salary shall be determined as follows:

413 (a) In counties with a population of more than two
414 hundred thousand (200,000), a salary of Fifty-five Thousand Five
415 Hundred Fifty-nine Dollars (\$55,559.00).

416 (b) In counties with a population of more than one
417 hundred fifty thousand (150,000) but not more than two hundred
418 thousand (200,000), a salary of Fifty-one Thousand Five Dollars
419 (\$51,005.00).

420 (c) In counties with a population of more than
421 seventy-five thousand (75,000) but not more than one hundred fifty
422 thousand (150,000), a salary of Forty-six Thousand Four Hundred
423 Fifty-one Dollars (\$46,451.00).

424 (d) In counties with a population of more than
425 forty-nine thousand (49,000) but not more than seventy-five
426 thousand (75,000), a salary of Forty Thousand Seventy-five Dollars
427 (\$40,075.00).

428 (e) In counties with a population of more than
429 thirty-four thousand (34,000) but not more than forty-nine
430 thousand (49,000), a salary of Thirty-four Thousand Six Hundred
431 Ten Dollars (\$34,610.00).

432 (f) In counties with a population of more than
433 twenty-four thousand five hundred (24,500) but not more than

434 thirty-four thousand (34,000), a salary of Thirty-two Thousand
435 Seven Hundred Eighty-nine Dollars (\$32,789.00).

436 (g) In counties with a population of more than
437 twenty-one thousand (21,000) but not more than twenty-four
438 thousand five hundred (24,500), a salary of Twenty-nine Thousand
439 One Hundred Forty-six Dollars (\$29,146.00).

440 (h) In counties with a population of more than sixteen
441 thousand five hundred (16,500) but not more than twenty-one
442 thousand (21,000), a salary of Twenty-five Thousand Five Hundred
443 Two Dollars (\$25,502.00).

444 (i) In counties with a population of more than twelve
445 thousand (12,000) but not more than sixteen thousand five hundred
446 (16,500), a salary of Twenty-one Thousand Eight Hundred Fifty-nine
447 Dollars (\$21,859.00).

448 (j) In counties with a population of more than eight
449 thousand (8,000) but not more than twelve thousand (12,000), a
450 salary of Eighteen Thousand Dollars (\$18,000.00).

451 (k) In counties with a population of eight thousand
452 (8,000) or less, a salary of Fourteen Thousand Four Hundred
453 Dollars (\$14,400.00).

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

461 In any county having a population greater than eight thousand
462 (8,000) but less than eight thousand five hundred (8,500)
463 according to the 1990 federal decennial census and in which U.S.
464 Highway 61 and Mississippi Highway 4 intersect, the board of
465 supervisors * * *, in its discretion, may pay such justice court
466 judges an additional amount not to exceed the sum of Eleven

467 Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable
468 beginning April 1, 1997.

469 In any county having a population greater than ten thousand
470 (10,000) but less than ten thousand five hundred (10,500)
471 according to the 1990 federal decennial census and in which
472 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
473 board of supervisors * * *, in its discretion, may pay such
474 justice court judges an additional amount not to exceed One
475 Thousand Four Hundred Fifty Dollars (\$1,450.00) per year, payable
476 beginning April 1, 1997.

477 In any county having a population greater than twenty-four
478 thousand seven hundred (24,700) and less than twenty-four thousand
479 nine hundred (24,900), according to the 1990 federal census,
480 wherein Mississippi Highways 15 and 16 intersect, the board of
481 supervisors shall pay such justice court judge an additional
482 amount equal to Two Thousand Five Hundred Dollars (\$2,500.00) per
483 year.

484 (2) Notwithstanding the provisions of subsection (1) of this
485 section, in the event that the number of justice court judges
486 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
487 the provisions of Section 9-11-2(4), the aggregate of the salaries
488 paid to the justice court judges of such a county shall not exceed
489 the amount sufficient to pay the number of justice court judges
490 authorized pursuant to Section 9-11-2(1), and such amount shall be
491 equally divided among those justice court judges continuing to
492 hold office under the provisions of Section 9-11-2(4).

493 (3) From and after January 1, 1984, all fees, costs, fines
494 and penalties charged and collected in the justice court shall be
495 paid to the clerk of the justice court for deposit, along with
496 monies from cash bonds and other monies which have been forfeited
497 in criminal cases, into the general fund of the county as provided
498 in Section 9-11-19; and the clerk of the board of supervisors
499 shall be authorized and empowered, upon approval by the board of

500 supervisors, to make disbursements and withdrawals from the
501 general fund of the county in order to pay any reasonable and
502 necessary expenses incurred in complying with this section,
503 including payment of the salaries of justice court judges as
504 provided by subsection (1) of this section. The provisions of
505 this subsection shall not, except as to cash bonds and other
506 monies which have been forfeited in criminal cases, apply to
507 monies required to be deposited in the justice court clerk
508 clearing account as provided in Section 9-11-18, Mississippi Code
509 of 1972.

510 (4) The salaries provided for in * * * this section shall be
511 payable monthly by warrant drawn by the clerk of the board of
512 supervisors on the general fund of the county; however, the board
513 of supervisors, by resolution duly adopted and entered on its
514 minutes, may provide that such salaries shall be paid semimonthly
515 on the first and fifteenth day of each month. If a pay date falls
516 on a weekend or legal holiday, salary payments shall be made on
517 the workday immediately preceding the weekend or legal holiday.

518 (5) Provided, that the salary of any justice court judge
519 shall not be reduced during his term of office as a result of a
520 population change following a federal decennial census.

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

525 **SECTION 5.** Section 41-61-59, Mississippi Code of 1972, is
526 amended as follows:

527 41-61-59. (1) A person's death which affects the public
528 interest as specified in subsection (2) of this section shall be
529 promptly reported to the medical examiner by the physician in
530 attendance, any hospital employee, any law enforcement officer
531 having knowledge of the death, the embalmer or other funeral home
532 employee, any emergency medical technician, any relative or any

533 other person present. The appropriate medical examiner shall
534 notify the municipal or state law enforcement agency or sheriff
535 and take charge of the body. The appropriate medical examiner
536 shall notify the Mississippi Bureau of Narcotics within
537 twenty-four (24) hours of receipt of the body in cases of death as
538 described in subsection (2)(m) or (n) of this section.

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

541 (a) Violent death, including homicidal, suicidal or
542 accidental death.

543 (b) Death caused by thermal, chemical, electrical or
544 radiation injury.

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

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

549 (e) Death that has occurred unexpectedly or from an
550 unexplained cause.

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

553 (g) Death of a person where a physician was not in
554 attendance within thirty-six (36) hours preceding death, or in
555 prediagnosed terminal or bedfast cases, within thirty (30) days
556 preceding death.

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

559 (i) Death of a person where the identity of the
560 deceased is unknown.

561 (j) Death of a child under the age of two (2) years
562 where death results from an unknown cause or where the
563 circumstances surrounding the death indicate that sudden infant
564 death syndrome may be the cause of death.

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

569 (l) Where a person is presented to a hospital emergency
570 room unconscious and/or unresponsive, with cardiopulmonary
571 resuscitative measures being performed, and dies within
572 twenty-four (24) hours of admission without regaining
573 consciousness or responsiveness, unless a physician was in
574 attendance within thirty-six (36) hours preceding presentation to
575 the hospital, or in cases in which the decedent had a prediagnosed
576 terminal or bedfast condition, unless a physician was in
577 attendance within thirty (30) days preceding presentation to the
578 hospital.

579 (m) Death which is caused by drug overdose or which is
580 believed to be caused by drug overdose.

581 (n) When a stillborn fetus is delivered and the cause
582 of the demise is medically believed to be from the use by the
583 mother of any controlled substance as defined in Section
584 41-29-105.

585 (3) The State Medical Examiner is empowered to investigate
586 deaths, under the authority hereinafter conferred, in any and all
587 political subdivisions of the state. The county medical examiners
588 and county medical examiner investigators, while appointed for a
589 specific county, may serve other counties on a regular basis with
590 written authorization by the State Medical Examiner, or may serve
591 other counties on an as-needed basis upon the request of the
592 ranking officer of the investigating law enforcement agency. The
593 county medical examiner or county medical examiner investigator of
594 any county which has established a regional medical examiner
595 district under subsection (4) of Section 41-61-77 may serve other
596 counties which are parties to the agreement establishing the
597 district, in accordance with the terms of the agreement, and may

598 contract with counties which are not part of the district to
599 provide medical examiner services for such counties. If a death
600 affecting the public interest takes place in a county other than
601 the one where injuries or other substantial causal factors leading
602 to the death have occurred, jurisdiction for investigation of the
603 death may be transferred, by mutual agreement of the respective
604 medical examiners of the counties involved, to the county where
605 such injuries or other substantial causal factors occurred, and
606 the costs of autopsy or other studies necessary to the further
607 investigation of the death shall be borne by the county assuming
608 jurisdiction.

609 (4) The chief county medical examiner or chief county
610 medical examiner investigator may receive from the county in which
611 he serves a salary of Nine Hundred Dollars (\$900.00) per month, in
612 addition to the fees specified in Sections 41-61-69 and 41-61-75,
613 provided that no county shall pay the chief county medical
614 examiner or chief county medical examiner investigator less than
615 One Hundred Dollars (\$100.00) per month as a salary, in addition
616 to other compensation provided by law. In any county having one
617 or more deputy medical examiners or deputy medical examiner
618 investigators, each deputy may receive from the county in which he
619 serves, in the discretion of the board of supervisors, a salary of
620 not more than Nine Hundred Dollars (\$900.00) per month, in
621 addition to the fees specified in Sections 41-61-69 and 41-61-75.
622 For this salary the chief shall assure twenty-four-hour daily and
623 readily available death investigators for the county, and shall
624 maintain copies of all medical examiner death investigations for
625 the county for at least the previous five (5) years. He shall
626 coordinate his office and duties and cooperate with the State
627 Medical Examiner, and the State Medical Examiner shall cooperate
628 with him.

629 (5) A body composed of the State Medical Examiner, whether
630 appointed on a permanent or interim basis, the Director of the

631 State Board of Health or his designee, the Attorney General or his
632 designee, the President of the Mississippi Coroners' Association
633 (or successor organization) or his designee, and a certified
634 pathologist appointed by the Mississippi State Medical Association
635 shall adopt, promulgate, amend and repeal rules and regulations as
636 may be deemed necessary by them from time to time for the proper
637 enforcement, interpretation and administration of Sections
638 41-61-51 through 41-61-79, in accordance with the provisions of
639 the Mississippi Administrative Procedures Law, being Section
640 25-43-1 et seq.

641 **SECTION 6.** Section 9-13-19, Mississippi Code of 1972, is
642 amended as follows:

643 9-13-19. (1) Court reporters for circuit and chancery
644 courts shall be paid an annual salary * * * payable by the
645 Administrative Office of Courts not to exceed Forty Thousand
646 Dollars (\$40,000.00) for court reporters with five (5) years
647 experience or less; not to exceed Forty-three Thousand Dollars
648 (\$43,000.00) for court reporters who have more than five (5) years
649 experience but less than ten (10) years; and not to exceed
650 Forty-five Thousand Six Hundred Dollars (\$45,600.00) for court
651 reporters who have ten (10) years or more experience. In
652 addition, any court reporter performing the duties of a court
653 administrator in the same judicial district in which the person is
654 employed as a court reporter may be paid additional compensation
655 for performing the court administrator duties. The annual amount
656 of the additional compensation shall be set by vote of the judges
657 and chancellors for whom the court administrator duties are
658 performed, with consideration given to the number of hours per
659 month devoted by the court reporter to performing the duties of a
660 court administrator. The additional compensation shall be
661 submitted to the Administrative Office of Courts for approval.

662 (2) The several counties in each respective court district
663 shall transfer from the general funds of those county treasuries

664 to the Administrative Office of Courts a proportionate amount to
665 be paid toward the annual compensation of the court reporter,
666 including any additional compensation paid for the performance of
667 court administrator duties. The amount to be paid by each county
668 shall be determined by the number of weeks in which court is held
669 in each county in proportion to the total number of weeks court is
670 held in the district. For purposes of this section, the term
671 "compensation" means the gross salary plus all amounts paid for
672 benefits, or otherwise, as a result of employment or as required
673 by employment, but does not include transcript fees otherwise
674 authorized to be paid by or through the counties. However, only
675 salary earned for services rendered shall be reported and credited
676 for retirement purposes. Amounts paid for transcript fees,
677 benefits or otherwise, including reimbursement for travel
678 expenses, shall not be reported or credited for retirement
679 purposes.

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

684 (3) The salary and any additional compensation for the
685 performance of court administrator duties shall be paid in twelve
686 (12) installments on the last working day of each month after it
687 has been duly authorized by the appointing judge or chancellor and
688 an order duly placed on the minutes of the court. Each county
689 shall transfer to the Administrative Office of Courts one-twelfth
690 (1/12) of the amount required to be paid pursuant to subsection
691 (2) of this section by the twentieth day of each month for the
692 salary that is to be paid on the last working day of the month.
693 The Administrative Office of Courts shall pay to the court
694 reporter the total amount of salary due for that month. Any
695 county may pay, in the discretion of the board of supervisors, by

696 the twentieth day of January of any year, the amount due for a
697 full twelve (12) months.

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

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

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

706 (7) For all travel required in the performance of official
707 duties, the circuit or chancery court reporter shall be paid
708 mileage by the county in which the duties were performed at the
709 same rate as provided for state employees in Section 25-3-41. The
710 court reporter shall file in the office of the clerk of the court
711 which he serves a certificate of mileage expense incurred during
712 that term and payment of such expense to the court reporter shall
713 be paid on allowance by the judge of such court.

714 **SECTION 7.** Section 19-25-31, Mississippi Code of 1972, is
715 amended as follows:

716 19-25-31. Each judge of a circuit, chancery or county court,
717 or a court of eminent domain may, in the judge's discretion, by
718 order entered on the minutes of the court, allow the sheriff
719 riding bailiffs to serve in the respective court of such judge,
720 not to exceed four (4) bailiffs. Any such person so employed
721 shall be paid by the county on allowances of the court on issuance
722 of a warrant therefor in an amount of Fifty-five Dollars (\$55.00)
723 for each day, or part thereof, for which he serves as bailiff when
724 the court is in session. No full-time deputy sheriff shall be
725 paid as a riding bailiff of any court. County court judges shall
726 be limited to one (1) bailiff per each court day.

727 **SECTION 8.** Section 25-7-27, Mississippi Code of 1972, is
728 amended as follows:

729 25-7-27. (1) Marshals and constables shall charge the
730 following fees:

731 (a) (i) A uniform total fee in all civil cases, * * *
732 whether contested or uncontested, which shall include all services
733 in connection therewith, except as * * * stated otherwise in this
734 section, each..... \$25.00

735 (ii) A uniform total fee in all criminal cases,
736 whether contested or uncontested, which shall include all services
737 in connection therewith, except as stated otherwise in this
738 section, each..... \$35.00

739 (iii) * * * In all cases where there is more than
740 one (1) defendant, for service on each additional
741 defendant..... \$ 5.00

742 (iv) * * * When a complaining party has provided
743 erroneous information to the clerk of the court relating to the
744 service of process on the defendant or defendants and process
745 cannot be served after diligent search and inquiry, the uniform
746 fee shall be assessed upon subsequent successful service and an
747 additional fee shall be due in the following amount..... \$15.00

748 (b) * * * After final judgment has been enrolled,
749 further proceedings involving levy of execution on judgments, and
750 attachment and garnishment proceedings shall be a new suit for
751 which the marshal or constable shall be entitled to the following
752 fee..... \$25.00

753 (c) For conveying a person charged with a crime to
754 jail, mileage reimbursement in an amount not to exceed the rate
755 established under Section 25-3-41(2).

756 To be paid out of the county treasury on the allowance of the
757 board of supervisors, when the state fails in the prosecution, or
758 the person is convicted but is not able to pay the costs.

759 (d) For other service, the same fees allowed sheriffs
760 for similar services.

761 (e) For service as a bailiff in any court in a civil
762 case, to be paid by the county on allowance of the court on
763 issuance of a warrant therefor, an amount equal to the per diem
764 compensation provided under Section 25-3-69 for each day, or part
765 thereof, for which he serves as bailiff when the court is in
766 session.

767 (f) For serving all warrants and other process and
768 attending all trials in state cases in which the state fails in
769 the prosecution, to be paid out of the county treasury on the
770 allowance of the board of supervisors without itemization,
771 subject, however, to the condition that the marshal or constable
772 must not have overcharged in the collection of fees for costs,
773 contrary to the provisions of this section, annually * * *
774 \$1,800.00

775 (2) Marshals and constables shall be paid all uncollected
776 fees levied under subsection (1) of this section in full from the
777 first proceeds received by the court from the guilty party or from
778 any other source of payment in connection with the case.

779 (3) In addition to the fees authorized to be paid to a
780 constable under subsection (1) of this section, a constable may
781 receive payments for collecting delinquent criminal fines in
782 justice court pursuant to the provisions of Section 19-3-41(3).

783 **SECTION 9.** Section 25-7-13, Mississippi Code of 1972, is
784 amended as follows:

785 25-7-13. (1) The clerks of the circuit court shall charge
786 the following fees:

787 (a) Docketing, filing, marking and registering each
788 complaint, petition and indictment..... \$75.00

789 The fee set forth in this paragraph shall be the total fee
790 for all services performed by the clerk up to and including entry
791 of judgment with respect to each complaint, petition or
792 indictment, including all answers, claims, orders, continuances
793 and other papers filed therein, issuing each writ, summons,

794 subpoena or other such instruments, swearing witnesses, taking and
795 recording bonds and pleas, and recording judgments, orders, fiats
796 and certificates; the fee shall be payable upon filing and shall
797 accrue to the clerk at the time of collection. The clerk or his
798 successor in office shall perform all duties set forth above
799 without additional compensation or fee.

800 (b) Docketing and filing each suggestion for a writ of
801 garnishment, suggestion for a writ of execution and judgment
802 debtor actions and issuing all process, filing and recording
803 orders or other papers and swearing witnesses..... \$30.00

804 (2) Except as provided in subsection (1) of this section,
805 the clerks of the circuit court shall charge the following fees:

806 (a) Filing and marking each order or other paper and
807 recording and indexing same..... \$ 2.00

808 (b) Issuing each writ, summons, subpoena, citation,
809 capias and other such instruments..... \$ 1.00

810 (c) Administering an oath and taking bond..... \$ 2.00

811 (d) Certifying copies of filed documents, for each
812 complete document..... \$ 1.00

813 (e) Recording orders, fiats, licenses, certificates,
814 oaths and bonds:

815 First page..... \$ 2.00

816 Each additional page..... \$ 1.00

817 (f) Furnishing copies of any papers of record or on
818 file and entering marginal notations on documents of record:

819 If performed by the clerk or his employee,
820 per page..... \$ 1.00

821 If performed by any other person, per page.. \$.25

822 (g) Judgment roll entry..... \$ 5.00

823 (h) Taxing cost and certificate..... \$ 1.00

824 (i) For taking and recording application for marriage
825 license, for filing and recording consent of parents when required
826 by law, for filing and recording medical certificate, filing and

827 recording proof of age, recording and issuing license, recording
828 and filing returns..... \$20.00

829 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee
830 collected for a marriage license in the Victims of Domestic
831 Violence Fund established in Section 93-21-117, on a monthly
832 basis.

833 (j) For certified copy of marriage license and search
834 of record, the same fee charged by the Bureau of Vital Statistics
835 of the State Board of Health.

836 (k) For public service not particularly provided for,
837 the circuit court may allow the clerk, per annum, to be paid by
838 the county on presentation of the circuit court's order, the
839 following amount..... \$5,000.00

840 However, in the counties having two (2) judicial districts,
841 such above allowance shall be made for each judicial district.

842 (l) For drawing jurors and issuing venire, to be paid
843 by the county..... \$ 5.00

844 (m) For each day's attendance upon the circuit court
845 term, for himself and necessary deputies allowed by the court,
846 each to be paid by the county..... \$50.00

847 (n) Summons, each juror to be paid by the county upon
848 the allowance of the court..... \$ 1.00

849 (o) For issuing each grand jury subpoena, to be paid by
850 the county on allowance by the court, not to exceed Twenty-five
851 Dollars (\$25.00) in any one (1) term of court..... \$ 1.00

852 (3) On order of the court, clerks and deputies may be
853 allowed five (5) extra days for attendance upon the court to get
854 up records.

855 (4) The clerk's fees in state cases where the state fails in
856 the prosecution, or in cases of felony where the defendant is
857 convicted and the cost cannot be made out of his estate, in an
858 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)
859 year, shall be paid out of the county treasury on approval of the

860 circuit court, and the allowance thereof by the board of
861 supervisors of the county. In counties having two (2) judicial
862 districts, such allowance shall be made in each judicial district;
863 however, the maximum thereof shall not exceed Eight Hundred
864 Dollars (\$800.00). Clerks in the circuit court, in cases where
865 appeals are taken in criminal cases and no appeal bond is filed,
866 shall be allowed by the board of supervisors of the county after
867 approval of their accounts by the circuit court, in addition to
868 the above fees, for making such transcript the rate of Two Dollars
869 (\$2.00) per page.

870 (5) The clerk of the circuit court may retain as his
871 commission on all money coming into his hands, by law or order of
872 the court, a sum to be fixed by the court not exceeding one-half
873 of one percent (1/2 of 1%) on all such sums.

874 (6) For making final records required by law, including, but
875 not limited to, circuit and county court minutes, and furnishing
876 transcripts of records, the circuit clerk shall charge Two Dollars
877 (\$2.00) per page. The same fees shall be allowed to all officers
878 for making and certifying copies of records or papers which they
879 are authorized to copy and certify.

880 (7) The circuit clerk shall prepare an itemized statement of
881 fees for services performed, cost incurred, or for furnishing
882 copies of any papers of record or on file, and shall submit the
883 statement to the parties or, if represented, to their attorneys
884 within sixty (60) days. A bill for same shall accompany the
885 statement.

886 **SECTION 10.** Section 25-7-9, Mississippi Code of 1972, is
887 amended as follows:

888 25-7-9. (1) The clerks of the chancery courts shall charge
889 the following fees:

890 (a) For the act of certifying copies of filed
891 documents, for each complete document..... \$ 1.00

892	(b) Recording deeds, wills, leases, amendments,	
893	subordinations, liens, releases, cancellations, orders, decrees,	
894	oaths, etc., including indexing; <u>for the first fifteen (15) pages</u>	
895	<u>10.00</u>
896	<u>Each additional page</u>	<u>1.00</u>
897	Sectional index entries per section or subdivision....	1.00
898	(c) Recording deeds of trust, <u>for the first fifteen</u>	
899	<u>(15) pages</u>	<u>15.00</u>
900	<u>Each additional page</u>	<u>1.00</u>
901	Sectional index entries per section or subdivision....	1.00
902	(d) * * * Recording oil and gas leases, <u>cancellations,</u>	
903	<u>assignments, etc., including indexing in general indices; for the</u>	
904	<u>first fifteen (15) pages</u>	<u>18.00</u>
905	<u>Each additional page</u>	<u>1.00</u>
906	Sectional index entries per section or subdivision....	1.00
907	* * *	
908	(e) Furnishing copies of any papers of record or on	
909	file and entering marginal notations on documents of record:	
910	If performed by the clerk or his employee, per page...	.50
911	If performed by any other person, per page.....	.25
912	(f) For each day's attendance on the board of	
913	supervisors, for himself and one (1) deputy, each.....	20.00
914	(g) For other services as clerk of the board of	
915	supervisors an allowance shall be made to him (payable	
916	semiannually at the July and January meetings) out of the county	
917	treasury, an annual sum not exceeding.....	<u>3,000.00</u>
918	(h) For each day's attendance on the chancery court, to	
919	be approved by the chancellor:	
920	For the first chancellor sitting only, clerk and two (2)	
921	deputies, each.....	30.00
922	For the second chancellor sitting, clerk only.....	30.00

923 Provided that the fees herein prescribed shall be the total
924 remuneration for the clerk and his deputies for attending chancery
925 court.

926 (i) On order of the court, clerks and not more than two
927 (2) deputies may be allowed five (5) extra days for each term of
928 court for attendance upon the court to get up records.

929 (j) For public service not otherwise specifically
930 provided for, the chancery court may by order allow the clerk to
931 be paid by the county on the order of the board of supervisors, an
932 annual sum not exceeding..... 5,000.00

933 The chancery clerk shall itemize on the original document a
934 detailed fee bill of all charges due or paid for filing, recording
935 and abstracting same. No person shall be required to pay such
936 fees until same have been so itemized, but said fees may be
937 demanded before the document is recorded.

938 (2) In accordance with Uniform Chancery Court Rule 9.01 as
939 approved by Order of the Mississippi Supreme Court, the following
940 fees shall be a total fee for all services performed by the clerk
941 with respect to a complaint which shall be payable upon filing and
942 shall accrue to the chancery clerk at the time of filing. The
943 clerk or his successor in office shall perform all duties set
944 forth without additional compensation or fee to wit:

- 945 (a) Divorce to be contested..... \$75.00
- 946 (b) Divorce uncontested..... 30.00
- 947 (c) Alteration of birth or marriage certificate. 25.00
- 948 (d) Removal of minority..... 25.00
- 949 (e) Guardianship or conservatorship..... 75.00
- 950 (f) Estate of deceased, intestate..... 75.00
- 951 (g) Estate of deceased, testate..... 75.00
- 952 (h) Adoption..... 75.00
- 953 (i) Land dispute..... 75.00
- 954 (j) Injunction..... 75.00
- 955 (k) Settlement of small claim..... 30.00

956	(l) Contempt in child support.....	75.00
957	(m) Partition suit.....	75.00
958	(n) Any cross-complaint.....	25.00

959 Cost of process shall be borne by the issuing party.
960 Additionally, should the attorney or person filing the pleadings
961 desire the clerk to pay the cost to the sheriff for serving
962 process on one person or more, or to pay the cost of publication,
963 the clerk shall demand the actual charges therefor, at the time of
964 filing.

965 **SECTION 11.** Section 9-1-43, Mississippi Code of 1972, is
966 amended as follows:

967 9-1-43. (1) After making deductions for employee salaries
968 and related salary expenses, and expenses allowed as deductions by
969 Schedule C of the Internal Revenue Code, no office of the chancery
970 clerk or circuit clerk of any county in the state shall receive
971 fees as compensation for the chancery clerk's or circuit clerk's
972 services in excess of Ninety Thousand Dollars (\$90,000.00). All
973 such fees received by the office of chancery or circuit clerks
974 that are in excess of the salary limitation shall be deposited by
975 such clerk into the county general fund on or before April 15 for
976 the preceding calendar year. If the chancery clerk or circuit
977 clerk serves less than one (1) year, then he shall not receive as
978 compensation any fees in excess of that portion of the salary
979 limitation that can be attributed to his time in office on a pro
980 rata basis. Upon leaving office, income earned by any clerk in
981 his last full year of office but not received until after his last
982 full year of office shall not be included in determining the
983 salary limitation of the successor clerk. There shall be exempted
984 from the provisions of this subsection any monies or commissions
985 from private or governmental sources which: (a) are to be held by
986 the chancery or circuit clerk in a trust or custodial capacity as
987 prescribed in subsections (4) and (5); or (b) are received as
988 compensation for services performed upon order of a court or board

989 of supervisors which are not required of the chancery clerk or
990 circuit clerk by statute.

991 (2) It shall be unlawful for any chancery clerk or circuit
992 clerk to use fees in excess of Ninety Thousand Dollars
993 (\$90,000.00), to pay the salaries or actual or necessary expenses
994 of employees who are related to such clerk by blood or marriage
995 within the first degree of kinship according to the civil law
996 method of computing kinship as provided in Sections 1-3-71 and
997 1-3-73. However, the prohibition of this subsection shall not
998 apply to any individual who was an employee of the clerk's office
999 prior to the date his or her relative was elected as chancery or
1000 circuit clerk. The spouse and/or any children of the chancery
1001 clerk or circuit clerk employed in the office of the chancery
1002 clerk may be paid a salary; however, the combined annual salaries
1003 of the clerk, spouse and any child of the clerk may not exceed an
1004 amount equal to the salary limitation.

1005 (3) The chancery clerk and the circuit clerk shall be liable
1006 on their official bond for the proper deposit and accounting of
1007 all monies received by his office. The State Auditor shall
1008 promulgate uniform accounting methods for the accounting of all
1009 sources of income by the offices of the chancery and circuit
1010 clerk.

1011 (4) There is created in the county depository of each county
1012 a clearing account to be designated as the "chancery court clerk
1013 clearing account," into which shall be deposited: (a) all such
1014 monies as the clerk of the chancery court shall receive from any
1015 person complying with any writ of garnishment, attachment,
1016 execution or other like process authorized by law for the
1017 enforcement of child support, spousal support or any other
1018 judgment; (b) any portion of any fees required by law to be
1019 collected in civil cases which are to pay for the service of
1020 process or writs in another county; and (c) any other money as
1021 shall be deposited with the court which by its nature is not, at

1022 the time of its deposit, public monies, but which is to be held by
1023 the court in a trust or custodial capacity in a case or proceeding
1024 before the court. The clerk of the chancery court shall account
1025 for all monies deposited in and disbursed from such account and
1026 shall be authorized and empowered to draw and issue checks on such
1027 account at such times, in such amounts and to such persons as
1028 shall be proper and in accordance with law.

1029 The following monies paid to the chancery clerk shall be
1030 subject to the salary limitation prescribed under subsection (1):
1031 (a) all fees required by law to be collected for the filing,
1032 recording or abstracting of any bill, petition, pleading or decree
1033 in any civil case in chancery; (b) all fees collected for land
1034 recordings, charters, notary bonds, certification of decrees and
1035 copies of any documents; (c) all land redemption and mineral
1036 documentary stamp commissions; and (d) any other monies or
1037 commissions from private or governmental sources for statutory
1038 functions which are not to be held by the court in a trust
1039 capacity. Such fees as shall exceed the salary limitations shall
1040 be maintained in a bank account in the county depository and
1041 accounted for separately from those monies paid into the chancery
1042 court clerk clearing account.

1043 (5) There is created in the county depository in each county
1044 a clearing account to be designated as the "circuit court clerk
1045 civil clearing account," into which shall be deposited: (a) all
1046 such monies and fees as the clerk of the circuit court shall
1047 receive from any person complying with any writ of garnishment,
1048 attachment, execution or any other like process authorized by law
1049 for the enforcement of a judgment; (b) any portion of any fees
1050 required by law or court order to be collected in civil cases;
1051 (c) all fees collected for the issuance of marriage licenses; and
1052 (d) any other money as shall be deposited with the court which by
1053 its nature is not, at the time of its deposit, public monies but

1054 which is to be held by the court in a trust or custodial capacity
1055 in a case or proceeding before the court.

1056 There is created in the county depository in each county a
1057 clearing account to be designated as the "circuit court clerk
1058 criminal clearing account," into which shall be deposited: (a)
1059 all such monies as are received in criminal cases in the circuit
1060 court pursuant to any order requiring payment as restitution to
1061 the victims of criminal offenses; (b) any portion of any fees and
1062 fines required by law or court order to be collected in criminal
1063 cases; and (c) all cash bonds as shall be deposited with the
1064 court. The clerk of the circuit court shall account for all
1065 monies deposited in and disbursed from such account and shall be
1066 authorized and empowered to draw and issue checks on such account,
1067 at such times, in such amounts and to such persons as shall be
1068 proper and in accordance with law; however, such monies as are
1069 forfeited in criminal cases shall be paid by the clerk of the
1070 circuit court to the clerk of the board of supervisors for deposit
1071 in the general fund of the county.

1072 The following monies paid to the circuit clerk shall be
1073 subject to the salary limitation prescribed under subsection (1):
1074 (a) all fees required by law to be collected for the filing,
1075 recording or abstracting of any bill, petition, pleading or decree
1076 in any civil action in circuit court; (b) copies of any documents;
1077 and (c) any other monies or commissions from private or
1078 governmental sources for statutory functions which are not to be
1079 held by the court in a trust capacity.

1080 (6) The chancery clerk and the circuit clerk shall establish
1081 and maintain a cash journal for recording cash receipts from
1082 private or government sources for furnishing copies of any papers
1083 of record or on file, or for rendering services as a notary
1084 public, or other fees wherein the total fee for the transaction is
1085 Ten Dollars (\$10.00) or less. The cash journal entry shall
1086 include the date, amount and type of transaction, and the clerk

1087 shall not be required to issue a receipt to the person receiving
1088 such services. The State Auditor shall not take exception to the
1089 furnishing of copies or the rendering of services as a notary by
1090 any clerk free of charge.

1091 In any county having two (2) judicial districts, whenever the
1092 chancery clerk serves as deputy to the circuit clerk in one (1)
1093 judicial district and the circuit clerk serves as deputy to the
1094 chancery clerk in the other judicial district, the chancery clerk
1095 may maintain a cash journal, separate from the cash journal
1096 maintained for chancery clerk receipts, for recording the cash
1097 receipts paid to him as deputy circuit clerk, and the circuit
1098 clerk may maintain a cash journal, separate from the cash journal
1099 maintained for circuit clerk receipts, for recording the cash
1100 receipts paid to him as deputy chancery clerk. The cash receipts
1101 collected by the chancery clerk in his capacity as deputy circuit
1102 clerk and the cash receipts collected by the circuit clerk in his
1103 capacity as deputy chancery clerk shall be subject to the salary
1104 limitation prescribed under subsection (1).

1105 (7) Any clerk who knowingly shall fail to deposit funds or
1106 otherwise violate the provisions of this section shall be guilty
1107 of a misdemeanor in office and, upon conviction thereof, shall be
1108 fined in an amount not to exceed double the amount that he failed
1109 to deposit, or imprisoned for not to exceed six (6) months in the
1110 county jail, or be punished by both such fine and imprisonment.

1111 **SECTION 12.** Section 25-11-125, Mississippi Code of 1972, is
1112 amended as follows:

1113 25-11-125. The board of supervisors is hereby authorized and
1114 empowered to appropriate and include in its budget for public
1115 purposes a sufficient sum to pay the required employer
1116 contribution to the public employees' retirement system for all
1117 fee paid elected officials in judicial capacities of the county
1118 and supervisors' districts, and for all circuit and chancery
1119 clerks of the county. Such contributions shall be included by the

1120 clerk of the board in his regular reports and remittals to the
1121 executive secretary of the public employees' retirement system for
1122 other county officers and regular county employees whose employer
1123 contributions are not included in and paid from the annual county
1124 budget.

1125 **SECTION 13.** Section 27-105-343, Mississippi Code of 1972, is
1126 amended as follows:

1127 27-105-343. From and after the passage of this section, all
1128 the duties except the duty of receiving and disbursing money that
1129 were imposed by law on county treasurers shall be required to be
1130 done by chancery clerks, and they shall be the custodians of all
1131 the books, records, papers, and vouchers heretofore belonging to
1132 county treasurers, and shall be custodians of all the promissory
1133 notes, bonds, and other like property belonging to or deposited
1134 with the county, and said clerks shall in all respects be liable
1135 on their official bonds for the proper care of the same.

1136 The duty of receipting for and disbursing all monies
1137 heretofore deposited with county treasurers shall be done and
1138 performed by the designated county and drainage district
1139 depositories appointed in the manner provided by law; and any
1140 person or corporation required to pay money into a county treasury
1141 shall hereafter pay the same to a properly designated depository
1142 and such depository shall issue receipts therefor in duplicate,
1143 one of which shall be filed with the chancery clerk and the other
1144 retained by the person or corporation making such payment, and
1145 such payment when made to a designated depository shall discharge
1146 the person or corporation making such payment from any further
1147 liability therefor.

1148 In the event there shall be no designated depository for any
1149 money required to be paid into a county treasury, such payment
1150 shall be made to the tax collector who shall receipt for same in
1151 duplicate as required in the preceding paragraph and shall pay the
1152 same over to a legally appointed depository within ten (10) days

1153 after one is qualified to receive the same. The tax collector
1154 shall be the custodian of all money belonging to a county or any
1155 subdivision thereof until there be appointed a depository for any
1156 such funds and the said tax collectors shall be liable on their
1157 official bond for the proper accounting and payment of any funds
1158 so paid to them.

1159 Boards of supervisors shall allow chancery clerks for their
1160 compensation for performance of the duties required of them by
1161 this section the sum of Two Thousand Five Hundred Dollars
1162 (\$2,500.00) per annum.

1163 Nothing in this section shall preclude drainage districts
1164 from selecting their treasurer or depository as now provided by
1165 law.

1166 **SECTION 14.** Section 25-3-9, Mississippi Code of 1972, is
1167 amended as follows:

1168 25-3-9. (1) Except as provided in subsections (2), (3) and
1169 (4) of this section, the county prosecuting attorney may receive
1170 for his services an annual salary to be paid by the board of
1171 supervisors as follows:

1172 (a) For counties with a total population of more than
1173 two hundred thousand (200,000), a salary not to exceed
1174 Twenty-eight Thousand Five Hundred Dollars (\$28,500.00).

1175 (b) For counties with a total population of more than
1176 one hundred thousand (100,000) and not more than two hundred
1177 thousand (200,000), a salary not to exceed Twenty-six Thousand
1178 Five Hundred Dollars (\$26,500.00).

1179 (c) For counties with a total population of more than
1180 fifty thousand (50,000) and not more than one hundred thousand
1181 (100,000), a salary not to exceed Twenty-one Thousand Seven
1182 Hundred Dollars (\$21,700.00).

1183 (d) For counties with a total population of more than
1184 thirty-five thousand (35,000) and not more than fifty thousand

1185 (50,000), a salary not to exceed Twenty Thousand Four Hundred
1186 Dollars (\$20,400.00).

1187 (e) For counties with a total population of more than
1188 twenty-five thousand (25,000) and not more than thirty-five
1189 thousand (35,000), a salary not to exceed Nineteen Thousand Three
1190 Hundred Dollars (\$19,300.00).

1191 (f) For counties with a total population of more than
1192 fifteen thousand (15,000) and not more than twenty-five thousand
1193 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred
1194 Dollars (\$17,700.00).

1195 (g) For counties with a total population of more than
1196 ten thousand (10,000) and not more than fifteen thousand (15,000),
1197 a salary not to exceed Sixteen Thousand One Hundred Dollars
1198 (\$16,100.00).

1199 (h) For counties with a total population of more than
1200 six thousand (6,000) and not more than ten thousand (10,000), a
1201 salary not to exceed Fourteen Thousand Five Hundred Dollars
1202 (\$14,500.00).

1203 (i) For counties with a total population of six
1204 thousand (6,000) or less, the board of supervisors, in its
1205 discretion, may appoint a county prosecuting attorney, and it may
1206 pay such county prosecuting attorney an annual salary not to
1207 exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00).

1208 In all cases of conviction there shall be taxed against the
1209 convicted defendant, as an item of cost, the sum of Three Dollars
1210 (\$3.00), which shall be turned in to the county treasury as a part
1211 of the general county funds; however, the Three Dollars (\$3.00)
1212 shall not be taxed in any case in which it is not the specific
1213 duty of the county attorney to appear and prosecute.

1214 From and after October 1, 1993, in addition to the salaries
1215 provided for in this subsection, the board of supervisors of any
1216 county, in its discretion, may pay the county prosecuting attorney

1217 an additional amount not to exceed ten percent (10%) of the
1218 maximum allowable salary prescribed herein.

1219 (2) In the following counties, the county prosecuting
1220 attorney shall receive for his services an annual salary to be
1221 paid by the board of supervisors, as follows:

1222 (a) In any county bordering upon the Mississippi River
1223 and having a population of not less than thirty thousand (30,000)
1224 and not more than thirty-five thousand five hundred (35,500)
1225 according to the federal census of 1990, and in counties having a
1226 population of not more than thirty-seven thousand (37,000)
1227 according to the federal census of 1990 in which Interstate
1228 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
1229 attorney shall receive a salary equal to the justice court judge
1230 of such county; and in any county wherein is located the state's
1231 oldest state-supported institution of higher learning and wherein
1232 Mississippi State Highways 7 and 6 intersect, the county
1233 prosecuting attorney shall receive an annual salary equal to that
1234 of a member of the board of supervisors of such county.

1235 (b) In counties having a population in excess of fifty
1236 thousand (50,000) in the 1960 federal census, wherein is located a
1237 state-supported university and in which U.S. Highways 49 and 11
1238 intersect, the salary of the county prosecuting attorney shall be
1239 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
1240 per year. The Board of Supervisors of Forrest County,
1241 Mississippi, may, in its discretion, and by agreement with the
1242 county prosecuting attorney, employ the county prosecuting
1243 attorney as a full-time elected official during his/her term of
1244 office, designate additional duties and responsibilities of the
1245 office and pay additional compensation up to, but not in excess
1246 of, ninety percent (90%) of the annual compensation and salary of
1247 the county court judge and the youth court judge of Forrest County
1248 as authorized by law and provide a reasonable office and
1249 reasonable office expenses to the county prosecuting attorney.

1250 The salary authorized by this paragraph (b) for the county
1251 prosecuting attorney shall be the sole and complete salary for
1252 such prosecuting attorney in each county to which this paragraph
1253 applies, notwithstanding any other provision of law to the
1254 contrary.

1255 (c) In any county wherein is housed the seat of state
1256 government, wherein U.S. Highways 80 and 49 intersect, and having
1257 two (2) judicial districts, the board of supervisors, in its
1258 discretion, may pay the county prosecuting attorney an annual
1259 salary equal to the annual salary of members of the board of
1260 supervisors in the county.

1261 (d) In any county which has two (2) judicial districts
1262 and wherein Highway 8 and Highway 15 intersect, having a
1263 population of greater than seventeen thousand (17,000), according
1264 to the 1980 federal decennial census, the board of supervisors
1265 shall pay the county prosecuting attorney a salary equal to that
1266 of a member of the board of supervisors of such county; provided
1267 that if such county prosecuting attorney is paid a sum for the
1268 purpose of defraying office or secretarial expenses, then the
1269 salary prescribed herein shall be reduced by that amount.

1270 (e) In any county bordering the State of Tennessee and
1271 in which Mississippi Highways No. 4 and 15 intersect, and having a
1272 population of less than twenty thousand (20,000) in the 1970
1273 federal census, the salary of the county prosecuting attorney
1274 shall be no less than Six Thousand Dollars (\$6,000.00).

1275 (f) In any county having a population of more than
1276 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45
1277 intersect, the salary of the county attorney shall be * * * not
1278 less than Eight Thousand Dollars (\$8,000.00).

1279 In addition, such county prosecuting attorney shall receive
1280 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month
1281 for the purpose of defraying secretarial expense.

1282 (g) In any county wherein I-20 and State Highway 15
1283 intersect; and in any county wherein I-20 and State Highway 35
1284 intersect, the salary of the county prosecuting attorney shall be
1285 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1286 (h) In any Class 1 county bordering on the Mississippi
1287 River, lying in whole or in part within a levee district, wherein
1288 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
1289 and Stales Bayou, the board of supervisors, in its discretion, may
1290 pay an annual salary equal to the annual salary of members of the
1291 board of supervisors in the county. In addition, such county
1292 prosecuting attorney shall receive the sum of One Thousand Dollars
1293 (\$1,000.00) per month for the purpose of defraying secretarial
1294 expenses.

1295 (i) In any county bordering on the Gulf of Mexico
1296 having two (2) judicial districts, and wherein U.S. Highways 90
1297 and 49 intersect, the salary of the county prosecuting attorney
1298 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
1299 year. The Board of Supervisors of Harrison County, Mississippi,
1300 may, in its discretion, and by agreement with the county
1301 prosecuting attorney, employ the county prosecuting attorney and
1302 his/her assistant during his/her term of office, and designate
1303 additional duties and responsibilities of the office and pay
1304 additional compensation up to, but not in excess of, ninety
1305 percent (90%) of the annual compensation and salary of the county
1306 court judges of Harrison County as authorized by law and provide
1307 adequate office space and reasonable office expenses to the county
1308 prosecuting attorney and his/her assistant. The salary authorized
1309 by this paragraph (i) for the county prosecuting attorney and
1310 his/her assistant shall be the sole and complete salary paid by
1311 the county for such prosecuting attorney and his/her assistant in
1312 each county to which this paragraph applies, notwithstanding any
1313 other provision of law to the contrary.

1314 (j) In any county bordering on the State of Alabama,
1315 having a population in excess of seventy-five thousand (75,000)
1316 according to the 1980 decennial census in which is located an
1317 institution of higher learning and a United States military
1318 installation and which is traversed by an interstate highway, the
1319 salary of the county prosecuting attorney shall not be less than
1320 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
1321 the annual salary received by a member of the board of supervisors
1322 of that county.

1323 (k) In any county with a land area wherein Mississippi
1324 Highways 8 and 9 intersect, the salary of the county prosecuting
1325 attorney shall be not less than Eight Thousand Five Hundred
1326 Dollars (\$8,500.00) per year.

1327 (l) In any Class 2 county wherein Mississippi Highways
1328 6 and 3 intersect, the salary of the county prosecuting attorney
1329 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
1330 year nor more than the amount of the annual salary received by a
1331 member of the board of supervisors of that county.

1332 (m) In any county wherein Interstate Highway 55 and
1333 State Highway 8 intersect, the salary of the county prosecuting
1334 attorney shall be not less than Twelve Thousand Dollars
1335 (\$12,000.00) per year.

1336 (n) In any county wherein U.S. Highway 51 intersects
1337 Mississippi Highway 6, and having two (2) judicial districts, the
1338 salary of the county prosecuting attorney shall be not less than
1339 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1340 (o) In any county bordering on the Alabama state line,
1341 having a population of greater than fifteen thousand (15,000)
1342 according to the 1970 federal decennial census, wherein U.S.
1343 Highway 45 and Mississippi Highway 18 intersect, the salary of the
1344 county prosecuting attorney shall be not less than Three Thousand
1345 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
1346 of the board of supervisors of such county. All prior acts,

1347 orders and resolutions of the board of supervisors of such county
1348 which authorized the payment of the salary in conformity with the
1349 provisions of this paragraph, whether or not heretofore
1350 specifically authorized by law are hereby ratified, approved and
1351 confirmed.

1352 (p) In any county wherein is located a state-supported
1353 institution of higher learning and wherein U.S. Highway 82 and
1354 Mississippi Highway 389 intersect, the board of supervisors, in
1355 its discretion, may pay the county prosecuting attorney an annual
1356 salary equal to the annual salary of members of the board of
1357 supervisors in the county.

1358 (q) In any county having two (2) judicial districts
1359 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the
1360 salary of the county prosecuting attorney shall be not less than
1361 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1362 (r) In any county traversed by the Natchez Trace
1363 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
1364 intersect, the board of supervisors, in its discretion, may pay
1365 the county prosecuting attorney an annual salary equal to the
1366 annual salary of justice court judges in the county.

1367 (s) In any county having a population of more than
1368 fourteen thousand (14,000) according to the 1970 census and which
1369 county is bordered on the north by the State of Tennessee and on
1370 the east by the State of Alabama and in which U.S. Highway No. 72
1371 and Highway No. 25 intersect, the board of supervisors, in its
1372 discretion, may pay the county prosecuting attorney an annual
1373 salary equal to the annual salary of justice court judges in the
1374 county.

1375 (t) (i) In any county wherein Interstate Highway 55
1376 and State Highway 22 intersect, and which is also traversed in
1377 whole or part by U.S. Highways 49 and 51, and State Highways 16,
1378 17, 43 and the Natchez Trace Parkway, and also containing a part
1379 of a public lake or reservoir, in excess of thirty thousand

1380 (30,000) acres, the board of supervisors, in its discretion, may
1381 pay the county prosecuting attorney an annual salary in the amount
1382 of Twenty-eight Thousand Dollars (\$28,000.00).

1383 (ii) From and after October 1, 1993, in addition
1384 to the salary provided for in subparagraph (i) of this paragraph,
1385 the board of supervisors, in its discretion, may pay the county
1386 prosecuting attorney an additional amount not to exceed ten
1387 percent (10%) of the maximum allowable salary prescribed herein.

1388 (u) In any county having a population in the 1970
1389 census in excess of thirty-five thousand (35,000) and in which
1390 U.S. Highways 49W and 82 intersect, and in which is located a
1391 state penitentiary, the annual salary of a county prosecuting
1392 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
1393 (\$30,420.00).

1394 (v) In any county wherein Mississippi Highway 50
1395 intersects U.S. Highway 45-Alternate, and having a population
1396 greater than twenty thousand (20,000) according to the 1980
1397 federal decennial census, a salary equal to that of a member of
1398 the board of supervisors of such county; provided that if such
1399 county prosecuting attorney is paid a sum for the purpose of
1400 defraying office or secretarial expenses, then the salary
1401 prescribed herein shall be reduced by that amount.

1402 (w) In any county in which the 1975 assessed valuation
1403 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred
1404 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and
1405 Mississippi Highway 8 intersect, the salary of the county
1406 prosecuting attorney shall be equal to that of a member of the
1407 board of supervisors of such county.

1408 (x) In any county bordering on the Mississippi River
1409 having a population greater than fifty thousand (50,000) according
1410 to the 1980 federal decennial census and also having a national
1411 military park and national cemetery, an annual salary of
1412 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to

1413 that of a member of the board of supervisors in such county,
1414 whichever is greater. In addition, such county prosecuting
1415 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
1416 per month for the purpose of defraying secretarial expenses.

1417 (y) In any county bordering on the Alabama state line,
1418 traversed by the Chickasawhay River, and wherein U.S. Highway 45
1419 and U.S. Highway 84 intersect, a salary that shall be equal to the
1420 annual salary of a member of the board of supervisors of such
1421 county. All prior acts, orders and resolutions of the board of
1422 supervisors of such county which authorize the payment of the
1423 salary of the county prosecuting attorney in conformity with the
1424 provisions of this section as it existed immediately prior to the
1425 effective date of Chapter 506, Laws of 1985, are hereby ratified,
1426 approved, confirmed and validated.

1427 (z) In any county having a population greater than
1428 sixty-five thousand five hundred eighty (65,580) but less than
1429 sixty-five thousand five hundred ninety (65,590) according to the
1430 1990 federal decennial census, wherein U.S. Highway 45 intersects
1431 with Mississippi Highway 6, an annual salary equal to Thirty
1432 Thousand Dollars (\$30,000.00).

1433 (aa) In any county where an institution of higher
1434 learning is located and wherein U.S. Highway 82 and U.S. Highway
1435 45 intersect, the salary of the county prosecuting attorney shall
1436 be not less than that of a member of the board of supervisors in
1437 such county, and the board of supervisors may, in its discretion,
1438 pay such county prosecuting attorney a salary in an amount not to
1439 exceed the amount of the salary of the District Attorney for the
1440 Sixteenth Judicial District of Mississippi.

1441 (bb) In any county having a population greater than six
1442 thousand (6,000) according to the federal decennial census and
1443 wherein U.S. Highway 61 and Highway 24 intersect, the board of
1444 supervisors, in its discretion, may pay the county prosecuting

1445 attorney an annual salary equal to the annual salary of members of
1446 the board of supervisors in the county.

1447 (cc) In any county having a population greater than
1448 thirty-one thousand (31,000) according to the 1990 federal
1449 decennial census and wherein U.S. Highway 61 and U.S. Highway 49
1450 intersect, a salary of not less than the annual salary of justice
1451 court judges in the county.

1452 (dd) (i) The Rankin County prosecuting attorney, if
1453 such person is not employed on a full-time basis, shall receive an
1454 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1455 (ii) The Board of Supervisors of Rankin County, in
1456 its discretion, may employ the elected county prosecuting attorney
1457 and an assistant on a full-time basis during his or her term of
1458 office and may pay compensation to such full-time prosecuting
1459 attorney in an amount of not more than ninety percent (90%) of the
1460 annual compensation and salary of the county court judges of the
1461 county as authorized by law, and may provide adequate office space
1462 and reasonable office expenses to the county prosecuting attorney
1463 and his/her assistant. The Board of Supervisors of Rankin County,
1464 in its discretion, may also employ a full-time assistant county
1465 prosecuting attorney and may pay such person an annual salary in
1466 such amount as determined by the board of supervisors. The salary
1467 authorized by this subparagraph (dd)(ii) for the elected county
1468 prosecuting attorney and an assistant shall be the sole and
1469 complete salary paid by the county for the elected prosecuting
1470 attorney and assistant in Rankin County, notwithstanding any other
1471 provisions of law to the contrary.

1472 (ee) In any county having a population greater than
1473 eight thousand (8,000) but less than eight thousand two hundred
1474 (8,200) according to the 1990 federal census, and in which U.S.
1475 Highway 61 and Mississippi Highway 4 intersect, the board of
1476 supervisors may, in its discretion, pay the county prosecuting
1477 attorney an amount not to exceed Fourteen Thousand Dollars

1478 (\$14,000.00), in addition to the maximum allowable salary for that
1479 attorney under subsection (1), beginning on April 1, 1997.

1480 (ff) In any county having a population greater than
1481 thirty thousand three hundred (30,300) but less than thirty
1482 thousand four hundred (30,400) according to the 1990 federal
1483 census, and in which U.S. Highway 78 and Mississippi Highway 7
1484 intersect, a salary of not less than the annual salary of a member
1485 of the board of supervisors in such county.

1486 (gg) In any county having a population greater than
1487 thirteen thousand three hundred (13,300) but less than thirteen
1488 thousand four hundred (13,400) according to the 1990 federal
1489 census, and in which Mississippi Highway 24 and Mississippi
1490 Highway 48 intersect, the board of supervisors may, in its
1491 discretion, pay the county prosecuting attorney an additional
1492 amount not to exceed ten percent (10%) of the maximum allowable
1493 salary for that attorney under subsection (1).

1494 (hh) In any county having a population greater than
1495 eight thousand three hundred (8,300) but less than eight thousand
1496 four hundred (8,400) according to the 1990 federal census, and in
1497 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
1498 supervisors may, in its discretion, pay the county prosecuting
1499 attorney an additional amount not to exceed ten percent (10%) of
1500 the maximum allowable salary for that attorney under subsection
1501 (1).

1502 (ii) In any county having a population of more than
1503 thirty thousand four hundred (30,400) and which is traversed in
1504 whole or part by I-59, U.S. Highways 98 and 11 and State Highway
1505 13, the annual salary of the county prosecuting attorney shall be
1506 Twenty-five Thousand Dollars (\$25,000.00).

1507 (jj) In any county having a population greater than
1508 twenty thousand (20,000) according to the 1990 federal census and
1509 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
1510 board of supervisors, in its discretion, may pay the county

1511 prosecuting attorney an annual salary equal to the annual salary
1512 of justice court judges in the county.

1513 (kk) In any county having a population greater than
1514 twelve thousand four hundred (12,400) but less than twelve
1515 thousand five hundred (12,500) according to the 1990 federal
1516 census, and in which U.S. Highway 84 and Mississippi Highway 27
1517 intersect, the board of supervisors may, in its discretion, pay
1518 the county prosecuting attorney an additional amount not to exceed
1519 ten percent (10%) of the maximum allowable salary for that
1520 attorney under subsection (1).

1521 (ll) In any county having a population greater than
1522 thirty thousand two hundred (30,200) but less than thirty thousand
1523 three hundred (30,300) according to the 1990 federal census, and
1524 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,
1525 the board of supervisors may, in its discretion, pay the county
1526 prosecuting attorney an additional amount not to exceed ten
1527 percent (10%) of the maximum allowable salary for that attorney
1528 under subsection (1).

1529 (mm) In any county on the Mississippi River levee,
1530 having a population greater than forty-one thousand eight hundred
1531 (41,800) but less than forty-one thousand nine hundred (41,900)
1532 according to the 1990 federal census wherein U.S. Highway 61 and
1533 Mississippi Highway 8 intersect, the board of supervisors, in its
1534 discretion, may pay the county prosecuting attorney an annual
1535 salary equal to the annual salary of members of the board of
1536 supervisors in the county. In addition, the board of supervisors,
1537 in its discretion, may pay the county prosecuting attorney the sum
1538 of One Thousand Dollars (\$1,000.00) per month for the purpose of
1539 defraying secretarial expenses.

1540 (nn) In any county having a population greater than
1541 twenty-four thousand seven hundred (24,700) and less than
1542 twenty-four thousand nine hundred (24,900) according to the 1990
1543 federal census, wherein Mississippi Highways 15 and 16 intersect,

1544 the board of supervisors, in its discretion, may pay the county
1545 prosecuting attorney an annual salary equal to the annual salary
1546 of members of the board of supervisors in the county.

1547 (oo) In any county having a population greater than
1548 thirty-seven thousand (37,000) but less than thirty-eight thousand
1549 (38,000) according to the 1990 federal census, in which is located
1550 a state supported institution of higher learning, and in which
1551 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
1552 supervisors may, in its discretion, pay the county prosecuting
1553 attorney a salary in an amount not to exceed the amount of the
1554 salary of the District Attorney for the Fourth Judicial District
1555 of Mississippi.

1556 (pp) In any county in which U.S. Highway 78 and
1557 Mississippi Highway 15 intersect and which is traversed by the
1558 Tallahatchie River, a salary equal to that of members of the board
1559 of supervisors of the county, which salary shall be in addition to
1560 any sums received for the purpose of defraying office or
1561 secretarial expenses and sums received as youth court prosecutor
1562 fees.

1563 (qq) In any county bordering on the State of Tennessee
1564 and the State of Arkansas, wherein Interstate Highway 55 and
1565 Mississippi Highway 302 intersect, the board of supervisors, in
1566 its discretion, may pay the county prosecuting attorney an annual
1567 salary equal to the annual salary of justice court judges in the
1568 county.

1569 (rr) In any county that is traversed by the Natchez
1570 Trace Parkway and in which Mississippi Highway 35 and Mississippi
1571 Highway 12 intersect, the board of supervisors, in its discretion,
1572 may pay the county prosecuting attorney an annual salary in the
1573 amount of the annual salary of justice court judges in the county.

1574 (ss) In any county in which Mississippi Highway 14 and
1575 Mississippi Highway 25 intersect, the board of supervisors, in its

1576 discretion, may pay the county prosecuting attorney an annual
1577 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1578 (tt) In any county in which Interstate Highway 59 and
1579 U.S. Highway 84 intersect, the board of supervisors, in its
1580 discretion, may pay the county prosecuting attorney an annual
1581 salary equal to the annual salary of members of the board of
1582 supervisors in the county.

1583 (3) In any case where a salary, expense allowance or other
1584 sum is authorized or paid by the board of supervisors pursuant to
1585 this section, that salary, expense allowance or other sum shall
1586 not be reduced or terminated during the term for which the county
1587 attorney was elected.

1588 (4) Notwithstanding any provision of this section to the
1589 contrary, no county prosecuting attorney shall receive for his
1590 services an annual salary less than the salary paid to a justice
1591 court judge in his respective county.

1592 **SECTION 15.** Section 25-3-5, Mississippi Code of 1972, which
1593 establishes the salaries of tax assessors and tax collectors in
1594 counties where the two offices have been separated, is repealed.

1595 **SECTION 16.** The Attorney General of the State of Mississippi
1596 shall submit this act, immediately upon approval by the Governor,
1597 or upon approval by the Legislature subsequent to a veto, to the
1598 Attorney General of the United States or to the United States
1599 District Court for the District of Columbia in accordance with the
1600 provisions of the Voting Rights Act of 1965, as amended and
1601 extended.

1602 **SECTION 17.** This act shall take effect and be in force from
1603 and after the date it is effectuated under Section 5 of the Voting
1604 Rights Act of 1965, as amended and extended.