

By: Senator(s) Thames, Gordon

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 2340

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

125 (7) This section shall stand repealed from and after July 1,
126 2008.

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

134 **SECTION 3.** This act shall take effect and be in force from
135 and after the date it is effectuated under Section 5 of the Voting
136 Rights Act of 1965, as amended and extended, or July 1, 2007,
137 whichever occurs later.