

By: Representative Moak

To: Fees and Salaries of  
Public Officers; County  
Affairs

HOUSE BILL NO. 1172

1 AN ACT TO AMEND SECTION 25-3-9, MISSISSIPPI CODE OF 1972, TO  
2 REVISE HOW THE SALARIES OF CERTAIN COUNTY PROSECUTING ATTORNEYS  
3 ARE CALCULATED; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-3-9, Mississippi Code of 1972, is  
6 amended as follows:

7 25-3-9. (1) Except as provided in subsections (2), (3) and  
8 (4) of this section, the county prosecuting attorney may receive  
9 for his services an annual salary to be paid by the board of  
10 supervisors as follows:

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

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

18 (c) For counties with a total population of more than  
19 fifty thousand (50,000) and not more than one hundred thousand  
20 (100,000), a salary not to exceed Twenty-one Thousand Seven  
21 Hundred Dollars (\$21,700.00).

22 (d) For counties with a total population of more than  
23 thirty-five thousand (35,000) and not more than fifty thousand  
24 (50,000), a salary not to exceed Twenty Thousand Four Hundred  
25 Dollars (\$20,400.00).

26 (e) For counties with a total population of more than  
27 twenty-five thousand (25,000) and not more than thirty-five

28 thousand (35,000), a salary not to exceed Nineteen Thousand Three  
29 Hundred Dollars (\$19,300.00).

30 (f) For counties with a total population of more than  
31 fifteen thousand (15,000) and not more than twenty-five thousand  
32 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred  
33 Dollars (\$17,700.00).

34 (g) For counties with a total population of more than  
35 ten thousand (10,000) and not more than fifteen thousand (15,000),  
36 a salary not to exceed Sixteen Thousand One Hundred Dollars  
37 (\$16,100.00).

38 (h) For counties with a total population of more than  
39 six thousand (6,000) and not more than ten thousand (10,000), a  
40 salary not to exceed Fourteen Thousand Five Hundred Dollars  
41 (\$14,500.00).

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

47 In all cases of conviction there shall be taxed against the  
48 convicted defendant, as an item of cost, the sum of Three Dollars  
49 (\$3.00), which shall be turned in to the county treasury as a part  
50 of the general county funds; however, the Three Dollars (\$3.00)  
51 shall not be taxed in any case in which it is not the specific  
52 duty of the county attorney to appear and prosecute.

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

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

61           (a) In any county bordering upon the Mississippi River  
62 and having a population of not less than thirty thousand (30,000)  
63 and not more than thirty-five thousand five hundred (35,500)  
64 according to the federal census of 1990, and in counties having a  
65 population of not more than thirty-seven thousand (37,000)  
66 according to the federal census of 1990 in which Interstate  
67 Highway 55 and U.S. Highway 98 intersect, the county prosecuting  
68 attorney shall receive a salary equal to the justice court judge  
69 of such county; and in any county wherein is located the state's  
70 oldest state-supported institution of higher learning and wherein  
71 Mississippi State Highways 7 and 6 intersect, the county  
72 prosecuting attorney shall receive an annual salary equal to that  
73 of a member of the board of supervisors of such county.

74           (b) In counties having a population in excess of fifty  
75 thousand (50,000) in the 1960 federal census, wherein is located a  
76 state-supported university and in which U.S. Highways 49 and 11  
77 intersect, the salary of the county prosecuting attorney shall be  
78 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)  
79 per year. The Board of Supervisors of Forrest County,  
80 Mississippi, may, in its discretion, and by agreement with the  
81 county prosecuting attorney, employ the county prosecuting  
82 attorney as a full-time elected official during his/her term of  
83 office, designate additional duties and responsibilities of the  
84 office and pay additional compensation up to, but not in excess  
85 of, ninety percent (90%) of the annual compensation and salary of  
86 the county court judge and the youth court judge of Forrest County  
87 as authorized by law and provide a reasonable office and  
88 reasonable office expenses to the county prosecuting attorney.  
89 The salary authorized by this paragraph (b) for the county  
90 prosecuting attorney shall be the sole and complete salary for  
91 such prosecuting attorney in each county to which this paragraph  
92 applies, notwithstanding any other provision of law to the  
93 contrary.

94 (c) In any county wherein is housed the seat of state  
95 government, wherein U.S. Highways 80 and 49 intersect, and having  
96 two (2) judicial districts, the board of supervisors, in its  
97 discretion, may pay the county prosecuting attorney an annual  
98 salary equal to the annual salary of members of the board of  
99 supervisors in the county.

100 (d) In any county which has two (2) judicial districts  
101 and wherein Highway 8 and Highway 15 intersect, having a  
102 population of greater than seventeen thousand (17,000), according  
103 to the 1980 federal decennial census, the board of supervisors  
104 shall pay the county prosecuting attorney a salary equal to that  
105 of a member of the board of supervisors of such county; provided  
106 that if such county prosecuting attorney is paid a sum for the  
107 purpose of defraying office or secretarial expenses, then the  
108 salary prescribed herein shall be reduced by that amount.

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

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

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

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

125 (h) In any Class 1 county bordering on the Mississippi  
126 River, lying in whole or in part within a levee district, wherein

127 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River  
128 and Stales Bayou, the board of supervisors, in its discretion, may  
129 pay an annual salary equal to the annual salary of members of the  
130 board of supervisors in the county. In addition, such county  
131 prosecuting attorney shall receive the sum of One Thousand Dollars  
132 (\$1,000.00) per month for the purpose of defraying secretarial  
133 expenses.

134 (i) In any county bordering on the Gulf of Mexico  
135 having two (2) judicial districts, and wherein U.S. Highways 90  
136 and 49 intersect, the salary of the county prosecuting attorney  
137 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per  
138 year. The Board of Supervisors of Harrison County, Mississippi,  
139 may, in its discretion, and by agreement with the county  
140 prosecuting attorney, employ the county prosecuting attorney and  
141 his/her assistant during his/her term of office, and designate  
142 additional duties and responsibilities of the office and pay  
143 additional compensation up to, but not in excess of, ninety  
144 percent (90%) of the annual compensation and salary of the county  
145 court judges of Harrison County as authorized by law and provide  
146 adequate office space and reasonable office expenses to the county  
147 prosecuting attorney and his/her assistant. The salary authorized  
148 by this paragraph (i) for the county prosecuting attorney and  
149 his/her assistant shall be the sole and complete salary paid by  
150 the county for such prosecuting attorney and his/her assistant in  
151 each county to which this paragraph applies, notwithstanding any  
152 other provision of law to the contrary.

153 (j) In any county bordering on the State of Alabama,  
154 having a population in excess of seventy-five thousand (75,000)  
155 according to the 1980 decennial census in which is located an  
156 institution of higher learning and a United States military  
157 installation and which is traversed by an interstate highway, the  
158 salary of the county prosecuting attorney shall not be less than  
159 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of

160 the annual salary received by a member of the board of supervisors  
161 of that county.

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

166 (l) In any Class 2 county wherein Mississippi Highways  
167 6 and 3 intersect, the salary of the county prosecuting attorney  
168 shall be not less than Twelve Thousand Dollars (\$12,000.00) per  
169 year nor more than the amount of the annual salary received by a  
170 member of the board of supervisors of that county.

171 (m) In any county wherein Interstate Highway 55 and  
172 State Highway 8 intersect, the salary of the county prosecuting  
173 attorney shall be not less than Twelve Thousand Dollars  
174 (\$12,000.00) per year.

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

179 (o) In any county bordering on the Alabama state line,  
180 having a population of greater than fifteen thousand (15,000)  
181 according to the 1970 federal decennial census, wherein U.S.  
182 Highway 45 and Mississippi Highway 18 intersect, the salary of the  
183 county prosecuting attorney shall be not less than Three Thousand  
184 Six Hundred Dollars (\$3,600.00) nor greater than that of a member  
185 of the board of supervisors of such county. All prior acts,  
186 orders and resolutions of the board of supervisors of such county  
187 which authorized the payment of the salary in conformity with the  
188 provisions of this paragraph, whether or not heretofore  
189 specifically authorized by law are hereby ratified, approved and  
190 confirmed.

191 (p) In any county wherein is located a state-supported  
192 institution of higher learning and wherein U.S. Highway 82 and

193 Mississippi Highway 389 intersect, the board of supervisors, in  
194 its discretion, may pay the county prosecuting attorney an annual  
195 salary equal to the annual salary of members of the board of  
196 supervisors in the county.

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

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

206           (s) In any county having a population of more than  
207 fourteen thousand (14,000) according to the 1970 census and which  
208 county is bordered on the north by the State of Tennessee and on  
209 the east by the State of Alabama and in which U.S. Highway No. 72  
210 and Highway No. 25 intersect, the board of supervisors, in its  
211 discretion, may pay the county prosecuting attorney an annual  
212 salary equal to the annual salary of justice court judges in the  
213 county.

214           (t) (i) In any county wherein Interstate Highway 55  
215 and State Highway 22 intersect, and which is also traversed in  
216 whole or part by U.S. Highways 49 and 51, and State Highways 16,  
217 17, 43 and the Natchez Trace Parkway, and also containing a part  
218 of a public lake or reservoir, in excess of thirty thousand  
219 (30,000) acres, the board of supervisors, in its discretion, may  
220 pay the county prosecuting attorney an annual salary in the amount  
221 of Twenty-eight Thousand Dollars (\$28,000.00).

222           (ii) From and after October 1, 1993, in addition  
223 to the salary provided for in subparagraph (i) of this paragraph,  
224 the board of supervisors, in its discretion, may pay the county

225 prosecuting attorney an additional amount not to exceed ten  
226 percent (10%) of the maximum allowable salary prescribed herein.

227 (u) In any county having a population in the 1970  
228 census in excess of thirty-five thousand (35,000) and in which  
229 U.S. Highways 49W and 82 intersect, and in which is located a  
230 state penitentiary, the annual salary of a county prosecuting  
231 attorney shall be Thirty Thousand Four Hundred Twenty Dollars  
232 (\$30,420.00).

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

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

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

256 (y) In any county bordering on the Alabama state line,  
257 traversed by the Chickasawhay River, and wherein U.S. Highway 45

258 and U.S. Highway 84 intersect, a salary that shall be equal to the  
259 annual salary of a member of the board of supervisors of such  
260 county. All prior acts, orders and resolutions of the board of  
261 supervisors of such county which authorize the payment of the  
262 salary of the county prosecuting attorney in conformity with the  
263 provisions of this section as it existed immediately prior to the  
264 effective date of Chapter 506, Laws of 1985, are hereby ratified,  
265 approved, confirmed and validated.

266 (z) In any county having a population greater than  
267 sixty-five thousand five hundred eighty (65,580) but less than  
268 sixty-five thousand five hundred ninety (65,590) according to the  
269 1990 federal decennial census, wherein U.S. Highway 45 intersects  
270 with Mississippi Highway 6, an annual salary equal to Thirty  
271 Thousand Dollars (\$30,000.00).

272 (aa) In any county where an institution of higher  
273 learning is located and wherein U.S. Highway 82 and U.S. Highway  
274 45 intersect, the salary of the county prosecuting attorney shall  
275 be not less than that of a member of the board of supervisors in  
276 such county, and the board of supervisors may, in its discretion,  
277 pay such county prosecuting attorney a salary in an amount not to  
278 exceed the amount of the salary of the District Attorney for the  
279 Sixteenth Judicial District of Mississippi.

280 (bb) In any county having a population greater than six  
281 thousand (6,000) according to the federal decennial census and  
282 wherein U.S. Highway 61 and Highway 24 intersect, the board of  
283 supervisors, in its discretion, may pay the county prosecuting  
284 attorney an annual salary equal to the annual salary of members of  
285 the board of supervisors in the county.

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

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

294 (ii) The Board of Supervisors of Rankin County, in  
295 its discretion, may employ the elected county prosecuting attorney  
296 and an assistant on a full-time basis during his or her term of  
297 office and may pay compensation to such full-time prosecuting  
298 attorney in an amount of not more than ninety percent (90%) of the  
299 annual compensation and salary of the county court judges of the  
300 county as authorized by law, and may provide adequate office space  
301 and reasonable office expenses to the county prosecuting attorney  
302 and his/her assistant. The Board of Supervisors of Rankin County,  
303 in its discretion, may also employ a full-time assistant county  
304 prosecuting attorney and may pay such person an annual salary in  
305 such amount as determined by the board of supervisors. The salary  
306 authorized by this subparagraph (dd)(ii) for the elected county  
307 prosecuting attorney and an assistant shall be the sole and  
308 complete salary paid by the county for the elected prosecuting  
309 attorney and assistant in Rankin County, notwithstanding any other  
310 provisions of law to the contrary.

311 (ee) In any county having a population greater than  
312 eight thousand (8,000) but less than eight thousand two hundred  
313 (8,200) according to the 1990 federal census, and in which U.S.  
314 Highway 61 and Mississippi Highway 4 intersect, the board of  
315 supervisors may, in its discretion, pay the county prosecuting  
316 attorney an amount not to exceed Fourteen Thousand Dollars  
317 (\$14,000.00), in addition to the maximum allowable salary for that  
318 attorney under subsection (1), beginning on April 1, 1997.

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

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

325 (gg) In any county having a population greater than  
326 thirteen thousand three hundred (13,300) but less than thirteen  
327 thousand four hundred (13,400) according to the 1990 federal  
328 census, and in which Mississippi Highway 24 and Mississippi  
329 Highway 48 intersect, the board of supervisors may, in its  
330 discretion, pay the county prosecuting attorney an additional  
331 amount not to exceed ten percent (10%) of the maximum allowable  
332 salary for that attorney under subsection (1).

333 (hh) In any county having a population greater than  
334 eight thousand three hundred (8,300) but less than eight thousand  
335 four hundred (8,400) according to the 1990 federal census, and in  
336 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of  
337 supervisors may, in its discretion, pay the county prosecuting  
338 attorney an additional amount not to exceed ten percent (10%) of  
339 the maximum allowable salary for that attorney under subsection  
340 (1).

341 (ii) In any county having a population of more than  
342 thirty thousand four hundred (30,400) and which is traversed in  
343 whole or part by I-59, U.S. Highways 98 and 11 and State Highway  
344 13, the annual salary of the county prosecuting attorney shall be  
345 Twenty-five Thousand Dollars (\$25,000.00).

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

352 (kk) In any county having a population greater than  
353 twelve thousand four hundred (12,400) but less than twelve  
354 thousand five hundred (12,500) according to the 1990 federal  
355 census, and in which U.S. Highway 84 and Mississippi Highway 27

356 intersect, the board of supervisors may, in its discretion, pay  
357 the county prosecuting attorney an additional amount not to exceed  
358 ten percent (10%) of the maximum allowable salary for that  
359 attorney under subsection (1).

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

368 (mm) In any county on the Mississippi River levee,  
369 having a population greater than forty-one thousand eight hundred  
370 (41,800) but less than forty-one thousand nine hundred (41,900)  
371 according to the 1990 federal census wherein U.S. Highway 61 and  
372 Mississippi Highway 8 intersect, the board of supervisors, in its  
373 discretion, may pay the county prosecuting attorney an annual  
374 salary equal to the annual salary of members of the board of  
375 supervisors in the county. In addition, the board of supervisors,  
376 in its discretion, may pay the county prosecuting attorney the sum  
377 of One Thousand Dollars (\$1,000.00) per month for the purpose of  
378 defraying secretarial expenses.

379 (nn) In any county having a population greater than  
380 twenty-four thousand seven hundred (24,700) and less than  
381 twenty-four thousand nine hundred (24,900) according to the 1990  
382 federal census, wherein Mississippi Highways 15 and 16 intersect,  
383 the board of supervisors, in its discretion, may pay the county  
384 prosecuting attorney an annual salary equal to the annual salary  
385 of members of the board of supervisors in the county.

386 (oo) In any county having a population greater than  
387 thirty-seven thousand (37,000) but less than thirty-eight thousand  
388 (38,000) according to the 1990 federal census, in which is located

389 a state supported institution of higher learning, and in which  
390 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of  
391 supervisors may, in its discretion, pay the county prosecuting  
392 attorney a salary in an amount not to exceed the amount of the  
393 salary of the District Attorney for the Fourth Judicial District  
394 of Mississippi.

395 (pp) In any county in which U.S. Highway 78 and  
396 Mississippi Highway 15 intersect and which is traversed by the  
397 Tallahatchie River, a salary equal to that of members of the board  
398 of supervisors of the county, which salary shall be in addition to  
399 any sums received for the purpose of defraying office or  
400 secretarial expenses and sums received as youth court prosecutor  
401 fees.

402 (qq) In any county bordering on the State of Tennessee  
403 and the State of Arkansas, wherein Interstate Highway 55 and  
404 Mississippi Highway 302 intersect, the board of supervisors, in  
405 its discretion, may pay the county prosecuting attorney an annual  
406 salary equal to the annual salary of justice court judges in the  
407 county.

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

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

417 (tt) In any county in which Interstate Highway 59 and  
418 U.S. Highway 84 intersect, the board of supervisors, in its  
419 discretion, may pay the county prosecuting attorney an annual  
420 salary equal to the annual salary of members of the board of  
421 supervisors in the county.

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

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

431 (5) (a) In any case where a county has a sitting full-time  
432 county court judge, such county shall employ the elected county  
433 prosecutor as a full-time prosecutor, pay compensation to such  
434 full-time prosecuting attorney in an amount of not more than  
435 ninety percent (90%) of the annual compensation and salary of the  
436 county court judge of such county, and provide adequate office  
437 space and reasonable office expenses to the county prosecuting  
438 attorney.

439 (b) In the event the county prosecuting attorney elects  
440 that the job be classified as part time rather than full time, the  
441 prosecutor shall notify the board of supervisors of such county  
442 that he has elected to be a part time prosecutor and be paid  
443 pursuant to the provisions of this section.

444 **SECTION 2.** The Attorney General of the State of Mississippi  
445 shall submit this act, immediately upon approval by the Governor,  
446 or upon approval by the Legislature subsequent to a veto, to the  
447 Attorney General of the United States or to the United States  
448 District Court for the District of Columbia in accordance with the  
449 provisions of the Voting Rights Act of 1965, as amended and  
450 extended.

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