

By: Senator(s) Thames

To: County Affairs

SENATE BILL NO. 2552

1 AN ACT TO AMEND SECTION 19-25-13, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE CLOTHING ALLOWANCE FOR PLAINCLOTHES INVESTIGATORS  
3 EMPLOYED BY THE SHERIFF'S OFFICE; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 19-25-13, Mississippi Code of 1972, is  
6 amended as follows:

7 19-25-13. (1) The sheriff shall, at the July meeting of the  
8 board of supervisors, submit a budget of estimated expenses of his  
9 office for the ensuing fiscal year beginning October 1 in such  
10 form as shall be prescribed by the Director of the State  
11 Department of Audit. The board shall examine this proposed budget  
12 and determine the amount to be expended by the sheriff in the  
13 performance of his duties for the fiscal year and may increase or  
14 reduce the amount as it deems necessary and proper.

15 (2) The budget shall include amounts for compensating the  
16 deputies and other employees of the sheriff's office, for  
17 insurance providing protection for the sheriff and his deputies in  
18 case of disability, death and other similar coverage, for travel  
19 and transportation expenses of the sheriff and deputies, for  
20 feeding prisoners and inmates of the county jail, and for such  
21 other expenses as may be incurred in the performance of the duties  
22 of the office of sheriff. In addition, the budget shall include  
23 amounts for the payment of premiums on bonds and insurance for the  
24 sheriff and his deputies which, in the opinion of the board of  
25 supervisors, are deemed necessary to protect the interests of the  
26 county or the sheriff and his deputies. Such amounts may include  
27 official bonds and any bonds required of his deputies by the

28 sheriff; liability insurance; insurance against false arrest  
29 charges; insurance against false imprisonment charges; theft, fire  
30 and other hazards insurance; and hospitalization insurance as  
31 provided for in Sections 25-15-101 and 25-15-103. The board may  
32 authorize the reimbursement of the sheriff and deputies for the  
33 use of privately owned automobiles or other motor vehicles in the  
34 performance of official duties at the rate provided by law for  
35 state officers and employees, or may authorize the purchase by the  
36 sheriff of such motor vehicles and \* \* \* equipment as may be  
37 needed for operation of the sheriff's office, such vehicles and  
38 equipment to be owned by the county. In counties which have  
39 elected to purchase the motor vehicles and \* \* \* equipment for the  
40 operation of the sheriff's office, if a sheriff or deputy shall be  
41 required in the performance of his official duties, in the event  
42 of an emergency, to use his privately owned automobile or other  
43 motor vehicle, the board of supervisors may, in its discretion,  
44 authorize the reimbursement for such use at the rate per mile  
45 provided by law for state officers and employees. This shall not  
46 be construed as giving an officer a choice of whether to use his  
47 own or the county's vehicle, but shall be construed so as not to  
48 penalize an officer who must use his own vehicle because the  
49 county's vehicle was not available.

50       (3) The board of supervisors may acquire one or more credit  
51 cards which may be used by the sheriff and his deputies to pay  
52 expenses incurred by them when traveling in or out of state in the  
53 performance of their official duties. The chancery clerk or  
54 county purchase clerk shall maintain complete records of all  
55 credit card numbers and all receipts and other documents relating  
56 to the use of such credit cards. The sheriff shall furnish  
57 receipts for the use of such credit cards each month to the  
58 chancery clerk or purchase clerk who shall submit a written report  
59 monthly to the board of supervisors, which report shall include an  
60 itemized list of all expenditures and use of the credit cards for

61 the month, and such expenditures may be allowed for payment by the  
62 county in the same manner as other items on the claims docket. The  
63 issuance of a credit card to a sheriff or his deputy under the  
64 provisions of this section shall not be construed to authorize  
65 such sheriff or deputy sheriff to use such credit card to make any  
66 expenditure which is not otherwise authorized by law.

67 (4) The board of supervisors is hereby authorized and  
68 empowered, in its discretion, to appropriate and pay a sum not to  
69 exceed Eight Hundred Dollars (\$800.00) annually as a clothing  
70 allowance to each plainclothes investigator employed by the  
71 sheriff's office of such county. The board of supervisors of any  
72 county bordering on the Gulf of Mexico and having a population of  
73 more than thirty-one thousand seven hundred (31,700) but less than  
74 thirty-one thousand eight hundred (31,800) according to the 1990  
75 Federal Census may appropriate and pay a sum not to exceed Four  
76 Hundred Dollars (\$400.00) annually as a clothing allowance to the  
77 administrator of the county jail.

78 (5) The board of supervisors shall, at its first meeting of  
79 each quarter beginning on October 1, January 1, April 1 and July  
80 1, appropriate a lump sum for the sheriff for the expenses of his  
81 office during the current quarter. The quarterly appropriation  
82 shall be one-fourth (1/4) of the amount approved in the annual  
83 budget unless the sheriff requests a different amount. Except in  
84 case of emergency, as provided in the county budget law, the  
85 appropriation for the quarter beginning in October of the last  
86 year of the sheriff's term shall not exceed one-fourth (1/4) of  
87 the annual budget.

88 (6) The sheriff shall file a report of all expenses of his  
89 office incurred during the preceding month with the board of  
90 supervisors for approval at its regular monthly meeting in a form  
91 to be prescribed by the Director of the State Department of Audit,  
92 and upon filing thereof, and approval by the board, the clerk of  
93 the board shall issue warrants in payment thereof but not to

94 exceed the budget appropriation for that quarter. Any  
95 appropriated funds which are unexpended at the end of the fiscal  
96 year shall remain in the county general fund.

97       (7) The budget for the sheriff's office may be revised at  
98 any regular meeting by the board of supervisors. Upon  
99 recommendation of the sheriff, the board may at any regular  
100 meeting make supplemental appropriations to the sheriff's office.

101       (8) Any fees previously required to be paid by a sheriff  
102 shall be paid by the board of supervisors by including the  
103 estimates therefor in the sheriff's budget. All fees and charges  
104 for services heretofore collected by sheriffs shall be collected  
105 by the sheriff and paid monthly into the general fund of the  
106 concerned county. However, any fees heretofore collected by the  
107 sheriffs from the county shall not be paid.

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