

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.