

By: Representative Cockerham

To: Fees and Salaries of  
Public Officers;  
Appropriations

HOUSE BILL NO. 1240

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY THE SALARY SUPPLEMENT OF CERTAIN SHERIFFS; AND FOR RELATED  
3 PURPOSES.

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

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

7 25-3-25. (1) Except as otherwise provided in subsections  
8 (2) through (9), the salaries of sheriffs of the various counties  
9 are fixed as full compensation for their services.

10 From and after October 1, 1998, the annual salary for each  
11 sheriff shall be based upon the total population of his county  
12 according to the latest federal decennial census in the following  
13 categories and for the following amounts; however, no sheriff  
14 shall be paid less than the salary authorized under this section  
15 to be paid the sheriff based upon the population of the county  
16 according to the 1980 federal decennial census:

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

20 (b) For counties with a total population of more than  
21 one hundred thousand (100,000) and not more than two hundred  
22 thousand (200,000), a salary of Eighty-four Thousand Dollars  
23 (\$84,000.00).

24 (c) For counties with a total population of more than  
25 forty-five thousand (45,000) and not more than one hundred  
26 thousand (100,000), a salary of Seventy-eight Thousand Dollars  
27 (\$78,000.00).

28           (d) For counties with a total population of more than  
29 thirty-four thousand (34,000) and not more than forty-five  
30 thousand (45,000), a salary of Seventy-two Thousand Dollars  
31 (\$72,000.00).

32           (e) For counties with a total population of more than  
33 twenty-five thousand (25,000) and not more than thirty-four  
34 thousand (34,000), a salary of Sixty-two Thousand Four Hundred  
35 Dollars (\$62,400.00).

36           (f) For counties with a total population of more than  
37 fifteen thousand (15,000) and not more than twenty-five thousand  
38 (25,000), a salary of Sixty Thousand Dollars (\$60,000.00).

39           (g) For counties with a total population of more than  
40 nine thousand five hundred (9,500) and not more than fifteen  
41 thousand (15,000), a salary of Fifty-six Thousand Four Hundred  
42 Dollars (\$56,400.00).

43           (h) For counties with a total population of not more  
44 than nine thousand five hundred (9,500), a salary of Fifty-five  
45 Thousand Dollars (\$55,000.00).

46           (2) In addition to the salary provided for in subsection (1)  
47 of this section, the Board of Supervisors of Leflore County, in  
48 its discretion, may pay an annual supplement to the sheriff of the  
49 county in an amount not to exceed Ten Thousand Dollars  
50 (\$10,000.00). The Legislature finds and declares that the annual  
51 supplement authorized by this subsection is justified in such  
52 county for the following reasons:

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

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

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

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

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

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

68           (g) The increased activity of the Child Support  
69 Division of the Department of Human Services in enforcing in the  
70 courts parental obligations has imposed additional duties on the  
71 sheriff; and

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

75           (3) In addition to the salary provided for in subsection (1)  
76 of this section, the Board of Supervisors of Rankin County, in its  
77 discretion, may pay an annual supplement to the sheriff of the  
78 county in an amount not to exceed Ten Thousand Dollars  
79 (\$10,000.00). The Legislature finds and declares that the annual  
80 supplement authorized by this subsection is justified in such  
81 county for the following reasons:

82           (a) The Mississippi Department of Corrections operates  
83 and maintains the Central Mississippi Correctional Facility within  
84 the county;

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

87           (c) Hudspeth Regional Center, a facility maintained for  
88 the care and treatment of the mentally retarded, is located within  
89 the county;

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

92           (e) The State Fire Academy is operated and maintained  
93 within the county;

94           (f) The Pearl River Valley Water Supply District,  
95 ordinarily known as the "Reservoir District," is located within  
96 the county;

97           (g) The Jackson International Airport is located within  
98 the county;

99           (h) The patrolling of the state properties located  
100 within the county has imposed additional duties on the sheriff;  
101 and

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

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

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

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

122           (a) Hinds County has the greatest population of any  
123 county, two hundred fifty-four thousand four hundred forty-one  
124 (254,441) by the 1990 census, being almost one hundred thousand  
125 (100,000) more than the next most populous county;

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

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

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

133           (e) There are four (4) resident circuit judges, four  
134 (4) resident chancery judges, and three (3) resident county judges  
135 in Hinds County, the most of any county, with the sheriff acting  
136 as chief executive officer and provider of bailiff services for  
137 all;

138           (f) The main offices for the clerk and most of the  
139 judges and magistrates for the United States District Court for  
140 the Southern District of Mississippi are located within the  
141 county;

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

144           (h) The University of Mississippi Medical Center,  
145 combining the medical school, dental school, nursing school and  
146 hospital, is located within the county;

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

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

151           (k) Hinds County has the largest criminal population in  
152 the state, such that the Hinds County Sheriff's Department  
153 operates the largest county jail system in the state, housing  
154 almost one thousand (1,000) inmates in three (3) separate  
155 detention facilities;

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

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

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

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

168 (7) In addition to the salary provided for in subsection (1)  
169 of this section, the Board of Supervisors of Wilkinson County, in  
170 its discretion, may pay an annual supplement to the sheriff of the  
171 county in an amount not to exceed Ten Thousand Dollars  
172 (\$10,000.00). The purpose for this salary supplement is to be  
173 added to any salary increase authorized by the Legislature any  
174 year for all county sheriffs described in subsection (1) of this  
175 section, which would result in a salary that would be Ten Thousand  
176 Dollars (\$10,000.00) higher than the salary otherwise provided in  
177 subsection (1) for this county's sheriff. The Legislature finds  
178 and declares that the annual supplement authorized by this  
179 subsection is justified in such county because the Mississippi  
180 Department of Corrections contracts for the private incarceration  
181 of state inmates at a private correctional facility within the  
182 county.

183 (8) In addition to the salary provided for in subsection (1)  
184 of this section, the Board of Supervisors of Marshall County, in  
185 its discretion, may pay an annual supplement to the sheriff of the  
186 county in an amount not to exceed Ten Thousand Dollars  
187 (\$10,000.00). The Legislature finds and declares that the annual  
188 supplement authorized by this subsection is justified in such  
189 county because the Mississippi Department of Corrections contracts  
190 for the private incarceration of state inmates at a private  
191 correctional facility within the county.

192           (9) In addition to the salary provided in subsection (1) of  
193 this section, the Board of Supervisors of Greene County, in its  
194 discretion, may pay an annual supplement to the sheriff of the  
195 county in an amount not to exceed Ten Thousand Dollars  
196 (\$10,000.00). The Legislature finds and declares that the annual  
197 supplement authorized by this subsection is justified in such  
198 county for the following reasons:

199           (a) The Mississippi Department of Corrections operates  
200 and maintains the South Mississippi Correctional Facility within  
201 the county;

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

206           (c) The patrolling of the state properties located  
207 within the county has imposed additional duties on the sheriff  
208 justifying additional compensation.

209           (10) In addition to the salary provided in subsection (1) of  
210 this section, the board of supervisors of any county, in its  
211 discretion, may pay an annual supplement to the sheriff of the  
212 county in an amount not to exceed Ten Thousand Dollars  
213 (\$10,000.00). The amount of the supplement shall be spread on the  
214 minutes of the board. The annual supplement authorized in this  
215 subsection shall not be in addition to the annual supplements  
216 authorized in subsections (2) through (9).

217           (11) The salaries provided in this section shall be payable  
218 monthly on the first day of each calendar month by chancery  
219 clerk's warrant drawn on the general fund of the county; however,  
220 the board of supervisors, by resolution duly adopted and entered  
221 on its minutes, may provide that such salaries shall be paid  
222 semimonthly on the first and fifteenth day of each month. If a  
223 pay date falls on a weekend or legal holiday, salary payments

224 shall be made on the workday immediately preceding the weekend or  
225 legal holiday.

226         **SECTION 2.** The Attorney General of the State of Mississippi  
227 shall submit this act, immediately upon approval by the Governor,  
228 or upon approval by the Legislature subsequent to a veto, to the  
229 Attorney General of the United States or to the United States  
230 District Court for the District of Columbia in accordance with the  
231 provisions of the Voting Rights Act of 1965, as amended and  
232 extended.

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