

By: Representative Watson

To: Municipalities

HOUSE BILL NO. 1106
(As Passed the House)

1 AN ACT TO AMEND SECTION 21-8-21, MISSISSIPPI CODE OF 1972, TO
2 DELETE THE REQUIREMENT THAT BEFORE ADJUSTMENTS IN THE SALARIES OF
3 MAYORS AND COUNCILMEN CAN OCCUR SUCH ADJUSTMENTS MUST TAKE PLACE
4 AT ANY TIME PRIOR TO 90 DAYS BEFORE THE NEXT GENERAL ELECTION FOR
5 THE SELECTION OF MUNICIPAL OFFICERS IN THE MAYOR-COUNCIL FORM OF
6 GOVERNMENT; TO PROVIDE THAT INCREASES IN THE SALARIES OF MAYORS
7 AND COUNCILMEN SHALL BECOME EFFECTIVE IN THE NEXT TERM OF OFFICE
8 FOLLOWING A GENERAL ELECTION; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 21-8-21, Mississippi Code of 1972, is
11 amended as follows:

12 21-8-21. (1) The mayor and the members of the council shall
13 be qualified electors of the municipality. The compensation for
14 the mayor and the members of the council shall be set by the
15 council. After the salaries of the first mayor and first council
16 have been determined by the council of any municipality electing
17 to come under the provision of this chapter, such salaries shall
18 be effective immediately. Thereafter, any increases or decreases
19 in the salary for the mayor or councilmen may be authorized by the
20 council at any time; however, if an increase is given then such
21 increase shall become effective in the next term of office
22 following a general election.

23 (2) The salary of the mayor, councilmen and all employees of
24 such municipality shall be paid at such periods as may be fixed by
25 the council, but not less frequently than once a month; however,
26 no salaries or wages shall be paid to any officer or employee of
27 such municipality until after the same shall have been earned.
28 Every officer or employee of the municipality shall receive such a
29 salary of compensation as the council shall by ordinance provide,
30 and the salary compensation of all employees of such municipality

31 shall be fixed by the council from time to time, as occasion may
32 demand.

33 (3) The city council shall have the power and authority to
34 provide for and pay to any member of the police department or fire
35 department of such municipality additional compensation for
36 services and duties performed by any such member over and above
37 the usual and regular number of days and hours per week or month
38 ordinarily worked by such member. Nothing herein contained shall
39 be construed to relieve any such member of the police department
40 or fire department from being subject to call for duty on a
41 twenty-four-hour basis whether or not additional compensation is
42 paid. Provided, however, that no policeman or fireman shall
43 perform any duties or other work during regular working hours for
44 any person or association, group or drive, or during hours for
45 which he is being paid for the performance of official duties as
46 policeman or fireman.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after July 1, 2007.