

## House Amendments to Senate Bill No. 2647

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

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

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

55           (a) For counties having a total assessed valuation of  
56 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of  
57 Eighty Thousand Dollars (\$80,000.00);

58           (b) For counties having a total assessed valuation of  
59 at least One Billion Dollars (\$1,000,000,000.00), but less than  
60 Two Billion Dollars (\$2,000,000,000.00), a salary of Seventy-five  
61 Thousand Dollars (\$75,000.00);

62 (c) For counties having a total assessed valuation of  
63 at least Five Hundred Million Dollars (\$500,000,000.00), but less  
64 than One Billion Dollars (\$1,000,000,000.00), a salary of Seventy  
65 Thousand Dollars (\$70,000.00);

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

70 (e) For counties having a total assessed valuation of  
71 at least One Hundred Fifty Million Dollars (\$150,000,000.00), but  
72 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a  
73 salary of Fifty-six Thousand Dollars (\$56,000.00);

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

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

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

85 (3) In addition to all other compensation paid pursuant to  
86 this section, the board of supervisors shall pay to a person  
87 serving as both the tax assessor and tax collector in their county  
88 an additional Seven Thousand Five Hundred Dollars (\$7,500.00) per  
89 year.

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

94 (5) In addition to all other compensation paid to assessors  
95 and tax collectors in counties having two (2) judicial districts,  
96 the board of supervisors shall pay such assessors and tax

97 collectors \* \* \* an additional Three Thousand Five Hundred Dollars  
98 (\$3,500.00) per year. In addition to all other compensation paid  
99 to assessors or tax collectors, in counties maintaining two (2)  
100 full-time offices, the board of supervisors shall pay the assessor  
101 or tax collector \* \* \* an additional Three Thousand Five Hundred  
102 Dollars (\$3,500.00) per year.

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

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

132 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning  
133 the next fiscal year after completion.

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

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

147 \* \* \*

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

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

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

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

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

164 (c) For counties having a total assessed valuation of  
165 at least Fifty Million Dollars (\$50,000,000.00), but less than

166 Seventy-five Million Dollars (\$75,000,000.00), a salary of  
167 Thirty-three Thousand Seven Hundred Dollars (\$33,700.00);

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

172 (e) For counties having a total assessed valuation of  
173 at least One Hundred Twenty-five Million Dollars  
174 (\$125,000,000.00), but less than Three Hundred Million Dollars  
175 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars  
176 (\$40,400.00);

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

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

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

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

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

194 25-3-25. (1) Except as otherwise provided in subsections  
195 (2) through (10), the salaries of sheriffs of the various counties  
196 are \* \* \* fixed as full compensation for their services.

197 From and after October 1, 1998, the annual salary for each  
198 sheriff shall be based upon the total population of his county  
199 according to the latest federal decennial census in the following  
200 categories and for the following amounts; however, no sheriff

201 shall be paid less than the salary authorized under this section  
202 to be paid the sheriff based upon the population of the county  
203 according to the 1980 federal decennial census:

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

207 (b) For counties with a total population of more than  
208 one hundred thousand (100,000) and not more than two hundred  
209 thousand (200,000), a salary of Eighty-four Thousand Dollars  
210 (\$84,000.00).

211 (c) For counties with a total population of more than  
212 forty-five thousand (45,000) and not more than one hundred  
213 thousand (100,000), a salary of Seventy-eight Thousand Dollars  
214 (\$78,000.00).

215 (d) For counties with a total population of more than  
216 thirty-four thousand (34,000) and not more than forty-five  
217 thousand (45,000), a salary of Seventy-two Thousand Dollars  
218 (\$72,000.00).

219 (e) For counties with a total population of \* \* \* not  
220 more than thirty-four thousand (34,000), a salary of Sixty-five  
221 Thousand Dollars (\$65,000.00).

222 \* \* \*

223 (2) In addition to the salary provided for in subsection (1)  
224 of this section, the Board of Supervisors of Leflore County \* \* \*,  
225 in its discretion, may pay an annual supplement to the sheriff of  
226 the county in an amount not to exceed Ten Thousand Dollars  
227 (\$10,000.00). The Legislature finds and declares that the annual  
228 supplement authorized by this subsection is justified in such  
229 county for the following reasons:

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

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

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

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

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

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

245 (g) The increased activity of the Child Support  
246 Division of the Department of Human Services in enforcing in the  
247 courts parental obligations has imposed additional duties on the  
248 sheriff; and

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

252 (3) In addition to the salary provided for in subsection (1)  
253 of this section, the Board of Supervisors of Rankin County \* \* \*,  
254 in its discretion, may pay an annual supplement to the sheriff of  
255 the county in an amount not to exceed Ten Thousand Dollars  
256 (\$10,000.00). The Legislature finds and declares that the annual  
257 supplement authorized by this subsection is justified in such  
258 county for the following reasons:

259 (a) The Mississippi Department of Corrections operates  
260 and maintains the Central Mississippi Correctional Facility within  
261 the county;

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

264 (c) Hudspeth Regional Center, a facility maintained for  
265 the care and treatment of the mentally retarded, is located within  
266 the county;

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

269 (e) The State Fire Academy is operated and maintained  
270 within the county;

271 (f) The Pearl River Valley Water Supply District,  
272 ordinarily known as the "Reservoir District," is located within  
273 the county;

274 (g) The Jackson International Airport is located within  
275 the county;

276 (h) The patrolling of the state properties located  
277 within the county has imposed additional duties on the sheriff;  
278 and

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

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

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

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

299 (a) Hinds County has the greatest population of any  
300 county, two hundred fifty-four thousand four hundred forty-one  
301 (254,441) by the 1990 census, being almost one hundred thousand  
302 (100,000) more than the next most populous county;

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



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

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

310           (e) There are four (4) resident circuit judges, four  
311 (4) resident chancery judges, and three (3) resident county judges  
312 in Hinds County, the most of any county, with the sheriff acting  
313 as chief executive officer and provider of bailiff services for  
314 all;

315           (f) The main offices for the clerk and most of the  
316 judges and magistrates for the United States District Court for  
317 the Southern District of Mississippi are located within the  
318 county;

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

321           (h) The University of Mississippi Medical Center,  
322 combining the medical school, dental school, nursing school and  
323 hospital, is located within the county;

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

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

328           (k) Hinds County has the largest criminal population in  
329 the state, such that the Hinds County Sheriff's Department  
330 operates the largest county jail system in the state, housing  
331 almost one thousand (1,000) inmates in three (3) separate  
332 detention facilities;

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

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

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

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

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

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

363           (9) In addition to the salary provided in subsection (1) of  
364 this section, the Board of Supervisors of Greene County, in its  
365 discretion, may pay an annual supplement to the sheriff of the  
366 county in an amount not to exceed Ten Thousand Dollars  
367 (\$10,000.00). The Legislature finds and declares that the annual  
368 supplement authorized by this subsection is justified in such  
369 county for the following reasons:

370           (a) The Mississippi Department of Corrections operates  
371 and maintains the South Mississippi Correctional Facility within  
372 the county;

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

377 (c) The patrolling of the state properties located  
378 within the county has imposed additional duties on the sheriff  
379 justifying additional compensation.

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

387 (a) The number of inmates in its correctional facility  
388 has increased; and

389 (b) The population of the county has increased.

390 The Board of Supervisors of Coahoma County, at its  
391 discretion, may provide a supplement to the Sheriff of Coahoma  
392 County an amount not to exceed Ten Thousand Dollars (\$10,000.00).

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 number of justice court judges authorized pursuant to Section  
409 9-11-2(1). The amount of which salary shall be determined as  
410 follows:

411 (a) In counties in which the number of justice court  
412 judges authorized pursuant to Section 9-11-2(1) is two (2), a  
413 salary of Thirty-five Thousand Dollars (\$35,000.00).

414 (b) In counties in which the number of justice court  
415 judges authorized pursuant to Section 9-11-2(1) is three (3), a  
416 salary of Forty-one Thousand Dollars (\$41,000.00).

417 (c) In counties in which the number of justice court  
418 judges authorized pursuant to Section 9-11-2(1) is four (4), a  
419 salary of Forty-seven Thousand Dollars (\$47,000.00).

420 (d) In counties in which the number of justice court  
421 judges authorized pursuant to Section 9-11-2(1) is five (5), a  
422 salary of Fifty-three Thousand Dollars (\$53,000.00).

423 \* \* \*

424 The board of supervisors of any county having two (2)  
425 judicial districts and two (2) justice court judges for the county  
426 shall pay the justice court judges an amount equal to that  
427 hereinabove provided for judges in the next higher \* \* \* category  
428 per year, if the justice court judge maintains regular office  
429 hours and are personally present in the office they maintain for  
430 at least thirty (30) hours per week. In any county having a  
431 population greater than eight thousand (8,000) but less than eight  
432 thousand five hundred (8,500) according to the 1990 federal  
433 decennial census and in which U.S. Highway 61 and Mississippi  
434 Highway 4 intersect, the board of supervisors may, in its  
435 discretion, pay such justice court judges an additional amount not  
436 to exceed the sum of Eleven Thousand Five Hundred Fifty Dollars  
437 (\$11,550.00) per year, payable beginning April 1, 1997.

438 In any county having a population greater than ten thousand  
439 (10,000) but less than ten thousand five hundred (10,500)  
440 according to the 1990 federal decennial census and in which  
441 Mississippi Highway 3 and Mississippi Highway 6 intersect, the  
442 board of supervisors may, in its discretion, pay such justice

443 court judges an additional amount not to exceed One Thousand Four  
444 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning  
445 April 1, 1997. In any county having a population greater than  
446 twenty-four thousand seven hundred (24,700) and less than  
447 twenty-four thousand nine hundred (24,900), according to the 1990  
448 federal census, wherein Mississippi Highways 15 and 16 intersect,  
449 the board of supervisors shall pay such justice court judge an  
450 additional amount equal to Two Thousand Five Hundred Dollars  
451 (\$2,500.00) per year.

452 (2) Notwithstanding the provisions of subsection (1) of this  
453 section, in the event that the number of justice court judges  
454 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to  
455 the provisions of Section 9-11-2(4), the aggregate of the salaries  
456 paid to the justice court judges of such a county shall not exceed  
457 the amount sufficient to pay the number of justice court judges  
458 authorized pursuant to Section 9-11-2(1) and such amount shall be  
459 equally divided among those justice court judges continuing to  
460 hold office under the provisions of Section 9-11-2(4).

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

478           (4) The salaries provided for in \* \* \* this section shall be  
479 payable monthly by warrant drawn by the clerk of the board of  
480 supervisors on the general fund of the county; however, the board  
481 of supervisors, by resolution duly adopted and entered on its  
482 minutes, may provide that such salaries shall be paid semimonthly  
483 on the first and fifteenth day of each month. If a pay date falls  
484 on a weekend or legal holiday, salary payments shall be made on  
485 the workday immediately preceding the weekend or legal holiday.

486           (5) \* \* \* The salary of a justice court judge shall not be  
487 reduced during his term of office as a result of a population  
488 change following a federal decennial census or as a result of the  
489 number of justice court judges authorized pursuant to Section  
490 9-11-2(1).

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

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

497           41-61-59. (1) A person's death which affects the public  
498 interest as specified in subsection (2) of this section shall be  
499 promptly reported to the medical examiner by the physician in  
500 attendance, any hospital employee, any law enforcement officer  
501 having knowledge of the death, the embalmer or other funeral home  
502 employee, any emergency medical technician, any relative or any  
503 other person present. The appropriate medical examiner shall  
504 notify the municipal or state law enforcement agency or sheriff  
505 and take charge of the body. The appropriate medical examiner  
506 shall notify the Mississippi Bureau of Narcotics within  
507 twenty-four (24) hours of receipt of the body in cases of death as  
508 described in subsection (2)(m) or (n) of this section.

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

511           (a) Violent death, including homicidal, suicidal or  
512 accidental death.

513           (b) Death caused by thermal, chemical, electrical or  
514 radiation injury.

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

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

519           (e) Death that has occurred unexpectedly or from an  
520 unexplained cause.

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

523           (g) Death of a person where a physician was not in  
524 attendance within thirty-six (36) hours preceding death, or in  
525 prediagnosed terminal or bedfast cases, within thirty (30) days  
526 preceding death.

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

529           (i) Death of a person where the identity of the  
530 deceased is unknown.

531           (j) Death of a child under the age of two (2) years  
532 where death results from an unknown cause or where the  
533 circumstances surrounding the death indicate that sudden infant  
534 death syndrome may be the cause of death.

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

539           (l) Where a person is presented to a hospital emergency  
540 room unconscious and/or unresponsive, with cardiopulmonary  
541 resuscitative measures being performed, and dies within  
542 twenty-four (24) hours of admission without regaining  
543 consciousness or responsiveness, unless a physician was in  
544 attendance within thirty-six (36) hours preceding presentation to  
545 the hospital, or in cases in which the decedent had a prediagnosed  
546 terminal or bedfast condition, unless a physician was in

547 attendance within thirty (30) days preceding presentation to the  
548 hospital.

549 (m) Death which is caused by drug overdose or which is  
550 believed to be caused by drug overdose, regardless of the length  
551 of stay in any medical facility.

552 (n) When a stillborn fetus is delivered and the cause  
553 of the demise is medically believed to be from the use by the  
554 mother of any controlled substance as defined in Section  
555 41-29-105.

556 (3) The State Medical Examiner is empowered to investigate  
557 deaths, under the authority hereinafter conferred, in any and all  
558 political subdivisions of the state. The county medical examiners  
559 and county medical examiner investigators, while appointed for a  
560 specific county, may serve other counties on a regular basis with  
561 written authorization by the State Medical Examiner, or may serve  
562 other counties on an as-needed basis upon the request of the  
563 ranking officer of the investigating law enforcement agency. The  
564 county medical examiner or county medical examiner investigator of  
565 any county which has established a regional medical examiner  
566 district under subsection (4) of Section 41-61-77 may serve other  
567 counties which are parties to the agreement establishing the  
568 district, in accordance with the terms of the agreement, and may  
569 contract with counties which are not part of the district to  
570 provide medical examiner services for such counties. If a death  
571 affecting the public interest takes place in a county other than  
572 the one where injuries or other substantial causal factors leading  
573 to the death have occurred, jurisdiction for investigation of the  
574 death may be transferred, by mutual agreement of the respective  
575 medical examiners of the counties involved, to the county where  
576 such injuries or other substantial causal factors occurred, and  
577 the costs of autopsy or other studies necessary to the further  
578 investigation of the death shall be borne by the county assuming  
579 jurisdiction.

580 (4) The chief county medical examiner or chief county  
581 medical examiner investigator may receive from the county in which



582 he serves a salary of Nine Hundred Dollars (\$900.00) per month, in  
583 addition to the fees specified in Sections 41-61-69 and 41-61-75,  
584 provided that no county shall pay the chief county medical  
585 examiner or chief county medical examiner investigator less than  
586 Seven Hundred Fifty Dollars (\$750.00) per month as a salary, in  
587 addition to other compensation provided by law. In any county  
588 having one or more deputy medical examiners or deputy medical  
589 examiner investigators, each deputy may receive from the county in  
590 which he serves, in the discretion of the board of supervisors, a  
591 salary of not more than Nine Hundred Dollars (\$900.00) per month,  
592 in addition to the fees specified in Sections 41-61-69 and  
593 41-61-75. For this salary the chief shall assure twenty-four-hour  
594 daily and readily available death investigators for the county,  
595 and shall maintain copies of all medical examiner death  
596 investigations for the county for at least the previous five (5)  
597 years. He shall coordinate his office and duties and cooperate  
598 with the State Medical Examiner, and the State Medical Examiner  
599 shall cooperate with him.

600 (5) A body composed of the State Medical Examiner, whether  
601 appointed on a permanent or interim basis, the Director of the  
602 State Board of Health or his designee, the Attorney General or his  
603 designee, the President of the Mississippi Coroners' Association  
604 (or successor organization) or his designee, and a certified  
605 pathologist appointed by the Mississippi State Medical Association  
606 shall adopt, promulgate, amend and repeal rules and regulations as  
607 may be deemed necessary by them from time to time for the proper  
608 enforcement, interpretation and administration of Sections  
609 41-61-51 through 41-61-79, in accordance with the provisions of  
610 the Mississippi Administrative Procedures Law, being Section  
611 25-43-1 et seq.

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

614 9-13-19. (1) Court reporters for circuit and chancery  
615 courts shall be paid an annual salary \* \* \* payable by the  
616 Administrative Office of Courts not to exceed Forty-one Thousand

617 Dollars (\$41,000.00) for court reporters with five (5) years  
618 experience or less; not to exceed Forty-four Thousand Dollars  
619 (\$44,000.00) for court reporters who have more than five (5) years  
620 experience but less than ten (10) years; and not to exceed  
621 Forty-six Thousand Six Hundred Dollars (\$46,600.00) for court  
622 reporters who have ten (10) years or more experience. In  
623 addition, any court reporter performing the duties of a court  
624 administrator in the same judicial district in which the person is  
625 employed as a court reporter may be paid additional compensation  
626 for performing the court administrator duties. The annual amount  
627 of the additional compensation shall be set by vote of the judges  
628 and chancellors for whom the court administrator duties are  
629 performed, with consideration given to the number of hours per  
630 month devoted by the court reporter to performing the duties of a  
631 court administrator. The additional compensation shall be  
632 submitted to the Administrative Office of Courts for approval.

633 (2) The several counties in each respective court district  
634 shall transfer from the general funds of those county treasuries  
635 to the Administrative Office of Courts a proportionate amount to  
636 be paid toward the annual compensation of the court reporter,  
637 including any additional compensation paid for the performance of  
638 court administrator duties. The amount to be paid by each county  
639 shall be determined by the number of weeks in which court is held  
640 in each county in proportion to the total number of weeks court is  
641 held in the district. For purposes of this section, the term  
642 "compensation" means the gross salary plus all amounts paid for  
643 benefits, or otherwise, as a result of employment or as required  
644 by employment, but does not include transcript fees otherwise  
645 authorized to be paid by or through the counties. However, only  
646 salary earned for services rendered shall be reported and credited  
647 for retirement purposes. Amounts paid for transcript fees,  
648 benefits or otherwise, including reimbursement for travel  
649 expenses, shall not be reported or credited for retirement  
650 purposes.

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

655           (3) The salary and any additional compensation for the  
656 performance of court administrator duties shall be paid in twelve  
657 (12) installments on the last working day of each month after it  
658 has been duly authorized by the appointing judge or chancellor and  
659 an order duly placed on the minutes of the court. Each county  
660 shall transfer to the Administrative Office of Courts one-twelfth  
661 (1/12) of the amount required to be paid pursuant to subsection  
662 (2) of this section by the twentieth day of each month for the  
663 salary that is to be paid on the last working day of the month.  
664 The Administrative Office of Courts shall pay to the court  
665 reporter the total amount of salary due for that month. Any  
666 county may pay, in the discretion of the board of supervisors, by  
667 the twentieth day of January of any year, the amount due for a  
668 full twelve (12) months.

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

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

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

677           (7) For all travel required in the performance of official  
678 duties, the circuit or chancery court reporter shall be paid  
679 mileage by the county in which the duties were performed at the  
680 same rate as provided for state employees in Section 25-3-41. The  
681 court reporter shall file in the office of the clerk of the court  
682 which he serves a certificate of mileage expense incurred during  
683 that term and payment of such expense to the court reporter shall  
684 be paid on allowance by the judge of such court.

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

687           19-25-31. Each judge of a circuit, chancery or county court,  
688 or a court of eminent domain may, in the judge's discretion, by  
689 order entered on the minutes of the court, allow the sheriff  
690 riding bailiffs to serve in the respective court of such judge,  
691 not to exceed four (4) bailiffs. Any such person so employed  
692 shall be paid by the county on allowances of the court on issuance  
693 of a warrant therefor in an amount of Fifty-five Dollars (\$55.00)  
694 for each day, or part thereof, for which he serves as bailiff when  
695 the court is in session. No full-time deputy sheriff shall be  
696 paid as a riding bailiff of any court. County court judges shall  
697 be limited to one (1) bailiff per each court day.

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

700           25-7-27. (1) Marshals and constables shall charge the  
701 following fees:

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

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

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

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

718           (b) \* \* \* After final judgment has been enrolled,  
719 further proceedings involving levy of execution on judgments, and

720 attachment and garnishment proceedings shall be a new suit for  
721 which the marshal or constable shall be entitled to the following  
722 fee..... \$25.00

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

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

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

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

737 (f) For serving all warrants and other process and  
738 attending all trials in state cases in which the state fails in  
739 the prosecution, to be paid out of the county treasury on the  
740 allowance of the board of supervisors without itemization,  
741 subject, however, to the condition that the marshal or constable  
742 must not have overcharged in the collection of fees for costs,  
743 contrary to the provisions of this section, annually \* \* \*  
744 ..... \$1,800.00

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

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

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

755           25-7-13. (1) The clerks of the circuit court shall charge  
756 the following fees:

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

759           The fee set forth in this paragraph shall be the total fee  
760 for all services performed by the clerk up to and including entry  
761 of judgment with respect to each complaint, petition or  
762 indictment, including all answers, claims, orders, continuances  
763 and other papers filed therein, issuing each writ, summons,  
764 subpoena or other such instruments, swearing witnesses, taking and  
765 recording bonds and pleas, and recording judgments, orders, fiats  
766 and certificates; the fee shall be payable upon filing and shall  
767 accrue to the clerk at the time of collection. The clerk or his  
768 successor in office shall perform all duties set forth above  
769 without additional compensation or fee.

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

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

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

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

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

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

783           (e) Recording orders, fiats, licenses, certificates,  
784 oaths and bonds:

785                     First page..... \$ 2.00

786                     Each additional page..... \$ 1.00

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

789                     If performed by the clerk or his employee,

790 per page..... \$ 1.00

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

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

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

794 (i) For taking and recording application for marriage  
795 license, for filing and recording consent of parents when required  
796 by law, for filing and recording medical certificate, filing and  
797 recording proof of age, recording and issuing license, recording  
798 and filing returns..... \$20.00

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

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

806 (k) For public service not particularly provided for,  
807 the circuit court may allow the clerk, per annum, to be paid by  
808 the county on presentation of the circuit court's order, the  
809 following amount..... \$6,500.00

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

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

814 (m) For each day's attendance upon the circuit court  
815 term, for himself and necessary deputies allowed by the court,  
816 each to be paid by the county:

817 (i) For those clerks whose compensation is not  
818 equal to the salary limitation provided in Section 9-1-43  
819 ..... \$ 50.00

820 (ii) For those clerks whose compensation is equal  
821 to the salary limitation provided in Section 9-1-43..... \$ 30.00

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

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

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

830           (4) The clerk's fees in state cases where the state fails in  
831 the prosecution, or in cases of felony where the defendant is  
832 convicted and the cost cannot be made out of his estate, in an  
833 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)  
834 year, shall be paid out of the county treasury on approval of the  
835 circuit court, and the allowance thereof by the board of  
836 supervisors of the county. In counties having two (2) judicial  
837 districts, such allowance shall be made in each judicial district;  
838 however, the maximum thereof shall not exceed Eight Hundred  
839 Dollars (\$800.00). Clerks in the circuit court, in cases where  
840 appeals are taken in criminal cases and no appeal bond is filed,  
841 shall be allowed by the board of supervisors of the county after  
842 approval of their accounts by the circuit court, in addition to  
843 the above fees, for making such transcript the rate of Two Dollars  
844 (\$2.00) per page.

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

849           (6) For making final records required by law, including, but  
850 not limited to, circuit and county court minutes, and furnishing  
851 transcripts of records, the circuit clerk shall charge Two Dollars  
852 (\$2.00) per page. The same fees shall be allowed to all officers  
853 for making and certifying copies of records or papers which they  
854 are authorized to copy and certify.

855           (7) The circuit clerk shall prepare an itemized statement of  
856 fees for services performed, cost incurred, or for furnishing  
857 copies of any papers of record or on file, and shall submit the  
858 statement to the parties or, if represented, to their attorneys



859 within sixty (60) days. A bill for same shall accompany the  
860 statement.

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

863 25-7-9. (1) The clerks of the chancery courts shall charge  
864 the following fees:

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

867 (b) Recording deeds, wills, leases, amendments,  
868 subordinations, liens, releases, cancellations, orders, decrees,  
869 oaths, etc., including indexing; for the first fifteen (15) pages  
870 ..... 10.00

871 Each additional page..... 1.00

872 Sectional index entries per section or subdivision.... 1.00

873 (c) Recording deeds of trust, for the first fifteen  
874 (15) pages..... 15.00

875 Each additional page..... 1.00

876 Sectional index entries per section or subdivision.... 1.00

877 (d) \* \* \* Recording oil and gas leases, cancellations,  
878 assignments, etc., including indexing in general indices; for the  
879 first fifteen (15) pages ..... 18.00

880 Each additional page..... 1.00

881 Sectional index entries per section or subdivision.... 1.00

882 \* \* \*

883 (e) Furnishing copies of any papers of record or on  
884 file and entering marginal notations on documents of record:

885 If performed by the clerk or his employee, per page. .50

886 If performed by any other person, per page..... .25

887 (f) For each day's attendance on the board of  
888 supervisors, for himself and one (1) deputy, each..... 20.00

889 (g) For other services as clerk of the board of  
890 supervisors an allowance shall be made \* \* \* (payable semiannually  
891 at the July and January meetings) out of the county treasury, an  
892 annual sum not exceeding..... 3,000.00

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

895 For the first chancellor sitting only, clerk and two (2)  
896 deputies, each..... 30.00

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

898 Provided that the fees herein prescribed shall be the total  
899 remuneration for the clerk and his deputies for attending chancery  
900 court.

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

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

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

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

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

921 (b) Divorce uncontested..... 30.00

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

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

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

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

926 (g) Estate of deceased, testate..... 75.00

927 (h) Adoption..... 75.00

928	(i) Land dispute.....	75.00
929	(j) Injunction.....	75.00
930	(k) Settlement of small claim.....	30.00
931	(l) Contempt in child support.....	75.00
932	(m) Partition suit.....	75.00
933	(n) Any cross-complaint.....	25.00

934 Cost of process shall be borne by the issuing party.  
935 Additionally, should the attorney or person filing the pleadings  
936 desire the clerk to pay the cost to the sheriff for serving  
937 process on one person or more, or to pay the cost of publication,  
938 the clerk shall demand the actual charges therefor, at the time of  
939 filing.

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

942 9-1-43. (1) After making deductions for employee salaries  
943 and related salary expenses, and expenses allowed as deductions by  
944 Schedule C of the Internal Revenue Code, no office of the chancery  
945 clerk or circuit clerk of any county in the state shall receive  
946 fees as compensation for the chancery clerk's or circuit clerk's  
947 services in excess of Ninety Thousand Dollars (\$90,000.00). All  
948 such fees received by the office of chancery or circuit clerks  
949 that are in excess of the salary limitation shall be deposited by  
950 such clerk into the county general fund on or before April 15 for  
951 the preceding calendar year. If the chancery clerk or circuit  
952 clerk serves less than one (1) year, then he shall not receive as  
953 compensation any fees in excess of that portion of the salary  
954 limitation that can be attributed to his time in office on a pro  
955 rata basis. Upon leaving office, income earned by any clerk in  
956 his last full year of office but not received until after his last  
957 full year of office shall not be included in determining the  
958 salary limitation of the successor clerk. There shall be exempted  
959 from the provisions of this subsection any monies or commissions  
960 from private or governmental sources which: (a) are to be held by  
961 the chancery or circuit clerk in a trust or custodial capacity as  
962 prescribed in subsections (4) and (5); or (b) are received as

963 compensation for services performed upon order of a court or board  
964 of supervisors which are not required of the chancery clerk or  
965 circuit clerk by statute.

966 (2) It shall be unlawful for any chancery clerk or circuit  
967 clerk to use fees in excess of Ninety Thousand Dollars  
968 (\$90,000.00), to pay the salaries or actual or necessary expenses  
969 of employees who are related to such clerk by blood or marriage  
970 within the first degree of kinship according to the civil law  
971 method of computing kinship as provided in Sections 1-3-71 and  
972 1-3-73. However, the prohibition of this subsection shall not  
973 apply to any individual who was an employee of the clerk's office  
974 prior to the date his or her relative was elected as chancery or  
975 circuit clerk. The spouse and/or any children of the chancery  
976 clerk or circuit clerk employed in the office of the chancery  
977 clerk may be paid a salary; however, the combined annual salaries  
978 of the clerk, spouse and any child of the clerk may not exceed an  
979 amount equal to the salary limitation.

980 (3) The chancery clerk and the circuit clerk shall be liable  
981 on their official bond for the proper deposit and accounting of  
982 all monies received by his office. The State Auditor shall  
983 promulgate uniform accounting methods for the accounting of all  
984 sources of income by the offices of the chancery and circuit  
985 clerk.

986 (4) There is created in the county depository of each county  
987 a clearing account to be designated as the "chancery court clerk  
988 clearing account," into which shall be deposited: (a) all such  
989 monies as the clerk of the chancery court shall receive from any  
990 person complying with any writ of garnishment, attachment,  
991 execution or other like process authorized by law for the  
992 enforcement of child support, spousal support or any other  
993 judgment; (b) any portion of any fees required by law to be  
994 collected in civil cases which are to pay for the service of  
995 process or writs in another county; and (c) any other money as  
996 shall be deposited with the court which by its nature is not, at  
997 the time of its deposit, public monies, but which is to be held by

998 the court in a trust or custodial capacity in a case or proceeding  
999 before the court. The clerk of the chancery court shall account  
1000 for all monies deposited in and disbursed from such account and  
1001 shall be authorized and empowered to draw and issue checks on such  
1002 account at such times, in such amounts and to such persons as  
1003 shall be proper and in accordance with law.

1004 The following monies paid to the chancery clerk shall be  
1005 subject to the salary limitation prescribed under subsection (1):  
1006 (a) all fees required by law to be collected for the filing,  
1007 recording or abstracting of any bill, petition, pleading or decree  
1008 in any civil case in chancery; (b) all fees collected for land  
1009 recordings, charters, notary bonds, certification of decrees and  
1010 copies of any documents; (c) all land redemption and mineral  
1011 documentary stamp commissions; and (d) any other monies or  
1012 commissions from private or governmental sources for statutory  
1013 functions which are not to be held by the court in a trust  
1014 capacity. Such fees as shall exceed the salary limitations shall  
1015 be maintained in a bank account in the county depository and  
1016 accounted for separately from those monies paid into the chancery  
1017 court clerk clearing account.

1018 (5) There is created in the county depository in each county  
1019 a clearing account to be designated as the "circuit court clerk  
1020 civil clearing account," into which shall be deposited: (a) all  
1021 such monies and fees as the clerk of the circuit court shall  
1022 receive from any person complying with any writ of garnishment,  
1023 attachment, execution or any other like process authorized by law  
1024 for the enforcement of a judgment; (b) any portion of any fees  
1025 required by law or court order to be collected in civil cases;  
1026 (c) all fees collected for the issuance of marriage licenses; and  
1027 (d) any other money as shall be deposited with the court which by  
1028 its nature is not, at the time of its deposit, public monies but  
1029 which is to be held by the court in a trust or custodial capacity  
1030 in a case or proceeding before the court.

1031 There is created in the county depository in each county a  
1032 clearing account to be designated as the "circuit court clerk

1033 criminal clearing account," into which shall be deposited: (a)  
1034 all such monies as are received in criminal cases in the circuit  
1035 court pursuant to any order requiring payment as restitution to  
1036 the victims of criminal offenses; (b) any portion of any fees and  
1037 fines required by law or court order to be collected in criminal  
1038 cases; and (c) all cash bonds as shall be deposited with the  
1039 court. The clerk of the circuit court shall account for all  
1040 monies deposited in and disbursed from such account and shall be  
1041 authorized and empowered to draw and issue checks on such account,  
1042 at such times, in such amounts and to such persons as shall be  
1043 proper and in accordance with law; however, such monies as are  
1044 forfeited in criminal cases shall be paid by the clerk of the  
1045 circuit court to the clerk of the board of supervisors for deposit  
1046 in the general fund of the county.

1047       The following monies paid to the circuit clerk shall be  
1048 subject to the salary limitation prescribed under subsection (1):  
1049 (a) all fees required by law to be collected for the filing,  
1050 recording or abstracting of any bill, petition, pleading or decree  
1051 in any civil action in circuit court; (b) copies of any documents;  
1052 and (c) any other monies or commissions from private or  
1053 governmental sources for statutory functions which are not to be  
1054 held by the court in a trust capacity.

1055       (6) The chancery clerk and the circuit clerk shall establish  
1056 and maintain a cash journal for recording cash receipts from  
1057 private or government sources for furnishing copies of any papers  
1058 of record or on file, or for rendering services as a notary  
1059 public, or other fees wherein the total fee for the transaction is  
1060 Ten Dollars (\$10.00) or less. The cash journal entry shall  
1061 include the date, amount and type of transaction, and the clerk  
1062 shall not be required to issue a receipt to the person receiving  
1063 such services. The State Auditor shall not take exception to the  
1064 furnishing of copies or the rendering of services as a notary by  
1065 any clerk free of charge.

1066       In any county having two (2) judicial districts, whenever the  
1067 chancery clerk serves as deputy to the circuit clerk in one (1)

1068 judicial district and the circuit clerk serves as deputy to the  
1069 chancery clerk in the other judicial district, the chancery clerk  
1070 may maintain a cash journal, separate from the cash journal  
1071 maintained for chancery clerk receipts, for recording the cash  
1072 receipts paid to him as deputy circuit clerk, and the circuit  
1073 clerk may maintain a cash journal, separate from the cash journal  
1074 maintained for circuit clerk receipts, for recording the cash  
1075 receipts paid to him as deputy chancery clerk. The cash receipts  
1076 collected by the chancery clerk in his capacity as deputy circuit  
1077 clerk and the cash receipts collected by the circuit clerk in his  
1078 capacity as deputy chancery clerk shall be subject to the salary  
1079 limitation prescribed under subsection (1).

1080 (7) Any clerk who knowingly shall fail to deposit funds or  
1081 otherwise violate the provisions of this section shall be guilty  
1082 of a misdemeanor in office and, upon conviction thereof, shall be  
1083 fined in an amount not to exceed double the amount that he failed  
1084 to deposit, or imprisoned for not to exceed six (6) months in the  
1085 county jail, or be punished by both such fine and imprisonment.

1086 **SECTION 12.** Section 27-105-343, Mississippi Code of 1972, is  
1087 amended as follows:

1088 27-105-343. From and after the passage of this section, all  
1089 the duties except the duty of receiving and disbursing money that  
1090 were imposed by law on county treasurers shall be required to be  
1091 done by chancery clerks, and they shall be the custodians of all  
1092 the books, records, papers, and vouchers heretofore belonging to  
1093 county treasurers, and shall be custodians of all the promissory  
1094 notes, bonds, and other like property belonging to or deposited  
1095 with the county, and said clerks shall in all respects be liable  
1096 on their official bonds for the proper care of the same.

1097 The duty of receipting for and disbursing all monies  
1098 heretofore deposited with county treasurers shall be done and  
1099 performed by the designated county and drainage district  
1100 depositories appointed in the manner provided by law; and any  
1101 person or corporation required to pay money into a county treasury  
1102 shall hereafter pay the same to a properly designated depository

1103 and such depository shall issue receipts therefor in duplicate,  
1104 one of which shall be filed with the chancery clerk and the other  
1105 retained by the person or corporation making such payment, and  
1106 such payment when made to a designated depository shall discharge  
1107 the person or corporation making such payment from any further  
1108 liability therefor.

1109 In the event there shall be no designated depository for any  
1110 money required to be paid into a county treasury, such payment  
1111 shall be made to the tax collector who shall receipt for same in  
1112 duplicate as required in the preceding paragraph and shall pay the  
1113 same over to a legally appointed depository within ten (10) days  
1114 after one is qualified to receive the same. The tax collector  
1115 shall be the custodian of all money belonging to a county or any  
1116 subdivision thereof until there be appointed a depository for any  
1117 such funds and the said tax collectors shall be liable on their  
1118 official bond for the proper accounting and payment of any funds  
1119 so paid to them.

1120 Boards of supervisors shall allow chancery clerks for their  
1121 compensation for performance of the duties required of them by  
1122 this section the sum of Two Thousand Five Hundred Dollars  
1123 (\$2,500.00) per annum.

1124 Nothing in this section shall preclude drainage districts  
1125 from selecting their treasurer or depository as now provided by  
1126 law.

1127 **SECTION 13.** Section 25-3-9, Mississippi Code of 1972, is  
1128 amended as follows:

1129 25-3-9. (1) Except as provided in subsections (2), (3) and  
1130 (4) of this section, the county prosecuting attorney may receive  
1131 for his services an annual salary to be paid by the board of  
1132 supervisors as follows:

1133 (a) For counties with a total population of more than  
1134 two hundred thousand (200,000), a salary not to exceed Thirty-one  
1135 Thousand Three Hundred Fifty Dollars (\$31,350.00).

1136 (b) For counties with a total population of more than  
1137 one hundred thousand (100,000) and not more than two hundred



1138 thousand (200,000), a salary not to exceed Twenty-nine Thousand  
1139 One Hundred Fifty Dollars (\$29,150.00).

1140 (c) For counties with a total population of more than  
1141 fifty thousand (50,000) and not more than one hundred thousand  
1142 (100,000), a salary not to exceed Twenty-three Thousand Eight  
1143 Hundred Seventy Dollars (\$23,870.00).

1144 (d) For counties with a total population of more than  
1145 thirty-five thousand (35,000) and not more than fifty thousand  
1146 (50,000), a salary not to exceed Twenty-two Thousand Four Hundred  
1147 Forty Dollars (\$22,440.00).

1148 (e) For counties with a total population of more than  
1149 twenty-five thousand (25,000) and not more than thirty-five  
1150 thousand (35,000), a salary not to exceed Twenty-one Thousand Two  
1151 Hundred Thirty Dollars (\$21,230.00).

1152 (f) For counties with a total population of more than  
1153 fifteen thousand (15,000) and not more than twenty-five thousand  
1154 (25,000), a salary not to exceed Nineteen Thousand Four Hundred  
1155 Seventy Dollars (\$19,470.00).

1156 (g) For counties with a total population of more than  
1157 ten thousand (10,000) and not more than fifteen thousand (15,000),  
1158 a salary not to exceed Seventeen Thousand Seven Hundred Ten  
1159 Dollars (\$17,710.00).

1160 (h) For counties with a total population of more than  
1161 six thousand (6,000) and not more than ten thousand (10,000), a  
1162 salary not to exceed Fifteen Thousand Nine Hundred Fifty Dollars  
1163 (\$15,950.00).

1164 (i) For counties with a total population of six  
1165 thousand (6,000) or less, the board of supervisors, in its  
1166 discretion, may appoint a county prosecuting attorney, and it may  
1167 pay such county prosecuting attorney an annual salary not to  
1168 exceed Fourteen Thousand One Hundred Ninety Dollars (\$14,190.00).

1169 The salary of the county prosecuting attorney shall be equal  
1170 to the amount of the salary provided for in this section for the  
1171 respective county or the amount of the salary of the members of  
1172 the county board of supervisors, whichever is greater.

1173 In all cases of conviction there shall be taxed against the  
1174 convicted defendant, as an item of cost, the sum of Three Dollars  
1175 (\$3.00), which shall be turned in to the county treasury as a part  
1176 of the general county funds; however, the Three Dollars (\$3.00)  
1177 shall not be taxed in any case in which it is not the specific  
1178 duty of the county attorney to appear and prosecute.

1179 From and after October 1, 1993, in addition to the salaries  
1180 provided for in this subsection, the board of supervisors of any  
1181 county, in its discretion, may pay the county prosecuting attorney  
1182 an additional amount not to exceed ten percent (10%) of the  
1183 maximum allowable salary prescribed herein.

1184 (2) In the following counties, the county prosecuting  
1185 attorney shall receive for his services an annual salary to be  
1186 paid by the board of supervisors, as follows:

1187 (a) In any county bordering upon the Mississippi River  
1188 and having a population of not less than thirty thousand (30,000)  
1189 and not more than thirty-five thousand five hundred (35,500)  
1190 according to the federal census of 1990, and in counties having a  
1191 population of not more than thirty-seven thousand (37,000)  
1192 according to the federal census of 1990 in which Interstate  
1193 Highway 55 and U.S. Highway 98 intersect, the county prosecuting  
1194 attorney shall receive a salary equal to the justice court judge  
1195 of such county; and in any county wherein is located the state's  
1196 oldest state-supported institution of higher learning and wherein  
1197 Mississippi State Highways 7 and 6 intersect, the county  
1198 prosecuting attorney shall receive an annual salary equal to that  
1199 of a member of the board of supervisors of such county.

1200 (b) In counties having a population in excess of fifty  
1201 thousand (50,000) in the 1960 federal census, wherein is located a  
1202 state-supported university and in which U.S. Highways 49 and 11  
1203 intersect, the salary of the county prosecuting attorney shall be  
1204 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)  
1205 per year. The Board of Supervisors of Forrest County,  
1206 Mississippi, may, in its discretion, and by agreement with the  
1207 county prosecuting attorney, employ the county prosecuting

1208 attorney as a full-time elected official during his/her term of  
1209 office, designate additional duties and responsibilities of the  
1210 office and pay additional compensation up to, but not in excess  
1211 of, ninety percent (90%) of the annual compensation and salary of  
1212 the county court judge and the youth court judge of Forrest County  
1213 as authorized by law and provide a reasonable office and  
1214 reasonable office expenses to the county prosecuting attorney.  
1215 The salary authorized by this paragraph (b) for the county  
1216 prosecuting attorney shall be the sole and complete salary for  
1217 such prosecuting attorney in each county to which this paragraph  
1218 applies, notwithstanding any other provision of law to the  
1219 contrary.

1220 (c) In any county wherein is housed the seat of state  
1221 government, wherein U.S. Highways 80 and 49 intersect, and having  
1222 two (2) judicial districts, the board of supervisors, in its  
1223 discretion, may pay the county prosecuting attorney an annual  
1224 salary equal to the annual salary of members of the board of  
1225 supervisors in the county.

1226 (d) In any county which has two (2) judicial districts  
1227 and wherein Highway 8 and Highway 15 intersect, having a  
1228 population of greater than seventeen thousand (17,000), according  
1229 to the 1980 federal decennial census, the board of supervisors  
1230 shall pay the county prosecuting attorney a salary equal to that  
1231 of a member of the board of supervisors of such county; provided  
1232 that if such county prosecuting attorney is paid a sum for the  
1233 purpose of defraying office or secretarial expenses, then the  
1234 salary prescribed herein shall be reduced by that amount.

1235 (e) In any county bordering the State of Tennessee and  
1236 in which Mississippi Highways No. 4 and 15 intersect, and having a  
1237 population of less than twenty thousand (20,000) in the 1970  
1238 federal census, the salary of the county prosecuting attorney  
1239 shall be no less than Six Thousand Dollars (\$6,000.00).

1240 (f) In any county having a population of more than  
1241 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45

1242 intersect, the salary of the county attorney shall be \* \* \* not  
1243 less than Eight Thousand Dollars (\$8,000.00).

1244 In addition, such county prosecuting attorney shall receive  
1245 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month  
1246 for the purpose of defraying secretarial expense.

1247 (g) In any county wherein I-20 and State Highway 15  
1248 intersect; and in any county wherein I-20 and State Highway 35  
1249 intersect, the salary of the county prosecuting attorney shall be  
1250 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1251 (h) In any Class 1 county bordering on the Mississippi  
1252 River, lying in whole or in part within a levee district, wherein  
1253 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River  
1254 and Stales Bayou, the board of supervisors, in its discretion, may  
1255 pay an annual salary equal to the annual salary of members of the  
1256 board of supervisors in the county. In addition, such county  
1257 prosecuting attorney shall receive the sum of One Thousand Dollars  
1258 (\$1,000.00) per month for the purpose of defraying secretarial  
1259 expenses.

1260 (i) In any county bordering on the Gulf of Mexico  
1261 having two (2) judicial districts, and wherein U.S. Highways 90  
1262 and 49 intersect, the salary of the county prosecuting attorney  
1263 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per  
1264 year. The Board of Supervisors of Harrison County, Mississippi,  
1265 may, in its discretion, and by agreement with the county  
1266 prosecuting attorney, employ the county prosecuting attorney and  
1267 his/her assistant during his/her term of office, and designate  
1268 additional duties and responsibilities of the office and pay  
1269 additional compensation up to, but not in excess of, ninety  
1270 percent (90%) of the annual compensation and salary of the county  
1271 court judges of Harrison County as authorized by law and provide  
1272 adequate office space and reasonable office expenses to the county  
1273 prosecuting attorney and his/her assistant. The salary authorized  
1274 by this paragraph (i) for the county prosecuting attorney and  
1275 his/her assistant shall be the sole and complete salary paid by  
1276 the county for such prosecuting attorney and his/her assistant in

1277 each county to which this paragraph applies, notwithstanding any  
1278 other provision of law to the contrary.

1279           (j) In any county bordering on the State of Alabama,  
1280 having a population in excess of seventy-five thousand (75,000)  
1281 according to the 1980 decennial census in which is located an  
1282 institution of higher learning and a United States military  
1283 installation and which is traversed by an interstate highway, the  
1284 salary of the county prosecuting attorney shall not be less than  
1285 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of  
1286 the annual salary received by a member of the board of supervisors  
1287 of that county.

1288           (k) In any county with a land area wherein Mississippi  
1289 Highways 8 and 9 intersect, the salary of the county prosecuting  
1290 attorney shall be not less than Eight Thousand Five Hundred  
1291 Dollars (\$8,500.00) per year.

1292           (l) In any Class 2 county wherein Mississippi Highways  
1293 6 and 3 intersect, the salary of the county prosecuting attorney  
1294 shall be not less than Twelve Thousand Dollars (\$12,000.00) per  
1295 year nor more than the amount of the annual salary received by a  
1296 member of the board of supervisors of that county.

1297           (m) In any county wherein Interstate Highway 55 and  
1298 State Highway 8 intersect, the salary of the county prosecuting  
1299 attorney shall be not less than Twelve Thousand Dollars  
1300 (\$12,000.00) per year.

1301           (n) In any county wherein U.S. Highway 51 intersects  
1302 Mississippi Highway 6, and having two (2) judicial districts, the  
1303 salary of the county prosecuting attorney shall be not less than  
1304 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1305           (o) In any county bordering on the Alabama state line,  
1306 having a population of greater than fifteen thousand (15,000)  
1307 according to the 1970 federal decennial census, wherein U.S.  
1308 Highway 45 and Mississippi Highway 18 intersect, the salary of the  
1309 county prosecuting attorney shall be not less than Three Thousand  
1310 Six Hundred Dollars (\$3,600.00) nor greater than that of a member  
1311 of the board of supervisors of such county. All prior acts,

1312 orders and resolutions of the board of supervisors of such county  
1313 which authorized the payment of the salary in conformity with the  
1314 provisions of this paragraph, whether or not heretofore  
1315 specifically authorized by law are hereby ratified, approved and  
1316 confirmed.

1317           (p) In any county wherein is located a state-supported  
1318 institution of higher learning and wherein U.S. Highway 82 and  
1319 Mississippi Highway 389 intersect, the board of supervisors, in  
1320 its discretion, may pay the county prosecuting attorney an annual  
1321 salary equal to the annual salary of members of the board of  
1322 supervisors in the county.

1323           (q) In any county having two (2) judicial districts  
1324 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the  
1325 salary of the county prosecuting attorney shall be not less than  
1326 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1327           (r) In any county traversed by the Natchez Trace  
1328 Parkway wherein U.S. Highway 45 and Mississippi Highway 4  
1329 intersect, the board of supervisors, in its discretion, may pay  
1330 the county prosecuting attorney an annual salary equal to the  
1331 annual salary of justice court judges in the county.

1332           (s) In any county having a population of more than  
1333 fourteen thousand (14,000) according to the 1970 census and which  
1334 county is bordered on the north by the State of Tennessee and on  
1335 the east by the State of Alabama and in which U.S. Highway No. 72  
1336 and Highway No. 25 intersect, the board of supervisors, in its  
1337 discretion, may pay the county prosecuting attorney an annual  
1338 salary equal to the annual salary of justice court judges in the  
1339 county.

1340           (t) (i) In any county wherein Interstate Highway 55  
1341 and State Highway 22 intersect, and which is also traversed in  
1342 whole or part by U.S. Highways 49 and 51, and State Highways 16,  
1343 17, 43 and the Natchez Trace Parkway, and also containing a part  
1344 of a public lake or reservoir, in excess of thirty thousand  
1345 (30,000) acres, the board of supervisors, in its discretion, may

1346 pay the county prosecuting attorney an annual salary in the amount  
1347 of Twenty-eight Thousand Dollars (\$28,000.00).

1348 (ii) From and after October 1, 1993, in addition  
1349 to the salary provided for in subparagraph (i) of this paragraph,  
1350 the board of supervisors, in its discretion, may pay the county  
1351 prosecuting attorney an additional amount not to exceed ten  
1352 percent (10%) of the maximum allowable salary prescribed herein.

1353 (u) In any county having a population in the 1970  
1354 census in excess of thirty-five thousand (35,000) and in which  
1355 U.S. Highways 49W and 82 intersect, and in which is located a  
1356 state penitentiary, the annual salary of a county prosecuting  
1357 attorney shall be Thirty Thousand Four Hundred Twenty Dollars  
1358 (\$30,420.00).

1359 (v) In any county wherein Mississippi Highway 50  
1360 intersects U.S. Highway 45-Alternate, and having a population  
1361 greater than twenty thousand (20,000) according to the 1980  
1362 federal decennial census, a salary equal to that of a member of  
1363 the board of supervisors of such county; provided that if such  
1364 county prosecuting attorney is paid a sum for the purpose of  
1365 defraying office or secretarial expenses, then the salary  
1366 prescribed herein shall be reduced by that amount.

1367 (w) In any county in which the 1975 assessed valuation  
1368 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred  
1369 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and  
1370 Mississippi Highway 8 intersect, the salary of the county  
1371 prosecuting attorney shall be equal to that of a member of the  
1372 board of supervisors of such county.

1373 (x) In any county bordering on the Mississippi River  
1374 having a population greater than fifty thousand (50,000) according  
1375 to the 1980 federal decennial census and also having a national  
1376 military park and national cemetery, an annual salary of  
1377 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to  
1378 that of a member of the board of supervisors in such county,  
1379 whichever is greater. In addition, such county prosecuting

1380 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)  
1381 per month for the purpose of defraying secretarial expenses.

1382 (y) In any county bordering on the Alabama state line,  
1383 traversed by the Chickasawhay River, and wherein U.S. Highway 45  
1384 and U.S. Highway 84 intersect, a salary that shall be equal to the  
1385 annual salary of a member of the board of supervisors of such  
1386 county. All prior acts, orders and resolutions of the board of  
1387 supervisors of such county which authorize the payment of the  
1388 salary of the county prosecuting attorney in conformity with the  
1389 provisions of this section as it existed immediately prior to the  
1390 effective date of Chapter 506, Laws of 1985, are hereby ratified,  
1391 approved, confirmed and validated.

1392 (z) In any county having a population greater than  
1393 sixty-five thousand five hundred eighty (65,580) but less than  
1394 sixty-five thousand five hundred ninety (65,590) according to the  
1395 1990 federal decennial census, wherein U.S. Highway 45 intersects  
1396 with Mississippi Highway 6, an annual salary equal to Thirty  
1397 Thousand Dollars (\$30,000.00).

1398 (aa) In any county where an institution of higher  
1399 learning is located and wherein U.S. Highway 82 and U.S. Highway  
1400 45 intersect, the salary of the county prosecuting attorney shall  
1401 be not less than that of a member of the board of supervisors in  
1402 such county, and the board of supervisors may, in its discretion,  
1403 pay such county prosecuting attorney a salary in an amount not to  
1404 exceed the amount of the salary of the District Attorney for the  
1405 Sixteenth Judicial District of Mississippi.

1406 (bb) In any county having a population greater than six  
1407 thousand (6,000) according to the federal decennial census and  
1408 wherein U.S. Highway 61 and Highway 24 intersect, the board of  
1409 supervisors, in its discretion, may pay the county prosecuting  
1410 attorney an annual salary equal to the annual salary of members of  
1411 the board of supervisors in the county.

1412 (cc) In any county having a population greater than  
1413 thirty-one thousand (31,000) according to the 1990 federal  
1414 decennial census and wherein U.S. Highway 61 and U.S. Highway 49



1415 intersect, a salary of not less than the annual salary of justice  
1416 court judges in the county.

1417 (dd) (i) The Rankin County prosecuting attorney, if  
1418 such person is not employed on a full-time basis, shall receive an  
1419 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1420 (ii) The Board of Supervisors of Rankin County, in  
1421 its discretion, may employ the elected county prosecuting attorney  
1422 and an assistant on a full-time basis during his or her term of  
1423 office and may pay compensation to such full-time prosecuting  
1424 attorney in an amount of not more than ninety percent (90%) of the  
1425 annual compensation and salary of the county court judges of the  
1426 county as authorized by law, and may provide adequate office space  
1427 and reasonable office expenses to the county prosecuting attorney  
1428 and his/her assistant. The Board of Supervisors of Rankin County,  
1429 in its discretion, may also employ a full-time assistant county  
1430 prosecuting attorney and may pay such person an annual salary in  
1431 such amount as determined by the board of supervisors. The salary  
1432 authorized by this subparagraph (dd)(ii) for the elected county  
1433 prosecuting attorney and an assistant shall be the sole and  
1434 complete salary paid by the county for the elected prosecuting  
1435 attorney and assistant in Rankin County, notwithstanding any other  
1436 provisions of law to the contrary.

1437 (ee) In any county having a population greater than  
1438 eight thousand (8,000) but less than eight thousand two hundred  
1439 (8,200) according to the 1990 federal census, and in which U.S.  
1440 Highway 61 and Mississippi Highway 4 intersect, the board of  
1441 supervisors may, in its discretion, pay the county prosecuting  
1442 attorney an amount not to exceed Fourteen Thousand Dollars  
1443 (\$14,000.00), in addition to the maximum allowable salary for that  
1444 attorney under subsection (1), beginning on April 1, 1997.

1445 (ff) In any county having a population greater than  
1446 thirty thousand three hundred (30,300) but less than thirty  
1447 thousand four hundred (30,400) according to the 1990 federal  
1448 census, and in which U.S. Highway 78 and Mississippi Highway 7

1449 intersect, a salary of not less than the annual salary of a member  
1450 of the board of supervisors in such county.

1451 (gg) In any county having a population greater than  
1452 thirteen thousand three hundred (13,300) but less than thirteen  
1453 thousand four hundred (13,400) according to the 1990 federal  
1454 census, and in which Mississippi Highway 24 and Mississippi  
1455 Highway 48 intersect, the board of supervisors may, in its  
1456 discretion, pay the county prosecuting attorney an additional  
1457 amount not to exceed ten percent (10%) of the maximum allowable  
1458 salary for that attorney under subsection (1).

1459 (hh) In any county having a population greater than  
1460 eight thousand three hundred (8,300) but less than eight thousand  
1461 four hundred (8,400) according to the 1990 federal census, and in  
1462 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of  
1463 supervisors may, in its discretion, pay the county prosecuting  
1464 attorney an additional amount not to exceed ten percent (10%) of  
1465 the maximum allowable salary for that attorney under subsection  
1466 (1).

1467 (ii) In any county having a population of more than  
1468 thirty thousand four hundred (30,400) and which is traversed in  
1469 whole or part by I-59, U.S. Highways 98 and 11 and State Highway  
1470 13, the annual salary of the county prosecuting attorney shall be  
1471 Twenty-five Thousand Dollars (\$25,000.00).

1472 (jj) In any county having a population greater than  
1473 twenty thousand (20,000) according to the 1990 federal census and  
1474 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the  
1475 board of supervisors, in its discretion, may pay the county  
1476 prosecuting attorney an annual salary equal to the annual salary  
1477 of justice court judges in the county.

1478 (kk) In any county having a population greater than  
1479 twelve thousand four hundred (12,400) but less than twelve  
1480 thousand five hundred (12,500) according to the 1990 federal  
1481 census, and in which U.S. Highway 84 and Mississippi Highway 27  
1482 intersect, the board of supervisors may, in its discretion, pay  
1483 the county prosecuting attorney an additional amount not to exceed

1484 ten percent (10%) of the maximum allowable salary for that  
1485 attorney under subsection (1).

1486 (ll) In any county having a population greater than  
1487 thirty thousand two hundred (30,200) but less than thirty thousand  
1488 three hundred (30,300) according to the 1990 federal census, and  
1489 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,  
1490 the board of supervisors may, in its discretion, pay the county  
1491 prosecuting attorney an additional amount not to exceed ten  
1492 percent (10%) of the maximum allowable salary for that attorney  
1493 under subsection (1).

1494 (mm) In any county on the Mississippi River levee,  
1495 having a population greater than forty-one thousand eight hundred  
1496 (41,800) but less than forty-one thousand nine hundred (41,900)  
1497 according to the 1990 federal census wherein U.S. Highway 61 and  
1498 Mississippi Highway 8 intersect, the board of supervisors, in its  
1499 discretion, may pay the county prosecuting attorney an annual  
1500 salary equal to the annual salary of members of the board of  
1501 supervisors in the county. In addition, the board of supervisors,  
1502 in its discretion, may pay the county prosecuting attorney the sum  
1503 of One Thousand Dollars (\$1,000.00) per month for the purpose of  
1504 defraying secretarial expenses.

1505 (nn) In any county having a population greater than  
1506 twenty-four thousand seven hundred (24,700) and less than  
1507 twenty-four thousand nine hundred (24,900) according to the 1990  
1508 federal census, wherein Mississippi Highways 15 and 16 intersect,  
1509 the board of supervisors, in its discretion, may pay the county  
1510 prosecuting attorney an annual salary equal to the annual salary  
1511 of members of the board of supervisors in the county.

1512 (oo) In any county having a population greater than  
1513 thirty-seven thousand (37,000) but less than thirty-eight thousand  
1514 (38,000) according to the 1990 federal census, in which is located  
1515 a state supported institution of higher learning, and in which  
1516 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of  
1517 supervisors may, in its discretion, pay the county prosecuting  
1518 attorney a salary in an amount not to exceed the amount of the

1519 salary of the District Attorney for the Fourth Judicial District  
1520 of Mississippi.

1521 (pp) In any county in which U.S. Highway 78 and  
1522 Mississippi Highway 15 intersect and which is traversed by the  
1523 Tallahatchie River, a salary equal to that of members of the board  
1524 of supervisors of the county, which salary shall be in addition to  
1525 any sums received for the purpose of defraying office or  
1526 secretarial expenses and sums received as youth court prosecutor  
1527 fees.

1528 (qq) In any county bordering on the State of Tennessee  
1529 and the State of Arkansas, wherein Interstate Highway 55 and  
1530 Mississippi Highway 302 intersect, the board of supervisors, in  
1531 its discretion, may pay the county prosecuting attorney an annual  
1532 salary equal to the annual salary of justice court judges in the  
1533 county.

1534 (rr) In any county that is traversed by the Natchez  
1535 Trace Parkway and in which Mississippi Highway 35 and Mississippi  
1536 Highway 12 intersect, the board of supervisors, in its discretion,  
1537 may pay the county prosecuting attorney an annual salary in the  
1538 amount of the annual salary of justice court judges in the county.

1539 (ss) In any county in which Mississippi Highway 14 and  
1540 Mississippi Highway 25 intersect, the board of supervisors, in its  
1541 discretion, may pay the county prosecuting attorney an annual  
1542 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1543 (tt) In any county in which Interstate Highway 59 and  
1544 U.S. Highway 84 intersect, the board of supervisors, in its  
1545 discretion, may pay the county prosecuting attorney an annual  
1546 salary equal to the annual salary of members of the board of  
1547 supervisors in the county.

1548 (uu) In addition to the salary provided for in  
1549 subsection (1) of this section, the Board of Supervisors of  
1550 Tallahatchie County, in its discretion, may pay a monthly  
1551 supplement to the county prosecuting attorney in an amount not to  
1552 exceed One Thousand Dollars (\$1,000.00). The Legislature finds

1553 and declares that the monthly supplement authorized by this  
1554 subsection is justified in such county for the following reasons:

1555 (i) The population of the county has increased;

1556 and

1557 (ii) The number of inmates in its correctional  
1558 facility has increased.

1559 (vv) In addition to the salary provided for in  
1560 subsection (1) of this section, the board of supervisors of any  
1561 county that is not authorized to pay a supplemental or additional  
1562 salary amount under this section, in its discretion, may pay a  
1563 monthly supplement to the county prosecuting attorney in an amount  
1564 not to exceed One Thousand Dollars (\$1,000.00).

1565 (3) In any case where a salary, expense allowance or other  
1566 sum is authorized or paid by the board of supervisors pursuant to  
1567 this section, that salary, expense allowance or other sum shall  
1568 not be reduced or terminated during the term for which the county  
1569 attorney was elected.

1570 **SECTION 14.** Section 41-61-75, Mississippi Code of 1972, is  
1571 amended as follows:

1572 41-61-75. (1) For each investigation with the preparation  
1573 and submission of the required reports, the following fees shall  
1574 be billed to and paid by the county for which the service is  
1575 provided:

1576 (a) A medical examiner or his deputy shall receive One  
1577 Hundred Dollars (\$100.00) for each completed report of  
1578 investigation of death, plus the examiner's actual expenses.

1579 (b) The pathologist performing autopsies as provided in  
1580 Section 41-61-65 shall receive Five Hundred Fifty Dollars  
1581 (\$550.00) per completed autopsy, plus mileage expenses to and from  
1582 the site of the autopsy.

1583 (2) Any medical examiner, physician or pathologist who is  
1584 subpoenaed for appearance and testimony before a grand jury,  
1585 courtroom trial or deposition shall be entitled to an expert  
1586 witness hourly fee to be set by the court and mileage expenses to

1587 and from the site of the testimony, and such amount shall be paid  
1588 by the jurisdiction or party issuing the subpoena.

1589 **SECTION 15.** Section 25-3-31, Mississippi Code of 1972, is  
1590 amended as follows:

1591 25-3-31. The annual salaries of the following elected state  
1592 and district officers are fixed as follows:

1593	Governor.....	\$122,160.00
1594	Attorney General.....	108,960.00
1595	Secretary of State.....	90,000.00
1596	Commissioner of Insurance.....	90,000.00
1597	State Treasurer.....	90,000.00
1598	State Auditor of Public Accounts.....	90,000.00
1599	Commissioner of Agriculture and Commerce.....	90,000.00
1600	Transportation Commissioners.....	78,000.00
1601	Public Service Commissioners.....	78,000.00

1602 \* \* \*

1603 The above fixed salary of the Governor shall be the reference  
1604 amount utilized in computing average compensation and earned  
1605 compensation pursuant to Section 25-11-103(f) and Section  
1606 25-11-103(k) and to related sections which require such  
1607 computations.

1608 This act shall stand repealed from and after January 1, 2007.

1609 **SECTION 16.** Section 25-3-34, Mississippi Code of 1972, is  
1610 amended as follows:

1611 25-3-34. (1) In addition to the salary provided in Section  
1612 25-3-31, any elected state or district official, except members of  
1613 the State Legislature, provided therein shall receive the award of  
1614 an education benchmark as defined in State Personnel Board rules  
1615 for the possession or attainment of any of the following:

- 1616 (a) The Certified Public Manager designation;
- 1617 (b) A job-related Ph.D (Doctor of Philosophy) degree  
1618 which is not required as a minimum qualification of the position;
- 1619 (c) A job related certification, licensure or  
1620 registration requiring the passage of an examination, which is not  
1621 required as a minimum qualification of the position.

1622 (2) No such official or employee may receive more than a  
1623 total of three (3) eligible benchmarks, only one of which may be  
1624 for a job related certification, licensure or registration.

1625 (3) The State Personnel Board shall promulgate rules and  
1626 regulations to carry out the provisions of this section.

1627 **SECTION 17.** Section 25-3-5, Mississippi Code of 1972, which  
1628 establishes the salaries of tax assessors and tax collectors in  
1629 counties where the two offices have been separated, is repealed.

1630 **SECTION 18.** The Attorney General of the State of Mississippi  
1631 shall submit this act, immediately upon approval by the Governor,  
1632 or upon approval by the Legislature subsequent to a veto, to the  
1633 Attorney General of the United States or to the United States  
1634 District Court for the District of Columbia in accordance with the  
1635 provisions of the Voting Rights Act of 1965, as amended and  
1636 extended.

1637 **SECTION 19.** Sections 1 through 14 and Section 17 shall take  
1638 effect and be in force from and after October 1, 2004, or from and  
1639 after the date that such sections are effectuated under Section 5  
1640 of the Voting Rights Act of 1965, as amended and extended,  
1641 whichever date is later. Sections 15 and 16 shall take effect and  
1642 be in force from and after July 1, 2004, or from and after the  
1643 date that such sections are effectuated under Section 5 of the  
1644 Voting Rights Act of 1965, as amended and extended, whichever date  
1645 is later.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 INCREASE THE SALARIES OF THE  
26 COUNTY PROSECUTING ATTORNEYS; TO REPEAL SECTION 25-3-5,  
27 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX  
28 ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES  
29 HAVE BEEN SEPARATED; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF  
30 1972, TO REMOVE THE PROVISION ALLOWING A CERTAIN REELECTED  
31 GOVERNOR TO REJECT A SALARY INCREASE; TO AMEND SECTION 25-3-34,  
32 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO  
33 AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO INCREASE  
34 MEDICAL EXAMINERS FEE FOR AN INVESTIGATION REPORT; AND FOR RELATED  
35 PURPOSES.

HR03\SB2647A.J

Don Richardson  
Clerk of the House of Representatives