

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, Albritton, Chamberlin, Chaney, Dearing, Harvey, Morgan, Posey

To: Fees, Salaries and Administration

SENATE BILL NO. 2647
(As Sent to Governor)

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 27-105-343, MISSISSIPPI CODE OF
23 1972, TO INCREASE THE COMPENSATION OF CHANCERY CLERKS FOR THE
24 PERFORMANCE OF THEIR DUTIES AS COUNTY TREASURERS; TO AMEND SECTION
25 25-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO COUNTY
26 PROSECUTING ATTORNEY SHALL RECEIVE AN ANNUAL SALARY LESS THAN THE
27 SALARY PAID TO A JUSTICE COURT JUDGE IN HIS RESPECTIVE COUNTY; TO
28 REPEAL SECTION 25-3-5, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES
29 THE SALARIES OF TAX ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE
30 THE TWO OFFICES HAVE BEEN SEPARATED; AND FOR RELATED PURPOSES.

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

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

34 25-3-3. (1) The term "total assessed valuation" as used in
35 this section only refers to the ad valorem assessment for the
36 county and, in addition, in counties where oil or gas is produced,
37 the actual value of oil at the point of production, as certified
38 to the counties by the State Tax Commission under the provisions
39 of Sections 27-25-501 through 27-25-525, and the actual value of
40 gas as certified by the State Tax Commission under the provisions
41 of Sections 27-25-701 through 27-25-723.

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

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

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

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

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

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

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

73 (g) For counties having a total assessed valuation of
74 at least Thirty-five Million Dollars (\$35,000,000.00) but less

75 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
76 Forty-eight Thousand Five Hundred Dollars (\$48,500.00);

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

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

84 (4) The annual salary established for * * * assessors and
85 tax collectors shall not be reduced as a result of a reduction in
86 total assessed valuation. The salaries shall be increased as a
87 result of an increase in total assessed valuation.

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

97 (6) In addition to all other compensation paid to assessors
98 and tax collectors, the board of supervisors of a county shall
99 allow for such assessor or tax collector, or both, to be paid
100 additional compensation when there is a contract between the
101 county and one or more municipalities providing that the assessor
102 or tax collector, or both, shall assess * * * or collect taxes, or
103 both, for the municipality or municipalities; and such assessor or
104 tax collector, or both, shall be authorized to receive such
105 additional compensation from the county and/or the municipality or
106 municipalities in any amount allowed by the county and/or the
107 municipality or municipalities for performing those services.

108 (7) When any tax assessor holds a valid certificate of
109 educational recognition from the International Association of
110 Assessing Officers or is a licensed appraiser under Section
111 73-34-1 et seq., he shall receive an additional One Thousand Five
112 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
113 year after completion. When any tax assessor is a licensed state
114 certified Residential Appraiser (RA) or licensed state certified
115 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
116 any tax assessor holds a valid designation from the International
117 Association of Assessing Officers as a Cadastral Mapping
118 Specialist (CMS) or Personal Property Specialist (PPS) or
119 Residential Evaluation Specialist (RES), he shall receive an
120 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
121 beginning the next fiscal year after completion. When any tax
122 assessor holds the valid designation of Certified Assessment
123 Evaluator (CAE) from the International Association of Assessing
124 Officers or is a state certified General Real Estate Appraiser
125 (GA) under Section 73-34-1 et seq., he shall receive an additional
126 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
127 the next fiscal year after completion.

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

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

141 * * *

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

144 25-3-13. The salaries of the members of the boards of
145 supervisors of the various counties are * * * fixed as full
146 compensation for their services.

147 The annual salary of each member of the board of supervisors
148 shall be based upon the total assessed valuation of his respective
149 county for the preceding taxable year in the following categories
150 and for the following amounts:

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

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

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

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

166 (e) For counties having a total assessed valuation of
167 at least One Hundred Twenty-five Million Dollars
168 (\$125,000,000.00), but less than Three Hundred Million Dollars
169 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars
170 (\$40,400.00);

171 (f) For counties having a total assessed valuation of
172 at least Three Hundred Million Dollars (\$300,000,000.00), but less

173 than One Billion Dollars (\$1,000,000,000.00), a salary of
174 Forty-four Thousand Seven Hundred Dollars (\$44,700.00);

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

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

182 The salary of the members of the board of supervisors shall
183 not be increased under this section until the board of supervisors
184 shall have passed a resolution stating the amount of the increase
185 and spread it on its minutes.

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

188 25-3-25. (1) Except as otherwise provided in subsections
189 (2) through (9), the salaries of sheriffs of the various counties
190 are * * * fixed as full compensation for their services.

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

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

201 (b) For counties with a total population of more than
202 one hundred thousand (100,000) and not more than two hundred
203 thousand (200,000), a salary of Eighty-four Thousand Dollars
204 (\$84,000.00).

205 (c) For counties with a total population of more than
206 forty-five thousand (45,000) and not more than one hundred
207 thousand (100,000), a salary of Seventy-eight Thousand Dollars
208 (\$78,000.00).

209 (d) For counties with a total population of more than
210 thirty-four thousand (34,000) and not more than forty-five
211 thousand (45,000), a salary of Seventy-two Thousand Dollars
212 (\$72,000.00).

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

217 (f) For counties with a total population of more than
218 fifteen thousand (15,000) and not more than twenty-five thousand
219 (25,000), a salary of Sixty Thousand Dollars (\$60,000.00).

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

224 (h) For counties with a total population of * * * not
225 more than nine thousand five hundred (9,500), a salary of
226 Fifty-five Thousand Dollars (\$55,000.00).

227 * * *

228 (2) In addition to the salary provided for in subsection (1)
229 of this section, the Board of Supervisors of Leflore County * * *,
230 in its discretion, may pay an annual supplement to the sheriff of
231 the county in an amount not to exceed Ten Thousand Dollars
232 (\$10,000.00). The Legislature finds and declares that the annual
233 supplement authorized by this subsection is justified in such
234 county for the following reasons:

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

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

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

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

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

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

250 (g) The increased activity of the Child Support
251 Division of the Department of Human Services in enforcing in the
252 courts parental obligations has imposed additional duties on the
253 sheriff; and

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

257 (3) In addition to the salary provided for in subsection (1)
258 of this section, the Board of Supervisors of Rankin County * * *,
259 in its discretion, may pay an annual supplement to the sheriff of
260 the county in an amount not to exceed Ten Thousand Dollars
261 (\$10,000.00). The Legislature finds and declares that the annual
262 supplement authorized by this subsection is justified in such
263 county for the following reasons:

264 (a) The Mississippi Department of Corrections operates
265 and maintains the Central Mississippi Correctional Facility within
266 the county;

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

269 (c) Hudspeth Regional Center, a facility maintained for
270 the care and treatment of the mentally retarded, is located within
271 the county;

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

274 (e) The State Fire Academy is operated and maintained
275 within the county;

276 (f) The Pearl River Valley Water Supply District,
277 ordinarily known as the "Reservoir District," is located within
278 the county;

279 (g) The Jackson International Airport is located within
280 the county;

281 (h) The patrolling of the state properties located
282 within the county has imposed additional duties on the sheriff;
283 and

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

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

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

298 (6) In addition to the salary provided for in subsection (1)
299 of this section, the Board of Supervisors of Hinds County shall
300 pay an annual supplement to the sheriff of the county in an amount
301 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature

302 finds and declares that the annual supplement authorized by this
303 subsection is justified in such county for the following reasons:

304 (a) Hinds County has the greatest population of any
305 county, two hundred fifty-four thousand four hundred forty-one
306 (254,441) by the 1990 census, being almost one hundred thousand
307 (100,000) more than the next most populous county;

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

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

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

315 (e) There are four (4) resident circuit judges, four
316 (4) resident chancery judges, and three (3) resident county judges
317 in Hinds County, the most of any county, with the sheriff acting
318 as chief executive officer and provider of bailiff services for
319 all;

320 (f) The main offices for the clerk and most of the
321 judges and magistrates for the United States District Court for
322 the Southern District of Mississippi are located within the
323 county;

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

326 (h) The University of Mississippi Medical Center,
327 combining the medical school, dental school, nursing school and
328 hospital, is located within the county;

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

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

333 (k) Hinds County has the largest criminal population in
334 the state, such that the Hinds County Sheriff's Department

335 operates the largest county jail system in the state, housing
336 almost one thousand (1,000) inmates in three (3) separate
337 detention facilities;

338 (1) The Hinds County Sheriff's Department handles more
339 mental and drug and alcohol commitments cases than any other
340 sheriff's department in the state;

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

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

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

350 (7) In addition to the salary provided for in subsection (1)
351 of this section, the Board of Supervisors of Wilkinson County, in
352 its discretion, may pay an annual supplement to the sheriff of the
353 county in an amount not to exceed Ten Thousand Dollars
354 (\$10,000.00). The Legislature finds and declares that the annual
355 supplement authorized by this subsection is justified in such
356 county because the Mississippi Department of Corrections contracts
357 for the private incarceration of state inmates at a private
358 correctional facility within the county.

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

368 (9) In addition to the salary provided in subsection (1) of
369 this section, the Board of Supervisors of Greene County, in its
370 discretion, may pay an annual supplement to the sheriff of the
371 county in an amount not to exceed Ten Thousand Dollars
372 (\$10,000.00). The Legislature finds and declares that the annual
373 supplement authorized by this subsection is justified in such
374 county for the following reasons:

375 (a) The Mississippi Department of Corrections operates
376 and maintains the South Mississippi Correctional Facility within
377 the county;

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

382 (c) The patrolling of the state properties located
383 within the county has imposed additional duties on the sheriff
384 justifying additional compensation.

385 (10) In addition to the salary provided in subsection (1) of
386 this section, the board of supervisors of any county, in its
387 discretion, may pay an annual supplement to the sheriff of the
388 county in an amount not to exceed Ten Thousand Dollars
389 (\$10,000.00). The amount of the supplement shall be spread on the
390 minutes of the board. The annual supplement authorized in this
391 subsection shall not be in addition to the annual supplements
392 authorized in subsections (2) through (9).

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

400 shall be made on the workday immediately preceding the weekend or
401 legal holiday.

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

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

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

417 (b) In counties with a population of more than one
418 hundred fifty thousand (150,000) but not more than two hundred
419 thousand (200,000), a salary of Fifty-one Thousand Five Dollars
420 (\$51,005.00).

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

425 (d) In counties with a population of more than
426 forty-nine thousand (49,000) but not more than seventy-five
427 thousand (75,000), a salary of Forty Thousand Seventy-five Dollars
428 (\$40,075.00).

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

433 (f) In counties with a population of more than
434 twenty-four thousand five hundred (24,500) but not more than
435 thirty-four thousand (34,000), a salary of Thirty-two Thousand
436 Seven Hundred Eighty-nine Dollars (\$32,789.00).

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

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

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

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

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

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

462 In any county having a population greater than eight thousand
463 (8,000) but less than eight thousand five hundred (8,500)
464 according to the 1990 federal decennial census and in which U.S.
465 Highway 61 and Mississippi Highway 4 intersect, the board of

466 supervisors * * *, in its discretion, may pay such justice court
467 judges an additional amount not to exceed the sum of Eleven
468 Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable
469 beginning April 1, 1997.

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

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

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

494 (3) From and after January 1, 1984, all fees, costs, fines
495 and penalties charged and collected in the justice court shall be
496 paid to the clerk of the justice court for deposit, along with
497 monies from cash bonds and other monies which have been forfeited
498 in criminal cases, into the general fund of the county as provided

499 in Section 9-11-19; and the clerk of the board of supervisors
500 shall be authorized and empowered, upon approval by the board of
501 supervisors, to make disbursements and withdrawals from the
502 general fund of the county in order to pay any reasonable and
503 necessary expenses incurred in complying with this section,
504 including payment of the salaries of justice court judges as
505 provided by subsection (1) of this section. The provisions of
506 this subsection shall not, except as to cash bonds and other
507 monies which have been forfeited in criminal cases, apply to
508 monies required to be deposited in the justice court clerk
509 clearing account as provided in Section 9-11-18, Mississippi Code
510 of 1972.

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

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

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

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

528 41-61-59. (1) A person's death which affects the public
529 interest as specified in subsection (2) of this section shall be
530 promptly reported to the medical examiner by the physician in
531 attendance, any hospital employee, any law enforcement officer

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

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

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

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

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

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

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

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

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

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

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

562 (j) Death of a child under the age of two (2) years
563 where death results from an unknown cause or where the

564 circumstances surrounding the death indicate that sudden infant
565 death syndrome may be the cause of death.

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

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

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

582 (n) When a stillborn fetus is delivered and the cause
583 of the demise is medically believed to be from the use by the
584 mother of any controlled substance as defined in Section
585 41-29-105.

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

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

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

630 (5) A body composed of the State Medical Examiner, whether
631 appointed on a permanent or interim basis, the Director of the
632 State Board of Health or his designee, the Attorney General or his
633 designee, the President of the Mississippi Coroners' Association
634 (or successor organization) or his designee, and a certified
635 pathologist appointed by the Mississippi State Medical Association
636 shall adopt, promulgate, amend and repeal rules and regulations as
637 may be deemed necessary by them from time to time for the proper
638 enforcement, interpretation and administration of Sections
639 41-61-51 through 41-61-79, in accordance with the provisions of
640 the Mississippi Administrative Procedures Law, being Section
641 25-43-1 et seq.

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

644 9-13-19. (1) Court reporters for circuit and chancery
645 courts shall be paid an annual salary * * * payable by the
646 Administrative Office of Courts not to exceed Forty Thousand Five
647 Hundred Dollars (\$40,500.00) for court reporters with five (5)
648 years experience or less; not to exceed Forty-three Thousand Five
649 Hundred Dollars (\$43,500.00) for court reporters who have more
650 than five (5) years experience but less than ten (10) years; and
651 not to exceed Forty-six Thousand Dollars (\$46,000.00) for court
652 reporters who have ten (10) years or more experience. In
653 addition, any court reporter performing the duties of a court
654 administrator in the same judicial district in which the person is
655 employed as a court reporter may be paid additional compensation
656 for performing the court administrator duties. The annual amount
657 of the additional compensation shall be set by vote of the judges
658 and chancellors for whom the court administrator duties are
659 performed, with consideration given to the number of hours per
660 month devoted by the court reporter to performing the duties of a
661 court administrator. The additional compensation shall be
662 submitted to the Administrative Office of Courts for approval.

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

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

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

696 county may pay, in the discretion of the board of supervisors, by
697 the twentieth day of January of any year, the amount due for a
698 full twelve (12) months.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

768 (f) For serving all warrants and other process and
769 attending all trials in state cases in which the state fails in
770 the prosecution, to be paid out of the county treasury on the
771 allowance of the board of supervisors without itemization,
772 subject, however, to the condition that the marshal or constable
773 must not have overcharged in the collection of fees for costs,
774 contrary to the provisions of this section, annually * * *
775 \$1,800.00

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

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

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

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

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

790 The fee set forth in this paragraph shall be the total fee
791 for all services performed by the clerk up to and including entry
792 of judgment with respect to each complaint, petition or

793 indictment, including all answers, claims, orders, continuances
794 and other papers filed therein, issuing each writ, summons,
795 subpoena or other such instruments, swearing witnesses, taking and
796 recording bonds and pleas, and recording judgments, orders, fiats
797 and certificates; the fee shall be payable upon filing and shall
798 accrue to the clerk at the time of collection. The clerk or his
799 successor in office shall perform all duties set forth above
800 without additional compensation or fee.

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

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

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

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

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

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

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

816 First page..... \$ 2.00

817 Each additional page..... \$ 1.00

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

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

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

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

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

825 (i) For taking and recording application for marriage
826 license, for filing and recording consent of parents when required
827 by law, for filing and recording medical certificate, filing and
828 recording proof of age, recording and issuing license, recording
829 and filing returns..... \$20.00

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

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

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

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

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

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

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

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

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

856 (4) The clerk's fees in state cases where the state fails in
857 the prosecution, or in cases of felony where the defendant is

858 convicted and the cost cannot be made out of his estate, in an
859 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)
860 year, shall be paid out of the county treasury on approval of the
861 circuit court, and the allowance thereof by the board of
862 supervisors of the county. In counties having two (2) judicial
863 districts, such allowance shall be made in each judicial district;
864 however, the maximum thereof shall not exceed Eight Hundred
865 Dollars (\$800.00). Clerks in the circuit court, in cases where
866 appeals are taken in criminal cases and no appeal bond is filed,
867 shall be allowed by the board of supervisors of the county after
868 approval of their accounts by the circuit court, in addition to
869 the above fees, for making such transcript the rate of Two Dollars
870 (\$2.00) per page.

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

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

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

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

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

| | | |
|-----|--|--------------------|
| 891 | (a) For the act of certifying copies of filed | |
| 892 | documents, for each complete document..... | \$ 1.00 |
| 893 | (b) Recording deeds, wills, leases, amendments, | |
| 894 | subordinations, liens, releases, cancellations, orders, decrees, | |
| 895 | oaths, etc., including indexing; <u>for the first fifteen (15)</u> | |
| 896 | <u>pages</u> | \$ <u>10.00</u> |
| 897 | <u>Each additional page</u> | <u>1.00</u> |
| 898 | Sectional index entries per section or subdivision | |
| 899 | <u>lot</u> | 1.00 |
| 900 | (c) Recording deeds of trust, <u>for the first fifteen</u> | |
| 901 | <u>(15) pages</u> | \$ <u>15.00</u> |
| 902 | <u>Each additional page</u> | <u>1.00</u> |
| 903 | Sectional index entries per section or subdivision | |
| 904 | <u>lot</u> | 1.00 |
| 905 | (d) * * * Recording oil and gas leases, <u>cancellations,</u> | |
| 906 | <u>assignments, etc., including indexing in general indices; for the</u> | |
| 907 | <u>first fifteen (15) pages</u> | \$ <u>18.00</u> |
| 908 | <u>Each additional page</u> | <u>1.00</u> |
| 909 | Sectional index entries per section or subdivision | |
| 910 | <u>lot</u> | 1.00 |
| 911 | * * * | |
| 912 | (e) Furnishing copies of any papers of record or on | |
| 913 | file and entering marginal notations on documents of record: | |
| 914 | If performed by the clerk or his employee, | |
| 915 | per page..... | \$.50 |
| 916 | If performed by any other person, per page..... | .25 |
| 917 | (f) For each day's attendance on the board of | |
| 918 | supervisors, for himself and one (1) deputy, each..... | \$ 20.00 |
| 919 | (g) For other services as clerk of the board of | |
| 920 | supervisors an allowance shall be made to him (payable | |
| 921 | semiannually at the July and January meetings) out of the county | |
| 922 | treasury, an annual sum not exceeding..... | \$ <u>3,000.00</u> |

923 (h) For each day's attendance on the chancery court, to
924 be approved by the chancellor:

925 For the first chancellor sitting only, clerk and two (2)
926 deputies, each..... \$ 30.00

927 For the second chancellor sitting, clerk only..... 30.00

928 Provided that the fees herein prescribed shall be the total
929 remuneration for the clerk and his deputies for attending chancery
930 court.

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

934 (j) For public service not otherwise specifically
935 provided for, the chancery court may by order allow the clerk to
936 be paid by the county on the order of the board of supervisors, an
937 annual sum not exceeding..... \$5,000.00

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

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

950 (a) Divorce to be contested..... \$75.00

951 (b) Divorce uncontested..... 30.00

952 (c) Alteration of birth or marriage certificate. 25.00

953 (d) Removal of minority..... 25.00

954 (e) Guardianship or conservatorship..... 75.00

955 (f) Estate of deceased, intestate..... 75.00

| | | |
|-----|--------------------------------------|-------|
| 956 | (g) Estate of deceased, testate..... | 75.00 |
| 957 | (h) Adoption..... | 75.00 |
| 958 | (i) Land dispute..... | 75.00 |
| 959 | (j) Injunction..... | 75.00 |
| 960 | (k) Settlement of small claim..... | 30.00 |
| 961 | (l) Contempt in child support..... | 75.00 |
| 962 | (m) Partition suit..... | 75.00 |
| 963 | (n) Any cross-complaint..... | 25.00 |

964 Cost of process shall be borne by the issuing party.

965 Additionally, should the attorney or person filing the pleadings
966 desire the clerk to pay the cost to the sheriff for serving
967 process on one person or more, or to pay the cost of publication,
968 the clerk shall demand the actual charges therefor, at the time of
969 filing.

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

972 9-1-43. (1) After making deductions for employee salaries
973 and related salary expenses, and expenses allowed as deductions by
974 Schedule C of the Internal Revenue Code, no office of the chancery
975 clerk or circuit clerk of any county in the state shall receive
976 fees as compensation for the chancery clerk's or circuit clerk's
977 services in excess of Ninety Thousand Dollars (\$90,000.00). All
978 such fees received by the office of chancery or circuit clerks
979 that are in excess of the salary limitation shall be deposited by
980 such clerk into the county general fund on or before April 15 for
981 the preceding calendar year. If the chancery clerk or circuit
982 clerk serves less than one (1) year, then he shall not receive as
983 compensation any fees in excess of that portion of the salary
984 limitation that can be attributed to his time in office on a pro
985 rata basis. Upon leaving office, income earned by any clerk in
986 his last full year of office but not received until after his last
987 full year of office shall not be included in determining the
988 salary limitation of the successor clerk. There shall be exempted

989 from the provisions of this subsection any monies or commissions
990 from private or governmental sources which: (a) are to be held by
991 the chancery or circuit clerk in a trust or custodial capacity as
992 prescribed in subsections (4) and (5); or (b) are received as
993 compensation for services performed upon order of a court or board
994 of supervisors which are not required of the chancery clerk or
995 circuit clerk by statute.

996 (2) It shall be unlawful for any chancery clerk or circuit
997 clerk to use fees in excess of Ninety Thousand Dollars
998 (\$90,000.00), to pay the salaries or actual or necessary expenses
999 of employees who are related to such clerk by blood or marriage
1000 within the first degree of kinship according to the civil law
1001 method of computing kinship as provided in Sections 1-3-71 and
1002 1-3-73. However, the prohibition of this subsection shall not
1003 apply to any individual who was an employee of the clerk's office
1004 prior to the date his or her relative was elected as chancery or
1005 circuit clerk. The spouse and/or any children of the chancery
1006 clerk or circuit clerk employed in the office of the chancery
1007 clerk may be paid a salary; however, the combined annual salaries
1008 of the clerk, spouse and any child of the clerk may not exceed an
1009 amount equal to the salary limitation.

1010 (3) The chancery clerk and the circuit clerk shall be liable
1011 on their official bond for the proper deposit and accounting of
1012 all monies received by his office. The State Auditor shall
1013 promulgate uniform accounting methods for the accounting of all
1014 sources of income by the offices of the chancery and circuit
1015 clerk.

1016 (4) There is created in the county depository of each county
1017 a clearing account to be designated as the "chancery court clerk
1018 clearing account," into which shall be deposited: (a) all such
1019 monies as the clerk of the chancery court shall receive from any
1020 person complying with any writ of garnishment, attachment,
1021 execution or other like process authorized by law for the

1022 enforcement of child support, spousal support or any other
1023 judgment; (b) any portion of any fees required by law to be
1024 collected in civil cases which are to pay for the service of
1025 process or writs in another county; and (c) any other money as
1026 shall be deposited with the court which by its nature is not, at
1027 the time of its deposit, public monies, but which is to be held by
1028 the court in a trust or custodial capacity in a case or proceeding
1029 before the court. The clerk of the chancery court shall account
1030 for all monies deposited in and disbursed from such account and
1031 shall be authorized and empowered to draw and issue checks on such
1032 account at such times, in such amounts and to such persons as
1033 shall be proper and in accordance with law.

1034 The following monies paid to the chancery clerk shall be
1035 subject to the salary limitation prescribed under subsection (1):
1036 (a) all fees required by law to be collected for the filing,
1037 recording or abstracting of any bill, petition, pleading or decree
1038 in any civil case in chancery; (b) all fees collected for land
1039 recordings, charters, notary bonds, certification of decrees and
1040 copies of any documents; (c) all land redemption and mineral
1041 documentary stamp commissions; and (d) any other monies or
1042 commissions from private or governmental sources for statutory
1043 functions which are not to be held by the court in a trust
1044 capacity. Such fees as shall exceed the salary limitations shall
1045 be maintained in a bank account in the county depository and
1046 accounted for separately from those monies paid into the chancery
1047 court clerk clearing account.

1048 (5) There is created in the county depository in each county
1049 a clearing account to be designated as the "circuit court clerk
1050 civil clearing account," into which shall be deposited: (a) all
1051 such monies and fees as the clerk of the circuit court shall
1052 receive from any person complying with any writ of garnishment,
1053 attachment, execution or any other like process authorized by law
1054 for the enforcement of a judgment; (b) any portion of any fees

1055 required by law or court order to be collected in civil cases;
1056 (c) all fees collected for the issuance of marriage licenses; and
1057 (d) any other money as shall be deposited with the court which by
1058 its nature is not, at the time of its deposit, public monies but
1059 which is to be held by the court in a trust or custodial capacity
1060 in a case or proceeding before the court.

1061 There is created in the county depository in each county a
1062 clearing account to be designated as the "circuit court clerk
1063 criminal clearing account," into which shall be deposited: (a)
1064 all such monies as are received in criminal cases in the circuit
1065 court pursuant to any order requiring payment as restitution to
1066 the victims of criminal offenses; (b) any portion of any fees and
1067 fines required by law or court order to be collected in criminal
1068 cases; and (c) all cash bonds as shall be deposited with the
1069 court. The clerk of the circuit court shall account for all
1070 monies deposited in and disbursed from such account and shall be
1071 authorized and empowered to draw and issue checks on such account,
1072 at such times, in such amounts and to such persons as shall be
1073 proper and in accordance with law; however, such monies as are
1074 forfeited in criminal cases shall be paid by the clerk of the
1075 circuit court to the clerk of the board of supervisors for deposit
1076 in the general fund of the county.

1077 The following monies paid to the circuit clerk shall be
1078 subject to the salary limitation prescribed under subsection (1):
1079 (a) all fees required by law to be collected for the filing,
1080 recording or abstracting of any bill, petition, pleading or decree
1081 in any civil action in circuit court; (b) copies of any documents;
1082 and (c) any other monies or commissions from private or
1083 governmental sources for statutory functions which are not to be
1084 held by the court in a trust capacity.

1085 (6) The chancery clerk and the circuit clerk shall establish
1086 and maintain a cash journal for recording cash receipts from
1087 private or government sources for furnishing copies of any papers

1088 of record or on file, or for rendering services as a notary
1089 public, or other fees wherein the total fee for the transaction is
1090 Ten Dollars (\$10.00) or less. The cash journal entry shall
1091 include the date, amount and type of transaction, and the clerk
1092 shall not be required to issue a receipt to the person receiving
1093 such services. The State Auditor shall not take exception to the
1094 furnishing of copies or the rendering of services as a notary by
1095 any clerk free of charge.

1096 In any county having two (2) judicial districts, whenever the
1097 chancery clerk serves as deputy to the circuit clerk in one (1)
1098 judicial district and the circuit clerk serves as deputy to the
1099 chancery clerk in the other judicial district, the chancery clerk
1100 may maintain a cash journal, separate from the cash journal
1101 maintained for chancery clerk receipts, for recording the cash
1102 receipts paid to him as deputy circuit clerk, and the circuit
1103 clerk may maintain a cash journal, separate from the cash journal
1104 maintained for circuit clerk receipts, for recording the cash
1105 receipts paid to him as deputy chancery clerk. The cash receipts
1106 collected by the chancery clerk in his capacity as deputy circuit
1107 clerk and the cash receipts collected by the circuit clerk in his
1108 capacity as deputy chancery clerk shall be subject to the salary
1109 limitation prescribed under subsection (1).

1110 (7) Any clerk who knowingly shall fail to deposit funds or
1111 otherwise violate the provisions of this section shall be guilty
1112 of a misdemeanor in office and, upon conviction thereof, shall be
1113 fined in an amount not to exceed double the amount that he failed
1114 to deposit, or imprisoned for not to exceed six (6) months in the
1115 county jail, or be punished by both such fine and imprisonment.

1116 **SECTION 12.** Section 27-105-343, Mississippi Code of 1972, is
1117 amended as follows:

1118 27-105-343. From and after the passage of this section, all
1119 the duties except the duty of receiving and disbursing money that
1120 were imposed by law on county treasurers shall be required to be

1121 done by chancery clerks, and they shall be the custodians of all
1122 the books, records, papers, and vouchers heretofore belonging to
1123 county treasurers, and shall be custodians of all the promissory
1124 notes, bonds, and other like property belonging to or deposited
1125 with the county, and said clerks shall in all respects be liable
1126 on their official bonds for the proper care of the same.

1127 The duty of receipting for and disbursing all monies
1128 heretofore deposited with county treasurers shall be done and
1129 performed by the designated county and drainage district
1130 depositories appointed in the manner provided by law; and any
1131 person or corporation required to pay money into a county treasury
1132 shall hereafter pay the same to a properly designated depository
1133 and such depository shall issue receipts therefor in duplicate,
1134 one of which shall be filed with the chancery clerk and the other
1135 retained by the person or corporation making such payment, and
1136 such payment when made to a designated depository shall discharge
1137 the person or corporation making such payment from any further
1138 liability therefor.

1139 In the event there shall be no designated depository for any
1140 money required to be paid into a county treasury, such payment
1141 shall be made to the tax collector who shall receipt for same in
1142 duplicate as required in the preceding paragraph and shall pay the
1143 same over to a legally appointed depository within ten (10) days
1144 after one is qualified to receive the same. The tax collector
1145 shall be the custodian of all money belonging to a county or any
1146 subdivision thereof until there be appointed a depository for any
1147 such funds and the said tax collectors shall be liable on their
1148 official bond for the proper accounting and payment of any funds
1149 so paid to them.

1150 Boards of supervisors shall allow chancery clerks for their
1151 compensation for performance of the duties required of them by
1152 this section the sum of Two Thousand Five Hundred Dollars
1153 (\$2,500.00) per annum.

1154 Nothing in this section shall preclude drainage districts
1155 from selecting their treasurer or depository as now provided by
1156 law.

1157 **SECTION 13.** Section 25-3-9, Mississippi Code of 1972, is
1158 amended as follows:

1159 25-3-9. (1) Except as provided in subsections (2), (3) and
1160 (4) of this section, the county prosecuting attorney may receive
1161 for his services an annual salary to be paid by the board of
1162 supervisors as follows:

1163 (a) For counties with a total population of more than
1164 two hundred thousand (200,000), a salary not to exceed
1165 Twenty-eight Thousand Five Hundred Dollars (\$28,500.00).

1166 (b) For counties with a total population of more than
1167 one hundred thousand (100,000) and not more than two hundred
1168 thousand (200,000), a salary not to exceed Twenty-six Thousand
1169 Five Hundred Dollars (\$26,500.00).

1170 (c) For counties with a total population of more than
1171 fifty thousand (50,000) and not more than one hundred thousand
1172 (100,000), a salary not to exceed Twenty-one Thousand Seven
1173 Hundred Dollars (\$21,700.00).

1174 (d) For counties with a total population of more than
1175 thirty-five thousand (35,000) and not more than fifty thousand
1176 (50,000), a salary not to exceed Twenty Thousand Four Hundred
1177 Dollars (\$20,400.00).

1178 (e) For counties with a total population of more than
1179 twenty-five thousand (25,000) and not more than thirty-five
1180 thousand (35,000), a salary not to exceed Nineteen Thousand Three
1181 Hundred Dollars (\$19,300.00).

1182 (f) For counties with a total population of more than
1183 fifteen thousand (15,000) and not more than twenty-five thousand
1184 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred
1185 Dollars (\$17,700.00).

1186 (g) For counties with a total population of more than
1187 ten thousand (10,000) and not more than fifteen thousand (15,000),
1188 a salary not to exceed Sixteen Thousand One Hundred Dollars
1189 (\$16,100.00).

1190 (h) For counties with a total population of more than
1191 six thousand (6,000) and not more than ten thousand (10,000), a
1192 salary not to exceed Fourteen Thousand Five Hundred Dollars
1193 (\$14,500.00).

1194 (i) For counties with a total population of six
1195 thousand (6,000) or less, the board of supervisors, in its
1196 discretion, may appoint a county prosecuting attorney, and it may
1197 pay such county prosecuting attorney an annual salary not to
1198 exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00).

1199 In all cases of conviction there shall be taxed against the
1200 convicted defendant, as an item of cost, the sum of Three Dollars
1201 (\$3.00), which shall be turned in to the county treasury as a part
1202 of the general county funds; however, the Three Dollars (\$3.00)
1203 shall not be taxed in any case in which it is not the specific
1204 duty of the county attorney to appear and prosecute.

1205 From and after October 1, 1993, in addition to the salaries
1206 provided for in this subsection, the board of supervisors of any
1207 county, in its discretion, may pay the county prosecuting attorney
1208 an additional amount not to exceed ten percent (10%) of the
1209 maximum allowable salary prescribed herein.

1210 (2) In the following counties, the county prosecuting
1211 attorney shall receive for his services an annual salary to be
1212 paid by the board of supervisors, as follows:

1213 (a) In any county bordering upon the Mississippi River
1214 and having a population of not less than thirty thousand (30,000)
1215 and not more than thirty-five thousand five hundred (35,500)
1216 according to the federal census of 1990, and in counties having a
1217 population of not more than thirty-seven thousand (37,000)
1218 according to the federal census of 1990 in which Interstate

1219 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
1220 attorney shall receive a salary equal to the justice court judge
1221 of such county; and in any county wherein is located the state's
1222 oldest state-supported institution of higher learning and wherein
1223 Mississippi State Highways 7 and 6 intersect, the county
1224 prosecuting attorney shall receive an annual salary equal to that
1225 of a member of the board of supervisors of such county.

1226 (b) In counties having a population in excess of fifty
1227 thousand (50,000) in the 1960 federal census, wherein is located a
1228 state-supported university and in which U.S. Highways 49 and 11
1229 intersect, the salary of the county prosecuting attorney shall be
1230 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
1231 per year. The Board of Supervisors of Forrest County,
1232 Mississippi, may, in its discretion, and by agreement with the
1233 county prosecuting attorney, employ the county prosecuting
1234 attorney as a full-time elected official during his/her term of
1235 office, designate additional duties and responsibilities of the
1236 office and pay additional compensation up to, but not in excess
1237 of, ninety percent (90%) of the annual compensation and salary of
1238 the county court judge and the youth court judge of Forrest County
1239 as authorized by law and provide a reasonable office and
1240 reasonable office expenses to the county prosecuting attorney.
1241 The salary authorized by this paragraph (b) for the county
1242 prosecuting attorney shall be the sole and complete salary for
1243 such prosecuting attorney in each county to which this paragraph
1244 applies, notwithstanding any other provision of law to the
1245 contrary.

1246 (c) In any county wherein is housed the seat of state
1247 government, wherein U.S. Highways 80 and 49 intersect, and having
1248 two (2) judicial districts, the board of supervisors, in its
1249 discretion, may pay the county prosecuting attorney an annual
1250 salary equal to the annual salary of members of the board of
1251 supervisors in the county.

1252 (d) In any county which has two (2) judicial districts
1253 and wherein Highway 8 and Highway 15 intersect, having a
1254 population of greater than seventeen thousand (17,000), according
1255 to the 1980 federal decennial census, the board of supervisors
1256 shall pay the county prosecuting attorney a salary equal to that
1257 of a member of the board of supervisors of such county; provided
1258 that if such county prosecuting attorney is paid a sum for the
1259 purpose of defraying office or secretarial expenses, then the
1260 salary prescribed herein shall be reduced by that amount.

1261 (e) In any county bordering the State of Tennessee and
1262 in which Mississippi Highways No. 4 and 15 intersect, and having a
1263 population of less than twenty thousand (20,000) in the 1970
1264 federal census, the salary of the county prosecuting attorney
1265 shall be no less than Six Thousand Dollars (\$6,000.00).

1266 (f) In any county having a population of more than
1267 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45
1268 intersect, the salary of the county attorney shall be * * * not
1269 less than Eight Thousand Dollars (\$8,000.00).

1270 In addition, such county prosecuting attorney shall receive
1271 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month
1272 for the purpose of defraying secretarial expense.

1273 (g) In any county wherein I-20 and State Highway 15
1274 intersect; and in any county wherein I-20 and State Highway 35
1275 intersect, the salary of the county prosecuting attorney shall be
1276 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1277 (h) In any Class 1 county bordering on the Mississippi
1278 River, lying in whole or in part within a levee district, wherein
1279 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
1280 and Stales Bayou, the board of supervisors, in its discretion, may
1281 pay an annual salary equal to the annual salary of members of the
1282 board of supervisors in the county. In addition, such county
1283 prosecuting attorney shall receive the sum of One Thousand Dollars

1284 (\$1,000.00) per month for the purpose of defraying secretarial
1285 expenses.

1286 (i) In any county bordering on the Gulf of Mexico
1287 having two (2) judicial districts, and wherein U.S. Highways 90
1288 and 49 intersect, the salary of the county prosecuting attorney
1289 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
1290 year. The Board of Supervisors of Harrison County, Mississippi,
1291 may, in its discretion, and by agreement with the county
1292 prosecuting attorney, employ the county prosecuting attorney and
1293 his/her assistant during his/her term of office, and designate
1294 additional duties and responsibilities of the office and pay
1295 additional compensation up to, but not in excess of, ninety
1296 percent (90%) of the annual compensation and salary of the county
1297 court judges of Harrison County as authorized by law and provide
1298 adequate office space and reasonable office expenses to the county
1299 prosecuting attorney and his/her assistant. The salary authorized
1300 by this paragraph (i) for the county prosecuting attorney and
1301 his/her assistant shall be the sole and complete salary paid by
1302 the county for such prosecuting attorney and his/her assistant in
1303 each county to which this paragraph applies, notwithstanding any
1304 other provision of law to the contrary.

1305 (j) In any county bordering on the State of Alabama,
1306 having a population in excess of seventy-five thousand (75,000)
1307 according to the 1980 decennial census in which is located an
1308 institution of higher learning and a United States military
1309 installation and which is traversed by an interstate highway, the
1310 salary of the county prosecuting attorney shall not be less than
1311 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
1312 the annual salary received by a member of the board of supervisors
1313 of that county.

1314 (k) In any county with a land area wherein Mississippi
1315 Highways 8 and 9 intersect, the salary of the county prosecuting

1316 attorney shall be not less than Eight Thousand Five Hundred
1317 Dollars (\$8,500.00) per year.

1318 (l) In any Class 2 county wherein Mississippi Highways
1319 6 and 3 intersect, the salary of the county prosecuting attorney
1320 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
1321 year nor more than the amount of the annual salary received by a
1322 member of the board of supervisors of that county.

1323 (m) In any county wherein Interstate Highway 55 and
1324 State Highway 8 intersect, the salary of the county prosecuting
1325 attorney shall be not less than Twelve Thousand Dollars
1326 (\$12,000.00) per year.

1327 (n) In any county wherein U.S. Highway 51 intersects
1328 Mississippi Highway 6, and having two (2) judicial districts, the
1329 salary of the county prosecuting attorney shall be not less than
1330 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1331 (o) In any county bordering on the Alabama state line,
1332 having a population of greater than fifteen thousand (15,000)
1333 according to the 1970 federal decennial census, wherein U.S.
1334 Highway 45 and Mississippi Highway 18 intersect, the salary of the
1335 county prosecuting attorney shall be not less than Three Thousand
1336 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
1337 of the board of supervisors of such county. All prior acts,
1338 orders and resolutions of the board of supervisors of such county
1339 which authorized the payment of the salary in conformity with the
1340 provisions of this paragraph, whether or not heretofore
1341 specifically authorized by law are hereby ratified, approved and
1342 confirmed.

1343 (p) In any county wherein is located a state-supported
1344 institution of higher learning and wherein U.S. Highway 82 and
1345 Mississippi Highway 389 intersect, the board of supervisors, in
1346 its discretion, may pay the county prosecuting attorney an annual
1347 salary equal to the annual salary of members of the board of
1348 supervisors in the county.

1349 (q) In any county having two (2) judicial districts
1350 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the
1351 salary of the county prosecuting attorney shall be not less than
1352 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1353 (r) In any county traversed by the Natchez Trace
1354 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
1355 intersect, the board of supervisors, in its discretion, may pay
1356 the county prosecuting attorney an annual salary equal to the
1357 annual salary of justice court judges in the county.

1358 (s) In any county having a population of more than
1359 fourteen thousand (14,000) according to the 1970 census and which
1360 county is bordered on the north by the State of Tennessee and on
1361 the east by the State of Alabama and in which U.S. Highway No. 72
1362 and Highway No. 25 intersect, the board of supervisors, in its
1363 discretion, may pay the county prosecuting attorney an annual
1364 salary equal to the annual salary of justice court judges in the
1365 county.

1366 (t) (i) In any county wherein Interstate Highway 55
1367 and State Highway 22 intersect, and which is also traversed in
1368 whole or part by U.S. Highways 49 and 51, and State Highways 16,
1369 17, 43 and the Natchez Trace Parkway, and also containing a part
1370 of a public lake or reservoir, in excess of thirty thousand
1371 (30,000) acres, the board of supervisors, in its discretion, may
1372 pay the county prosecuting attorney an annual salary in the amount
1373 of Twenty-eight Thousand Dollars (\$28,000.00).

1374 (ii) From and after October 1, 1993, in addition
1375 to the salary provided for in subparagraph (i) of this paragraph,
1376 the board of supervisors, in its discretion, may pay the county
1377 prosecuting attorney an additional amount not to exceed ten
1378 percent (10%) of the maximum allowable salary prescribed herein.

1379 (u) In any county having a population in the 1970
1380 census in excess of thirty-five thousand (35,000) and in which
1381 U.S. Highways 49W and 82 intersect, and in which is located a

1382 state penitentiary, the annual salary of a county prosecuting
1383 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
1384 (\$30,420.00).

1385 (v) In any county wherein Mississippi Highway 50
1386 intersects U.S. Highway 45-Alternate, and having a population
1387 greater than twenty thousand (20,000) according to the 1980
1388 federal decennial census, a salary equal to that of a member of
1389 the board of supervisors of such county; provided that if such
1390 county prosecuting attorney is paid a sum for the purpose of
1391 defraying office or secretarial expenses, then the salary
1392 prescribed herein shall be reduced by that amount.

1393 (w) In any county in which the 1975 assessed valuation
1394 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred
1395 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and
1396 Mississippi Highway 8 intersect, the salary of the county
1397 prosecuting attorney shall be equal to that of a member of the
1398 board of supervisors of such county.

1399 (x) In any county bordering on the Mississippi River
1400 having a population greater than fifty thousand (50,000) according
1401 to the 1980 federal decennial census and also having a national
1402 military park and national cemetery, an annual salary of
1403 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
1404 that of a member of the board of supervisors in such county,
1405 whichever is greater. In addition, such county prosecuting
1406 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
1407 per month for the purpose of defraying secretarial expenses.

1408 (y) In any county bordering on the Alabama state line,
1409 traversed by the Chickasawhay River, and wherein U.S. Highway 45
1410 and U.S. Highway 84 intersect, a salary that shall be equal to the
1411 annual salary of a member of the board of supervisors of such
1412 county. All prior acts, orders and resolutions of the board of
1413 supervisors of such county which authorize the payment of the
1414 salary of the county prosecuting attorney in conformity with the

1415 provisions of this section as it existed immediately prior to the
1416 effective date of Chapter 506, Laws of 1985, are hereby ratified,
1417 approved, confirmed and validated.

1418 (z) In any county having a population greater than
1419 sixty-five thousand five hundred eighty (65,580) but less than
1420 sixty-five thousand five hundred ninety (65,590) according to the
1421 1990 federal decennial census, wherein U.S. Highway 45 intersects
1422 with Mississippi Highway 6, an annual salary equal to Thirty
1423 Thousand Dollars (\$30,000.00).

1424 (aa) In any county where an institution of higher
1425 learning is located and wherein U.S. Highway 82 and U.S. Highway
1426 45 intersect, the salary of the county prosecuting attorney shall
1427 be not less than that of a member of the board of supervisors in
1428 such county, and the board of supervisors may, in its discretion,
1429 pay such county prosecuting attorney a salary in an amount not to
1430 exceed the amount of the salary of the District Attorney for the
1431 Sixteenth Judicial District of Mississippi.

1432 (bb) In any county having a population greater than six
1433 thousand (6,000) according to the federal decennial census and
1434 wherein U.S. Highway 61 and Highway 24 intersect, the board of
1435 supervisors, in its discretion, may pay the county prosecuting
1436 attorney an annual salary equal to the annual salary of members of
1437 the board of supervisors in the county.

1438 (cc) In any county having a population greater than
1439 thirty-one thousand (31,000) according to the 1990 federal
1440 decennial census and wherein U.S. Highway 61 and U.S. Highway 49
1441 intersect, a salary of not less than the annual salary of justice
1442 court judges in the county.

1443 (dd) (i) The Rankin County prosecuting attorney, if
1444 such person is not employed on a full-time basis, shall receive an
1445 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1446 (ii) The Board of Supervisors of Rankin County, in
1447 its discretion, may employ the elected county prosecuting attorney

1448 and an assistant on a full-time basis during his or her term of
1449 office and may pay compensation to such full-time prosecuting
1450 attorney in an amount of not more than ninety percent (90%) of the
1451 annual compensation and salary of the county court judges of the
1452 county as authorized by law, and may provide adequate office space
1453 and reasonable office expenses to the county prosecuting attorney
1454 and his/her assistant. The Board of Supervisors of Rankin County,
1455 in its discretion, may also employ a full-time assistant county
1456 prosecuting attorney and may pay such person an annual salary in
1457 such amount as determined by the board of supervisors. The salary
1458 authorized by this subparagraph (dd)(ii) for the elected county
1459 prosecuting attorney and an assistant shall be the sole and
1460 complete salary paid by the county for the elected prosecuting
1461 attorney and assistant in Rankin County, notwithstanding any other
1462 provisions of law to the contrary.

1463 (ee) In any county having a population greater than
1464 eight thousand (8,000) but less than eight thousand two hundred
1465 (8,200) according to the 1990 federal census, and in which U.S.
1466 Highway 61 and Mississippi Highway 4 intersect, the board of
1467 supervisors may, in its discretion, pay the county prosecuting
1468 attorney an amount not to exceed Fourteen Thousand Dollars
1469 (\$14,000.00), in addition to the maximum allowable salary for that
1470 attorney under subsection (1), beginning on April 1, 1997.

1471 (ff) In any county having a population greater than
1472 thirty thousand three hundred (30,300) but less than thirty
1473 thousand four hundred (30,400) according to the 1990 federal
1474 census, and in which U.S. Highway 78 and Mississippi Highway 7
1475 intersect, a salary of not less than the annual salary of a member
1476 of the board of supervisors in such county.

1477 (gg) In any county having a population greater than
1478 thirteen thousand three hundred (13,300) but less than thirteen
1479 thousand four hundred (13,400) according to the 1990 federal
1480 census, and in which Mississippi Highway 24 and Mississippi

1481 Highway 48 intersect, the board of supervisors may, in its
1482 discretion, pay the county prosecuting attorney an additional
1483 amount not to exceed ten percent (10%) of the maximum allowable
1484 salary for that attorney under subsection (1).

1485 (hh) In any county having a population greater than
1486 eight thousand three hundred (8,300) but less than eight thousand
1487 four hundred (8,400) according to the 1990 federal census, and in
1488 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
1489 supervisors may, in its discretion, pay the county prosecuting
1490 attorney an additional amount not to exceed ten percent (10%) of
1491 the maximum allowable salary for that attorney under subsection
1492 (1).

1493 (ii) In any county having a population of more than
1494 thirty thousand four hundred (30,400) and which is traversed in
1495 whole or part by I-59, U.S. Highways 98 and 11 and State Highway
1496 13, the annual salary of the county prosecuting attorney shall be
1497 Twenty-five Thousand Dollars (\$25,000.00).

1498 (jj) In any county having a population greater than
1499 twenty thousand (20,000) according to the 1990 federal census and
1500 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
1501 board of supervisors, in its discretion, may pay the county
1502 prosecuting attorney an annual salary equal to the annual salary
1503 of justice court judges in the county.

1504 (kk) In any county having a population greater than
1505 twelve thousand four hundred (12,400) but less than twelve
1506 thousand five hundred (12,500) according to the 1990 federal
1507 census, and in which U.S. Highway 84 and Mississippi Highway 27
1508 intersect, the board of supervisors may, in its discretion, pay
1509 the county prosecuting attorney an additional amount not to exceed
1510 ten percent (10%) of the maximum allowable salary for that
1511 attorney under subsection (1).

1512 (ll) In any county having a population greater than
1513 thirty thousand two hundred (30,200) but less than thirty thousand

1514 three hundred (30,300) according to the 1990 federal census, and
1515 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,
1516 the board of supervisors may, in its discretion, pay the county
1517 prosecuting attorney an additional amount not to exceed ten
1518 percent (10%) of the maximum allowable salary for that attorney
1519 under subsection (1).

1520 (mm) In any county on the Mississippi River levee,
1521 having a population greater than forty-one thousand eight hundred
1522 (41,800) but less than forty-one thousand nine hundred (41,900)
1523 according to the 1990 federal census wherein U.S. Highway 61 and
1524 Mississippi Highway 8 intersect, the board of supervisors, in its
1525 discretion, may pay the county prosecuting attorney an annual
1526 salary equal to the annual salary of members of the board of
1527 supervisors in the county. In addition, the board of supervisors,
1528 in its discretion, may pay the county prosecuting attorney the sum
1529 of One Thousand Dollars (\$1,000.00) per month for the purpose of
1530 defraying secretarial expenses.

1531 (nn) In any county having a population greater than
1532 twenty-four thousand seven hundred (24,700) and less than
1533 twenty-four thousand nine hundred (24,900) according to the 1990
1534 federal census, wherein Mississippi Highways 15 and 16 intersect,
1535 the board of supervisors, in its discretion, may pay the county
1536 prosecuting attorney an annual salary equal to the annual salary
1537 of members of the board of supervisors in the county.

1538 (oo) In any county having a population greater than
1539 thirty-seven thousand (37,000) but less than thirty-eight thousand
1540 (38,000) according to the 1990 federal census, in which is located
1541 a state supported institution of higher learning, and in which
1542 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
1543 supervisors may, in its discretion, pay the county prosecuting
1544 attorney a salary in an amount not to exceed the amount of the
1545 salary of the District Attorney for the Fourth Judicial District
1546 of Mississippi.

1547 (pp) In any county in which U.S. Highway 78 and
1548 Mississippi Highway 15 intersect and which is traversed by the
1549 Tallahatchie River, a salary equal to that of members of the board
1550 of supervisors of the county, which salary shall be in addition to
1551 any sums received for the purpose of defraying office or
1552 secretarial expenses and sums received as youth court prosecutor
1553 fees.

1554 (qq) In any county bordering on the State of Tennessee
1555 and the State of Arkansas, wherein Interstate Highway 55 and
1556 Mississippi Highway 302 intersect, the board of supervisors, in
1557 its discretion, may pay the county prosecuting attorney an annual
1558 salary equal to the annual salary of justice court judges in the
1559 county.

1560 (rr) In any county that is traversed by the Natchez
1561 Trace Parkway and in which Mississippi Highway 35 and Mississippi
1562 Highway 12 intersect, the board of supervisors, in its discretion,
1563 may pay the county prosecuting attorney an annual salary in the
1564 amount of the annual salary of justice court judges in the county.

1565 (ss) In any county in which Mississippi Highway 14 and
1566 Mississippi Highway 25 intersect, the board of supervisors, in its
1567 discretion, may pay the county prosecuting attorney an annual
1568 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1569 (tt) In any county in which Interstate Highway 59 and
1570 U.S. Highway 84 intersect, the board of supervisors, in its
1571 discretion, may pay the county prosecuting attorney an annual
1572 salary equal to the annual salary of members of the board of
1573 supervisors in the county.

1574 (3) In any case where a salary, expense allowance or other
1575 sum is authorized or paid by the board of supervisors pursuant to
1576 this section, that salary, expense allowance or other sum shall
1577 not be reduced or terminated during the term for which the county
1578 attorney was elected.

1579 (4) Notwithstanding any provision of this section to the
1580 contrary, no county prosecuting attorney shall receive for his
1581 services an annual salary less than the salary paid to a justice
1582 court judge in his respective county.

1583 **SECTION 14.** Section 25-3-5, Mississippi Code of 1972, which
1584 establishes the salaries of tax assessors and tax collectors in
1585 counties where the two offices have been separated, is repealed.

1586 **SECTION 15.** The Attorney General of the State of Mississippi
1587 shall submit this act, immediately upon approval by the Governor,
1588 or upon approval by the Legislature subsequent to a veto, to the
1589 Attorney General of the United States or to the United States
1590 District Court for the District of Columbia in accordance with the
1591 provisions of the Voting Rights Act of 1965, as amended and
1592 extended.

1593 **SECTION 16.** This act shall take effect and be in force from
1594 and after the date it is effectuated under Section 5 of the Voting
1595 Rights Act of 1965, as amended and extended, or October 1, 2004,
1596 whichever occurs later.