

By: Representative Coleman (29th)

To: Fees and Salaries of  
Public Officers

HOUSE BILL NO. 804

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE SALARIES OF DISTRICT ATTORNEYS; AND FOR RELATED  
3 PURPOSES.

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

5 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is  
6 amended as follows:

7 25-3-35. (1) The annual salaries of the following judges  
8 are fixed as follows, to begin at the commencement of the next  
9 term of office immediately succeeding the existing term:

10	Chief Justice of the Supreme Court.....	\$115,390.00
11	Presiding Justice of the Supreme Court.....	113,190.00
12	Associate Justices of the Supreme Court, each....	112,530.00

13 However, in addition to their present official duties, there  
14 are imposed upon the Supreme Court justices the extra duties of  
15 making a special study of existing laws and reporting to each  
16 regular session of the Legislature such constructive suggestions  
17 as they may deem necessary for the improvement of the  
18 administration of justice, and of identifying and directing the  
19 State Librarian to apply for grants and donations from any public  
20 or private source for the purpose of enhancing the holdings of the  
21 state law library, and of advising and counseling with the State  
22 Librarian in the selection of law books for purchase and use in  
23 the State Law Library, advising with the librarian thereof upon  
24 the removal from the library of any books which may be the least  
25 frequently used, and for the placing of same in a convenient  
26 location so as to provide additional space for such books and  
27 other current publications which may be more frequently used or

28 called for. For such extra services each justice, from and after  
29 January 1, 2004, shall receive a sum sufficient when added to the  
30 present salaries of the justices to aggregate One Hundred Fifteen  
31 Thousand Three Hundred Ninety Dollars (\$115,390.00) for the Chief  
32 Justice, One Hundred Thirteen Thousand One Hundred Ninety Dollars  
33 (\$113,190.00) for the presiding justice, and One Hundred Twelve  
34 Thousand Five Hundred Thirty Dollars (\$112,530.00) for associate  
35 justices, per annum. As each existing term expires and the  
36 above-captioned salaries become effective in due course, the extra  
37 duties and compensation provided for shall cease.

38 The fixed salaries as specified in this subsection (1) shall  
39 be the exclusive and total compensation which can be reported to  
40 the Public Employees' Retirement System for retirement purposes;  
41 however, any judge in office on December 31, 2003, may continue to  
42 report his expense allowance as part of his compensation for  
43 retirement purposes.

44 (2) The annual salaries of the judges of the Court of  
45 Appeals of Mississippi are fixed as follows, to begin at the  
46 commencement of the next term of office immediately succeeding the  
47 existing term:

48 Chief Judge of the Court of Appeals..... \$108,130.00  
49 Associate Judges of the Court of Appeals, each... 105,050.00

50 However, in addition to their present official duties, there  
51 are imposed upon the judges of the Court of Appeals the extra  
52 duties of making a special study of existing laws and reporting to  
53 the Supreme Court of the State of Mississippi such constructive  
54 suggestions as they may deem necessary for the improvement of the  
55 administration of justice, and assisting in advising and  
56 counseling with the State Librarian in the selection of law books  
57 for purchase and use in the State Law Library, assisting in  
58 advising with the librarian thereof upon the removal from the  
59 library of any books which may be the least frequently used, and  
60 for the placing of same in a convenient location so as to provide

61 additional space for such books and other current publications  
62 which may be more frequently used or called for. For such extra  
63 services each judge, from and after January 1, 2004, shall receive  
64 a sum sufficient when added to the present salaries of the judges  
65 to aggregate One Hundred Eight Thousand One Hundred Thirty Dollars  
66 (\$108,130.00) for the Chief Judge and One Hundred Five Thousand  
67 Fifty Dollars (\$105,050.00) for associate judges, per annum. As  
68 each existing term expires and the above-captioned salaries become  
69 effective in due course, the extra duties and compensation  
70 provided for shall cease.

71 The fixed salaries as specified in this subsection (2) shall  
72 be the exclusive and total compensation which can be reported to  
73 the Public Employees' Retirement System for retirement purposes;  
74 however, any judge in office on December 31, 2003, may continue to  
75 report his expense allowance as part of his compensation for  
76 retirement purposes.

77 (3) The annual salaries of the chancery and circuit court  
78 judges are fixed as follows, to begin at the commencement of the  
79 next term of office immediately succeeding the existing term:

80	Chancery Judges, each.....	\$104,170.00
81	Circuit Judges, each.....	104,170.00

82 In addition to their present official duties, there are  
83 imposed upon the chancery and circuit court judges the extra  
84 duties of making a special study of existing laws relating to  
85 trial courts and reporting to the Supreme Court of the State of  
86 Mississippi such constructive suggestions as they may deem  
87 necessary for the improvement of the administration of justice,  
88 which shall be recommended to the Legislature by the Supreme Court  
89 in the manner provided by law. The judges shall advise and  
90 supervise in the purchase of law books for the libraries of each  
91 district, and shall study and evaluate the inventory of books and  
92 facilities now existing in the libraries of each district to  
93 effect the removal and relocation of obsolete publications so as

94 to provide additional space for those books and current  
95 publications more frequently used. The judges shall seek and  
96 identify any grants and donations from any public or private  
97 source for the purpose of enhancing the holdings of the libraries  
98 of each district. The judges shall study the existing rules  
99 promulgated by the circuit and chancery court judicial  
100 associations governing the operation of chancery and circuit  
101 courts, and revise the same pursuant to existing laws. For such  
102 extra services each judge, from and after January 1, 2004, shall  
103 receive a sum sufficient when added to the present salaries of the  
104 judges to aggregate One Hundred Four Thousand One Hundred Seventy  
105 Dollars (\$104,170.00) per annum for each judge. Upon the  
106 expiration of the existing term, the above-captioned salaries  
107 become effective in due course, and the extra duties and  
108 compensation provided for shall cease.

109 (4) The Supreme Court shall prepare a payroll for chancery  
110 judges and circuit judges and submit such payroll to the  
111 Department of Finance and Administration.

112 (5) The annual salary of the full-time district attorneys  
113 shall be One Hundred Five Thousand Three Hundred Seventy-five  
114 Dollars (\$105,375.00).

115 (6) The annual salary of the full-time legal assistants  
116 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor  
117 more than eighty percent (80%) of the salary of the district  
118 attorney for legal assistants who have been licensed to practice  
119 law for five (5) years or less; eighty-five percent (85%) of the  
120 salary of the district attorney for legal assistants who have been  
121 licensed to practice law for at least five (5) years but less than  
122 fifteen (15) years; and ninety percent (90%) of the salary of the  
123 district attorney for legal assistants who have been licensed to  
124 practice law for at least fifteen (15) years or more.

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126           **SECTION 2.** The Attorney General of the State of Mississippi  
127 shall submit this act, immediately upon approval by the Governor,  
128 or upon approval by the Legislature subsequent to a veto, to the  
129 Attorney General of the United States or to the United States  
130 District Court for the District of Columbia in accordance with the  
131 provisions of the Voting Rights Act of 1965, as amended and  
132 extended.

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