

By: Senator(s) Thomas

To: Fees, Salaries and Administration

SENATE BILL NO. 2212

1 AN ACT TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE SALARY PROVISIONS FOR THE COUNTY COURT JUDGESHIPS IN  
3 MADISON COUNTY; AND FOR RELATED PURPOSES.

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

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

7 9-9-11. (1) Except as otherwise provided in subsections  
8 (2), (3) and (4), the county court judge shall receive an annual  
9 salary payable monthly out of the county treasury in an amount not  
10 to exceed One Thousand Dollars (\$1,000.00) less than the salary  
11 which is now or shall hereafter be provided for circuit and  
12 chancery judges of this state, in the discretion of the board of  
13 supervisors of said county; provided, however, that the salary of  
14 such judge shall not be reduced during his term of office.

15 Provided further, that the office of county court judge in any  
16 county receiving an annual salary of Thirty-six Thousand Dollars  
17 (\$36,000.00) or more shall be a full-time position, and the holder  
18 thereof shall not otherwise engage in the practice of law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

167 (l) The county judge of any county having a population  
168 of more than forty-one thousand six hundred (41,600) but less than  
169 forty-one thousand six hundred fifty (41,650) according to the  
170 1980 federal census, and wherein U.S. Highway 49 intersects with  
171 Mississippi Highway 22, shall receive an annual salary payable  
172 monthly out of the county treasury of One Thousand Dollars  
173 (\$1,000.00) less than the salary provided now or hereafter for  
174 circuit and chancery judges of this state.

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

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

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

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

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

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

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

212 **SECTION 3.** This act shall take effect and be in force from  
213 and after the date it is effectuated under Section 5 of the Voting  
214 Rights Act of 1965, as amended and extended.