

By: Senator(s) Thames, Gordon

To: County Affairs; Fees,  
Salaries and Administration

## SENATE BILL NO. 2674

1 AN ACT TO INCREASE THE SALARIES OF CERTAIN COUNTY OFFICIALS;  
 2 TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
 3 SALARIES OF THE TAX COLLECTORS AND TAX ASSESSORS; TO AMEND SECTION  
 4 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF THE  
 5 MEMBERS OF THE BOARDS OF SUPERVISORS; TO AMEND SECTION 25-3-25,  
 6 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF THE  
 7 SHERIFFS; TO AMEND SECTION 25-3-36, MISSISSIPPI CODE OF 1972, TO  
 8 INCREASE THE SALARIES OF THE JUSTICE COURT JUDGES; TO AMEND  
 9 SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARY  
 10 ALLOWABLE TO THE CHIEF COUNTY MEDICAL EXAMINERS AND CHIEF COUNTY  
 11 MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 9-13-19,  
 12 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COURT  
 13 REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO  
 14 INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING BAILIFFS; TO  
 15 AMEND SECTION 25-7-27, MISSISSIPPI CODE OF 1972, TO REVISE THE  
 16 FEES CHARGED BY MARSHALS AND CONSTABLES; TO AMEND SECTION 25-7-13,  
 17 MISSISSIPPI CODE OF 1972, TO INCREASE THE CIRCUIT CLERK'S FEE FOR  
 18 EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM; TO AMEND  
 19 SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE CHANCERY  
 20 CLERK'S FEE FOR EACH DAY'S ATTENDANCE ON THE CHANCERY COURT; TO  
 21 AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO REVISE THE  
 22 LIMIT ON COMPENSATION OF CHANCERY AND CIRCUIT CLERKS; TO AMEND  
 23 SECTION 27-105-343, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
 24 COMPENSATION OF CHANCERY CLERKS FOR THE PERFORMANCE OF THEIR  
 25 DUTIES AS COUNTY TREASURERS; TO AMEND SECTION 25-3-9, MISSISSIPPI  
 26 CODE OF 1972, TO INCREASE THE SALARIES OF THE COUNTY PROSECUTING  
 27 ATTORNEYS; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972,  
 28 TO INCREASE THE PER DIEM COMPENSATION FOR CERTAIN DUTIES OF  
 29 COMMISSIONERS OF ELECTION; AND FOR RELATED PURPOSES.

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

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

33 25-3-3. (1) The term "total assessed valuation" as used in  
 34 this section only refers to the ad valorem assessment for the  
 35 county and, in addition, in counties where oil or gas is produced,  
 36 the actual value of oil at the point of production, as certified  
 37 to the counties by the State Tax Commission under the provisions  
 38 of Sections 27-25-501 through 27-25-525, and the actual value of  
 39 gas as certified by the State Tax Commission under the provisions  
 40 of Sections 27-25-701 through 27-25-723.

41           (2) The salary of assessors and collectors of the various  
42 counties is fixed as full compensation for their services as  
43 county assessors or tax collectors, or both if the office of  
44 assessor has been combined with the office of tax collector. The  
45 annual salary of each assessor or tax collector, or both if the  
46 offices have been combined, shall be based upon the total assessed  
47 valuation of his respective county for the preceding taxable year  
48 in the following categories and for the following amounts:

49           (a) For counties having a total assessed valuation of  
50 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of  
51 Seventy Thousand Four Hundred Dollars (\$70,400.00);

52           (b) For counties having a total assessed valuation of  
53 at least One Billion Dollars (\$1,000,000,000.00) but less than Two  
54 Billion Dollars (\$2,000,000,000.00), a salary of Sixty-seven  
55 Thousand Six Hundred Fifty Dollars (\$67,650.00);

56           (c) For counties having a total assessed valuation of  
57 at least Five Hundred Million Dollars (\$500,000,000.00) but less  
58 than One Billion Dollars (\$1,000,000,000.00), a salary of  
59 Sixty-four Thousand Three Hundred Fifty Dollars (\$64,350.00);

60           (d) For counties having a total assessed valuation of  
61 at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but  
62 less than Five Hundred Million Dollars (\$500,000,000.00), a salary  
63 of Sixty-one Thousand Six Hundred Dollars (\$61,600.00);

64           (e) For counties having a total assessed valuation of  
65 at least One Hundred Fifty Million Dollars (\$150,000,000.00) but  
66 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a  
67 salary of Fifty-nine Thousand Four Hundred Dollars (\$59,400.00);

68           (f) For counties having a total assessed valuation of  
69 at least Seventy-five Million Dollars (\$75,000,000.00) but less  
70 than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary  
71 of Fifty-seven Thousand Seven Hundred Fifty Dollars (\$57,750.00);

72           (g) For counties having a total assessed valuation of  
73 at least Thirty-five Million Dollars (\$35,000,000.00) but less

74 than Seventy-five Million Dollars (\$75,000,000.00), a salary of  
75 Fifty-three Thousand Three Hundred Fifty Dollars (\$53,350.00);

76 (h) For counties having a total assessed valuation of  
77 less than Thirty-five Million Dollars (\$35,000,000.00), a salary  
78 of Forty-five Thousand Six Hundred Fifty Dollars (\$45,650.00).

79 (3) In addition to all other compensation paid pursuant to  
80 this section, the board of supervisors shall pay to a person  
81 serving as both the tax assessor and tax collector in their county  
82 an additional Five Thousand Dollars (\$5,000.00) per year.

83 (4) The annual salary established for assessors and tax  
84 collectors shall not be reduced as a result of a reduction in  
85 total assessed valuation. The salaries shall be increased as a  
86 result of an increase in total assessed valuation.

87 (5) In addition to all other compensation paid to assessors  
88 and tax collectors in counties having two (2) judicial districts,  
89 the board of supervisors shall pay such assessors and tax  
90 collectors an additional Three Thousand Five Hundred Dollars  
91 (\$3,500.00) per year. In addition to all other compensation paid  
92 to assessors or tax collectors, in counties maintaining two (2)  
93 full-time offices, the board of supervisors shall pay the assessor  
94 or tax collector an additional Three Thousand Five Hundred Dollars  
95 (\$3,500.00) per year.

96 (6) In addition to all other compensation paid to assessors  
97 and tax collectors, the board of supervisors of a county shall  
98 allow for such assessor or tax collector, or both, to be paid  
99 additional compensation when there is a contract between the  
100 county and one or more municipalities providing that the assessor  
101 or tax collector, or both, shall assess or collect taxes, or both,  
102 for the municipality or municipalities; and such assessor or tax  
103 collector, or both, shall be authorized to receive such additional  
104 compensation from the county and/or the municipality or  
105 municipalities in any amount allowed by the county and/or the  
106 municipality or municipalities for performing those services.

107           (7) When any tax assessor holds a valid certificate of  
108 educational recognition from the International Association of  
109 Assessing Officers or is a licensed appraiser under Section  
110 73-34-1 et seq., he shall receive an additional One Thousand Five  
111 Hundred Dollars (\$1,500.00) annually beginning the next fiscal  
112 year after completion. When any tax assessor is a licensed state  
113 certified Residential Appraiser (RA) or licensed state certified  
114 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when  
115 any tax assessor holds a valid designation from the International  
116 Association of Assessing Officers as a Cadastral Mapping  
117 Specialist (CMS) or Personal Property Specialist (PPS) or  
118 Residential Evaluation Specialist (RES), he shall receive an  
119 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually  
120 beginning the next fiscal year after completion. When any tax  
121 assessor holds the valid designation of Certified Assessment  
122 Evaluator (CAE) from the International Association of Assessing  
123 Officers or is a state certified General Real Estate Appraiser  
124 (GA) under Section 73-34-1 et seq., he shall receive an additional  
125 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning  
126 the next fiscal year after completion.

127           (8) The salaries provided for in this section shall be the  
128 total funds paid to the county assessors and tax collectors and  
129 shall be full compensation for their services, with any fees being  
130 paid to the county general fund.

131           (9) The salaries provided for in this section shall be  
132 payable monthly on the first day of each calendar month by  
133 chancery clerk's warrant drawn on the general fund of the county;  
134 however, the board of supervisors, by resolution duly adopted and  
135 entered on its minutes, may provide that such salaries shall be  
136 paid semimonthly on the first and fifteenth day of each month. If  
137 a pay date falls on a weekend or legal holiday, salary payments  
138 shall be made on the workday immediately preceding the weekend or  
139 legal holiday.

140           **SECTION 2.** Section 25-3-13, Mississippi Code of 1972, is  
141 amended as follows:

142           25-3-13. (1) The salaries of the members of the boards of  
143 supervisors of the various counties are fixed as full compensation  
144 for their services.

145           The annual salary of each member of the board of supervisors  
146 shall be based upon the total assessed valuation of his respective  
147 county for the preceding taxable year in the following categories  
148 and for the following amounts:

149           (a) For counties having a total assessed valuation of  
150 less than Thirty Million Dollars (\$30,000,000.00), a salary of  
151 Thirty-one Thousand Nine Hundred Dollars (\$31,900.00);

152           (b) For counties having a total assessed valuation of  
153 at least Thirty Million Dollars (\$30,000,000.00), but less than  
154 Fifty Million Dollars (\$50,000,000.00), a salary of Thirty-five  
155 Thousand Five Hundred Thirty Dollars (\$35,530.00);

156           (c) For counties having a total assessed valuation of  
157 at least Fifty Million Dollars (\$50,000,000.00), but less than  
158 Seventy-five Million Dollars (\$75,000,000.00), a salary of  
159 Thirty-seven Thousand Seventy Dollars (\$37,070.00);

160           (d) For counties having a total assessed valuation of  
161 at least Seventy-five Million Dollars (\$75,000,000.00), but less  
162 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a  
163 salary of Thirty-eight Thousand One Hundred Seventy Dollars  
164 (\$38,170.00);

165           (e) For counties having a total assessed valuation of  
166 at least One Hundred Twenty-five Million Dollars  
167 (\$125,000,000.00), but less than Three Hundred Million Dollars  
168 (\$300,000,000.00), a salary of Forty-four Thousand Four Hundred  
169 Forty Dollars (\$44,440.00);

170           (f) For counties having a total assessed valuation of  
171 at least Three Hundred Million Dollars (\$300,000,000.00), but less

172 than One Billion Dollars (\$1,000,000,000.00), a salary of  
173 Forty-nine Thousand One Hundred Seventy Dollars (\$49,170,00);

174 (g) For counties having a total assessed valuation of  
175 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion  
176 Dollars (\$2,000,000,000.00), a salary of Fifty Thousand Two  
177 Hundred Seventy Dollars (\$50,270.00);

178 (h) For counties having a total assessed valuation of  
179 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of  
180 Fifty-one Thousand Three Hundred Seventy Dollars (\$51,370.00).

181 (2) The annual salary established for the members of the  
182 board of supervisors shall not be reduced as a result of a  
183 reduction in total assessed valuation.

184 (3) The salary of the members of the board of supervisors  
185 shall not be increased under this section until the board of  
186 supervisors shall have passed a resolution stating the amount of  
187 the increase and spread it on its minutes.

188 **SECTION 3.** Section 25-3-25, Mississippi Code of 1972, is  
189 amended as follows:

190 25-3-25. (1) Except as otherwise provided in subsections  
191 (2) through (9), the salaries of sheriffs of the various counties  
192 are fixed as full compensation for their services.

193 From and after October 1, 1998, the annual salary for each  
194 sheriff shall be based upon the total population of his county  
195 according to the latest federal decennial census in the following  
196 categories and for the following amounts; however, no sheriff  
197 shall be paid less than the salary authorized under this section  
198 to be paid the sheriff based upon the population of the county  
199 according to the 1980 federal decennial census:

200 (a) For counties with a total population of more than  
201 two hundred thousand (200,000), a salary of Ninety-nine Thousand  
202 Dollars (\$99,000.00).

203 (b) For counties with a total population of more than  
204 one hundred thousand (100,000) and not more than two hundred

205 thousand (200,000), a salary of Ninety-two Thousand Four Hundred  
206 Dollars (\$92,400.00).

207 (c) For counties with a total population of more than  
208 forty-five thousand (45,000) and not more than one hundred  
209 thousand (100,000), a salary of Eighty-five Thousand Eight Hundred  
210 Dollars (\$85,800.00).

211 (d) For counties with a total population of more than  
212 thirty-four thousand (34,000) and not more than forty-five  
213 thousand (45,000), a salary of Seventy-nine Thousand Two Hundred  
214 Dollars (\$79,200.00).

215 (e) For counties with a total population of more than  
216 twenty-five thousand (25,000) and not more than thirty-four  
217 thousand (34,000), a salary of Sixty-eight Thousand Six Hundred  
218 Forty Dollars (\$68,640.00).

219 (f) For counties with a total population of more than  
220 fifteen thousand (15,000) and not more than twenty-five thousand  
221 (25,000), a salary of Sixty-six Thousand Dollars (\$66,000.00).

222 (g) For counties with a total population of more than  
223 nine thousand five hundred (9,500) and not more than fifteen  
224 thousand (15,000), a salary of Sixty-two Thousand Forty Dollars  
225 (\$62,040.00).

226 (h) For counties with a total population of not more  
227 than nine thousand five hundred (9,500), a salary of Sixty  
228 Thousand Five Hundred Dollars (\$60,500.00).

229 (2) In addition to the salary provided for in subsection (1)  
230 of this section, the Board of Supervisors of Leflore County, in  
231 its discretion, may pay an annual supplement to the sheriff of the  
232 county in an amount not to exceed Ten Thousand Dollars  
233 (\$10,000.00). The Legislature finds and declares that the annual  
234 supplement authorized by this subsection is justified in such  
235 county for the following reasons:

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

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

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

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

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

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

251           (g) The increased activity of the Child Support  
252 Division of the Department of Human Services in enforcing in the  
253 courts parental obligations has imposed additional duties on the  
254 sheriff; and

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

258           (3) In addition to the salary provided for in subsection (1)  
259 of this section, the Board of Supervisors of Rankin County, in its  
260 discretion, may pay an annual supplement to the sheriff of the  
261 county in an amount not to exceed Ten Thousand Dollars  
262 (\$10,000.00). The Legislature finds and declares that the annual  
263 supplement authorized by this subsection is justified in such  
264 county for the following reasons:

265           (a) The Mississippi Department of Corrections operates  
266 and maintains the Central Mississippi Correctional Facility within  
267 the county;

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

270 (c) Hudspeth Regional Center, a facility maintained for  
271 the care and treatment of the mentally retarded, is located within  
272 the county;

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

275 (e) The State Fire Academy is operated and maintained  
276 within the county;

277 (f) The Pearl River Valley Water Supply District,  
278 ordinarily known as the "Reservoir District," is located within  
279 the county;

280 (g) The Jackson International Airport is located within  
281 the county;

282 (h) The patrolling of the state properties located  
283 within the county has imposed additional duties on the sheriff;  
284 and

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

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

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

299 (6) In addition to the salary provided for in subsection (1)  
300 of this section, the Board of Supervisors of Hinds County shall  
301 pay an annual supplement to the sheriff of the county in an amount  
302 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature

303 finds and declares that the annual supplement authorized by this  
304 subsection is justified in such county for the following reasons:

305           (a) Hinds County has the greatest population of any  
306 county, two hundred fifty-four thousand four hundred forty-one  
307 (254,441) by the 1990 census, being almost one hundred thousand  
308 (100,000) more than the next most populous county;

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

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

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

316           (e) There are four (4) resident circuit judges, four  
317 (4) resident chancery judges, and three (3) resident county judges  
318 in Hinds County, the most of any county, with the sheriff acting  
319 as chief executive officer and provider of bailiff services for  
320 all;

321           (f) The main offices for the clerk and most of the  
322 judges and magistrates for the United States District Court for  
323 the Southern District of Mississippi are located within the  
324 county;

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

327           (h) The University of Mississippi Medical Center,  
328 combining the medical school, dental school, nursing school and  
329 hospital, is located within the county;

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

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

334           (k) Hinds County has the largest criminal population in  
335 the state, such that the Hinds County Sheriff's Department

336 operates the largest county jail system in the state, housing  
337 almost one thousand (1,000) inmates in three (3) separate  
338 detention facilities;

339           (1) The Hinds County Sheriff's Department handles more  
340 mental and drug and alcohol commitments cases than any other  
341 sheriff's department in the state;

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

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

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

351           (7) In addition to the salary provided for in subsection (1)  
352 of this section, the Board of Supervisors of Wilkinson County, in  
353 its discretion, may pay an annual supplement to the sheriff of the  
354 county in an amount not to exceed Ten Thousand Dollars  
355 (\$10,000.00). The Legislature finds and declares that the annual  
356 supplement authorized by this subsection is justified in such  
357 county because the Mississippi Department of Corrections contracts  
358 for the private incarceration of state inmates at a private  
359 correctional facility within the county.

360           (8) In addition to the salary provided for in subsection (1)  
361 of this section, the Board of Supervisors of Marshall County, in  
362 its discretion, may pay an annual supplement to the sheriff of the  
363 county in an amount not to exceed Ten Thousand Dollars  
364 (\$10,000.00). The Legislature finds and declares that the annual  
365 supplement authorized by this subsection is justified in such  
366 county because the Mississippi Department of Corrections contracts  
367 for the private incarceration of state inmates at a private  
368 correctional facility within the county.

369           (9) In addition to the salary provided in subsection (1) of  
370 this section, the Board of Supervisors of Greene County, in its  
371 discretion, may pay an annual supplement to the sheriff of the  
372 county in an amount not to exceed Ten Thousand Dollars  
373 (\$10,000.00). The Legislature finds and declares that the annual  
374 supplement authorized by this subsection is justified in such  
375 county for the following reasons:

376           (a) The Mississippi Department of Corrections operates  
377 and maintains the South Mississippi Correctional Facility within  
378 the county;

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

383           (c) The patrolling of the state properties located  
384 within the county has imposed additional duties on the sheriff  
385 justifying additional compensation.

386           (10) In addition to the salary provided in subsection (1) of  
387 this section, the board of supervisors of any county, in its  
388 discretion, may pay an annual supplement to the sheriff of the  
389 county in an amount not to exceed Ten Thousand Dollars  
390 (\$10,000.00). The amount of the supplement shall be spread on the  
391 minutes of the board. The annual supplement authorized in this  
392 subsection shall not be in addition to the annual supplements  
393 authorized in subsections (2) through (9).

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

401 shall be made on the workday immediately preceding the weekend or  
402 legal holiday.

403         **SECTION 4.** Section 25-3-36, Mississippi Code of 1972, is  
404 amended as follows:

405             25-3-36. (1) Every justice court judge shall receive as  
406 full compensation for his or her services and in lieu of any and  
407 all other fees, costs or compensation heretofore authorized for  
408 such justice court judge, an annual salary based upon the  
409 population of his or her county according to the latest federal  
410 decennial census; however, no justice court judge shall be paid  
411 less than the salary authorized under this section to be paid the  
412 justice court judge based upon the population of the county  
413 according to the 1980 federal decennial census. The amount of  
414 which salary shall be determined as follows:

415             (a) In counties with a population of more than two  
416 hundred thousand (200,000), a salary of Sixty-one Thousand One  
417 Hundred Fifteen Dollars (\$61,115.00).

418             (b) In counties with a population of more than one  
419 hundred fifty thousand (150,000) but not more than two hundred  
420 thousand (200,000), a salary of Fifty-six Thousand One Hundred Six  
421 Dollars (\$56,106.00).

422             (c) In counties with a population of more than  
423 seventy-five thousand (75,000) but not more than one hundred fifty  
424 thousand (150,000), a salary of Fifty-one Thousand Ninety-six  
425 Dollars (\$51,096.00).

426             (d) In counties with a population of more than  
427 forty-nine thousand (49,000) but not more than seventy-five  
428 thousand (75,000), a salary of Forty-four Thousand Eighty-three  
429 Dollars (\$44,083.00).

430             (e) In counties with a population of more than  
431 thirty-four thousand (34,000) but not more than forty-nine  
432 thousand (49,000), a salary of Thirty-eight Thousand Seventy-one  
433 Dollars (\$38,071.00).

434 (f) In counties with a population of more than  
435 twenty-four thousand five hundred (24,500) but not more than  
436 thirty-four thousand (34,000), a salary of Thirty-six Thousand  
437 Sixty-eight Dollars (\$36,068.00).

438 (g) In counties with a population of more than  
439 twenty-one thousand (21,000) but not more than twenty-four  
440 thousand five hundred (24,500), a salary of Thirty-two Thousand  
441 Sixty-one Dollars (\$32,061.00).

442 (h) In counties with a population of more than sixteen  
443 thousand five hundred (16,500) but not more than twenty-one  
444 thousand (21,000), a salary of Twenty-eight Thousand Fifty-two  
445 Dollars (\$28,052.00).

446 (i) In counties with a population of more than twelve  
447 thousand (12,000) but not more than sixteen thousand five hundred  
448 (16,500), a salary of Twenty-four Thousand Forty-five Dollars  
449 (\$24,045.00).

450 (j) In counties with a population of more than eight  
451 thousand (8,000) but not more than twelve thousand (12,000), a  
452 salary of Nineteen Thousand Eight Hundred Dollars (\$19,800.00).

453 (k) In counties with a population of eight thousand  
454 (8,000) or less, a salary of Fifteen Thousand Eight Hundred Forty  
455 Dollars (\$15,840.00).

456 The board of supervisors of any county having two (2)  
457 judicial districts and two (2) justice court judges for the county  
458 shall pay each justice court judge an amount equal to that  
459 provided in this subsection for judges in the next higher  
460 population category per year, if the justice court judge maintains  
461 regular office hours and is personally present in the office they  
462 maintain for at least thirty (30) hours per week.

463 In any county having a population greater than eight thousand  
464 (8,000) but less than eight thousand five hundred (8,500)  
465 according to the 1990 federal decennial census and in which U.S.  
466 Highway 61 and Mississippi Highway 4 intersect, the board of

467 supervisors, in its discretion, may pay such justice court judges  
468 an additional amount not to exceed the sum of Eleven Thousand Five  
469 Hundred Fifty Dollars (\$11,550.00) per year, payable beginning  
470 April 1, 1997.

471 In any county having a population greater than ten thousand  
472 (10,000) but less than ten thousand five hundred (10,500)  
473 according to the 1990 federal decennial census and in which  
474 Mississippi Highway 3 and Mississippi Highway 6 intersect, the  
475 board of supervisors, in its discretion, may pay such justice  
476 court judges an additional amount not to exceed One Thousand Four  
477 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning  
478 April 1, 1997.

479 In any county having a population greater than twenty-four  
480 thousand seven hundred (24,700) and less than twenty-four thousand  
481 nine hundred (24,900), according to the 1990 federal census,  
482 wherein Mississippi Highways 15 and 16 intersect, the board of  
483 supervisors shall pay such justice court judge an additional  
484 amount equal to Two Thousand Five Hundred Dollars (\$2,500.00) per  
485 year.

486 (2) Notwithstanding the provisions of subsection (1) of this  
487 section, in the event that the number of justice court judges  
488 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to  
489 the provisions of Section 9-11-2(4), the aggregate of the salaries  
490 paid to the justice court judges of such a county shall not exceed  
491 the amount sufficient to pay the number of justice court judges  
492 authorized pursuant to Section 9-11-2(1), and such amount shall be  
493 equally divided among those justice court judges continuing to  
494 hold office under the provisions of Section 9-11-2(4).

495 (3) From and after January 1, 1984, all fees, costs, fines  
496 and penalties charged and collected in the justice court shall be  
497 paid to the clerk of the justice court for deposit, along with  
498 monies from cash bonds and other monies which have been forfeited  
499 in criminal cases, into the general fund of the county as provided

500 in Section 9-11-19; and the clerk of the board of supervisors  
501 shall be authorized and empowered, upon approval by the board of  
502 supervisors, to make disbursements and withdrawals from the  
503 general fund of the county in order to pay any reasonable and  
504 necessary expenses incurred in complying with this section,  
505 including payment of the salaries of justice court judges as  
506 provided by subsection (1) of this section. The provisions of  
507 this subsection shall not, except as to cash bonds and other  
508 monies which have been forfeited in criminal cases, apply to  
509 monies required to be deposited in the justice court clerk  
510 clearing account as provided in Section 9-11-18, Mississippi Code  
511 of 1972.

512 (4) The salaries provided for in this section shall be  
513 payable monthly by warrant drawn by the clerk of the board of  
514 supervisors on the general fund of the county; however, the board  
515 of supervisors, by resolution duly adopted and entered on its  
516 minutes, may provide that such salaries shall be paid semimonthly  
517 on the first and fifteenth day of each month. If a pay date falls  
518 on a weekend or legal holiday, salary payments shall be made on  
519 the workday immediately preceding the weekend or legal holiday.

520 (5) Provided, that the salary of any justice court judge  
521 shall not be reduced during his term of office as a result of a  
522 population change following a federal decennial census.

523 (6) Any justice court judge who is unable to attend and hold  
524 court by reason of being under suspension by the Commission on  
525 Judicial Performance or the Mississippi Supreme Court shall not  
526 receive a salary while under such suspension.

527 **SECTION 5.** Section 41-61-59, Mississippi Code of 1972, is  
528 amended as follows:

529 41-61-59. (1) A person's death that affects the public  
530 interest as specified in subsection (2) of this section shall be  
531 promptly reported to the medical examiner by the physician in  
532 attendance, any hospital employee, any law enforcement officer

533 having knowledge of the death, the embalmer or other funeral home  
534 employee, any emergency medical technician, any relative or any  
535 other person present. The appropriate medical examiner shall  
536 notify the municipal or state law enforcement agency or sheriff  
537 and take charge of the body. When the medical examiner has  
538 received notification under Section 41-39-15(6) that the deceased  
539 is medically suitable to be an organ and/or tissue donor, the  
540 medical examiner's authority over the body shall be subject to the  
541 provisions of Section 41-39-15(6). The appropriate medical  
542 examiner shall notify the Mississippi Bureau of Narcotics within  
543 twenty-four (24) hours of receipt of the body in cases of death as  
544 described in subsection (2)(m) or (n) of this section.

545 (2) A death affecting the public interest includes, but is  
546 not limited to, any of the following:

547 (a) Violent death, including homicidal, suicidal or  
548 accidental death.

549 (b) Death caused by thermal, chemical, electrical or  
550 radiation injury.

551 (c) Death caused by criminal abortion, including  
552 self-induced abortion, or abortion related to or by sexual abuse.

553 (d) Death related to disease thought to be virulent or  
554 contagious that may constitute a public hazard.

555 (e) Death that has occurred unexpectedly or from an  
556 unexplained cause.

557 (f) Death of a person confined in a prison, jail or  
558 correctional institution.

559 (g) Death of a person where a physician was not in  
560 attendance within thirty-six (36) hours preceding death, or in  
561 prediagnosed terminal or bedfast cases, within thirty (30) days  
562 preceding death.

563 (h) Death of a person where the body is not claimed by  
564 a relative or a friend.

565           (i) Death of a person where the identity of the  
566 deceased is unknown.

567           (j) Death of a child under the age of two (2) years  
568 where death results from an unknown cause or where the  
569 circumstances surrounding the death indicate that sudden infant  
570 death syndrome may be the cause of death.

571           (k) Where a body is brought into this state for  
572 disposal and there is reason to believe either that the death was  
573 not investigated properly or that there is not an adequate  
574 certificate of death.

575           (l) Where a person is presented to a hospital emergency  
576 room unconscious and/or unresponsive, with cardiopulmonary  
577 resuscitative measures being performed, and dies within  
578 twenty-four (24) hours of admission without regaining  
579 consciousness or responsiveness, unless a physician was in  
580 attendance within thirty-six (36) hours preceding presentation to  
581 the hospital, or in cases in which the decedent had a prediagnosed  
582 terminal or bedfast condition, unless a physician was in  
583 attendance within thirty (30) days preceding presentation to the  
584 hospital.

585           (m) Death that is caused by drug overdose or which is  
586 believed to be caused by drug overdose.

587           (n) When a stillborn fetus is delivered and the cause  
588 of the demise is medically believed to be from the use by the  
589 mother of any controlled substance as defined in Section  
590 41-29-105.

591           (3) The State Medical Examiner is empowered to investigate  
592 deaths, under the authority hereinafter conferred, in any and all  
593 political subdivisions of the state. The county medical examiners  
594 and county medical examiner investigators, while appointed for a  
595 specific county, may serve other counties on a regular basis with  
596 written authorization by the State Medical Examiner, or may serve  
597 other counties on an as-needed basis upon the request of the

598 ranking officer of the investigating law enforcement agency. The  
599 county medical examiner or county medical examiner investigator of  
600 any county that has established a regional medical examiner  
601 district under subsection (4) of Section 41-61-77 may serve other  
602 counties that are parties to the agreement establishing the  
603 district, in accordance with the terms of the agreement, and may  
604 contract with counties that are not part of the district to  
605 provide medical examiner services for those counties. If a death  
606 affecting the public interest takes place in a county other than  
607 the one where injuries or other substantial causal factors leading  
608 to the death have occurred, jurisdiction for investigation of the  
609 death may be transferred, by mutual agreement of the respective  
610 medical examiners of the counties involved, to the county where  
611 the injuries or other substantial causal factors occurred, and the  
612 costs of autopsy or other studies necessary to the further  
613 investigation of the death shall be borne by the county assuming  
614 jurisdiction.

615 (4) The chief county medical examiner or chief county  
616 medical examiner investigator may receive from the county in which  
617 he serves a salary of Nine Hundred Ninety Dollars (\$990.00) per  
618 month, in addition to the fees specified in Sections 41-61-69 and  
619 41-61-75, provided that no county shall pay the chief county  
620 medical examiner or chief county medical examiner investigator  
621 less than One Hundred Dollars (\$100.00) per month as a salary, in  
622 addition to other compensation provided by law. In any county  
623 having one or more deputy medical examiners or deputy medical  
624 examiner investigators, each deputy may receive from the county in  
625 which he serves, in the discretion of the board of supervisors, a  
626 salary of not more than Nine Hundred Ninety Dollars (\$990.00) per  
627 month, in addition to the fees specified in Sections 41-61-69 and  
628 41-61-75. For this salary the chief shall assure twenty-four-hour  
629 daily and readily available death investigators for the county,  
630 and shall maintain copies of all medical examiner death

631 investigations for the county for at least the previous five (5)  
632 years. He shall coordinate his office and duties and cooperate  
633 with the State Medical Examiner, and the State Medical Examiner  
634 shall cooperate with him.

635 (5) A body composed of the State Medical Examiner, whether  
636 appointed on a permanent or interim basis, the Director of the  
637 State Board of Health, or his designee, the Attorney General, or  
638 his designee, the President of the Mississippi Coroners'  
639 Association (or successor organization) or his designee, and a  
640 certified pathologist appointed by the Mississippi State Medical  
641 Association shall adopt, promulgate, amend and repeal rules and  
642 regulations as may be deemed necessary by them from time to time  
643 for the proper enforcement, interpretation and administration of  
644 Sections 41-61-51 through 41-61-79, in accordance with the  
645 provisions of the Mississippi Administrative Procedures Law, being  
646 Section 25-43-1 et seq.

647 **SECTION 6.** Section 9-13-19, Mississippi Code of 1972, is  
648 amended as follows:

649 9-13-19. (1) Court reporters for circuit and chancery  
650 courts shall be paid an annual salary payable by the  
651 Administrative Office of Courts not to exceed Forty-four Thousand  
652 Five Hundred Fifty Dollars (\$44,550.00) for court reporters with  
653 five (5) years experience or less; not to exceed Forty-seven  
654 Thousand Eight Hundred Fifty Dollars (\$47,850.00) for court  
655 reporters who have more than five (5) years experience but less  
656 than ten (10) years; and not to exceed Fifty Thousand Six Hundred  
657 Dollars (\$50,600.00) for court reporters who have ten (10) years  
658 or more experience. In addition, any court reporter performing  
659 the duties of a court administrator in the same judicial district  
660 in which the person is employed as a court reporter may be paid  
661 additional compensation for performing the court administrator  
662 duties. The annual amount of the additional compensation shall be  
663 set by vote of the judges and chancellors for whom the court

664 administrator duties are performed, with consideration given to  
665 the number of hours per month devoted by the court reporter to  
666 performing the duties of a court administrator. The additional  
667 compensation shall be submitted to the Administrative Office of  
668 Courts for approval.

669 (2) The several counties in each respective court district  
670 shall transfer from the general funds of those county treasuries  
671 to the Administrative Office of Courts a proportionate amount to  
672 be paid toward the annual compensation of the court reporter,  
673 including any additional compensation paid for the performance of  
674 court administrator duties. The amount to be paid by each county  
675 shall be determined by the number of weeks in which court is held  
676 in each county in proportion to the total number of weeks court is  
677 held in the district. For purposes of this section, the term  
678 "compensation" means the gross salary plus all amounts paid for  
679 benefits, or otherwise, as a result of employment or as required  
680 by employment, but does not include transcript fees otherwise  
681 authorized to be paid by or through the counties. However, only  
682 salary earned for services rendered shall be reported and credited  
683 for retirement purposes. Amounts paid for transcript fees,  
684 benefits or otherwise, including reimbursement for travel  
685 expenses, shall not be reported or credited for retirement  
686 purposes.

687 For example, if there are thirty-eight (38) scheduled court  
688 weeks in a particular district, a county in which court is  
689 scheduled five (5) weeks out of the year would have to pay  
690 five-thirty-eighths (5/38) of the total annual compensation.

691 (3) The salary and any additional compensation for the  
692 performance of court administrator duties shall be paid in twelve  
693 (12) installments on the last working day of each month after it  
694 has been duly authorized by the appointing judge or chancellor and  
695 an order duly placed on the minutes of the court. Each county  
696 shall transfer to the Administrative Office of Courts one-twelfth

697 (1/12) of the amount required to be paid pursuant to subsection  
698 (2) of this section by the twentieth day of each month for the  
699 salary that is to be paid on the last working day of the month.  
700 The Administrative Office of Courts shall pay to the court  
701 reporter the total amount of salary due for that month. Any  
702 county may pay, in the discretion of the board of supervisors, by  
703 the twentieth day of January of any year, the amount due for a  
704 full twelve (12) months.

705 (4) From and after October 1, 1996, all circuit and chancery  
706 court reporters will be employees of the Administrative Office of  
707 Courts.

708 (5) No circuit or chancery court reporter shall be entitled  
709 to any compensation for any special or extended term of court  
710 after passage of this section.

711 (6) No chancery or circuit court reporter shall practice law  
712 in the court within which he or she is the court reporter.

713 (7) For all travel required in the performance of official  
714 duties, the circuit or chancery court reporter shall be paid  
715 mileage by the county in which the duties were performed at the  
716 same rate as provided for state employees in Section 25-3-41. The  
717 court reporter shall file in the office of the clerk of the court  
718 which he serves a certificate of mileage expense incurred during  
719 that term and payment of such expense to the court reporter shall  
720 be paid on allowance by the judge of such court.

721 **SECTION 7.** Section 19-25-31, Mississippi Code of 1972, is  
722 amended as follows:

723 19-25-31. Each judge of a circuit, chancery or county court,  
724 or a court of eminent domain may, in the judge's discretion, by  
725 order entered on the minutes of the court, allow the sheriff  
726 riding bailiffs to serve in the respective court of such judge,  
727 not to exceed four (4) bailiffs. Any such person so employed  
728 shall be paid by the county on allowances of the court on issuance  
729 of a warrant therefor in an amount of Sixty Dollars (\$60.00) for

730 each day, or part thereof, for which he serves as bailiff when the  
731 court is in session. No full-time deputy sheriff shall be paid as  
732 a riding bailiff of any court. County court judges shall be  
733 limited to one (1) bailiff per each court day.

734 **SECTION 8.** Section 25-7-27, Mississippi Code of 1972, is  
735 amended as follows:

736 25-7-27. (1) Marshals and constables shall charge the  
737 following fees:

738 (a) (i) A uniform total fee in all civil cases,  
739 whether contested or uncontested, which shall include all services  
740 in connection therewith, except as stated otherwise in this  
741 section, each..... \$38.50

742 (ii) A uniform total fee in all criminal cases,  
743 whether contested or uncontested, which shall include all services  
744 in connection therewith, except as stated otherwise in this  
745 section, each..... \$38.50

746 (iii) In all cases where there is more than one  
747 (1) defendant, for service on each additional  
748 defendant..... \$ 5.00

749 (iv) When a complaining party has provided  
750 erroneous information to the clerk of the court relating to the  
751 service of process on the defendant or defendants and process  
752 cannot be served after diligent search and inquiry, the uniform  
753 fee shall be assessed upon subsequent successful service and an  
754 additional fee shall be due in the following amount..... \$15.00

755 (v) When a complaining party has provided  
756 erroneous information to the clerk of the court relating to the  
757 service of process on the defendant or defendants and process  
758 cannot be served after diligent search and inquiry, and a  
759 defendant is served in a county other than the county in which a  
760 suit was filed, the constable in the county in which the suit was  
761 filed shall receive an additional fee, upon successful service of  
762 the defendant, in the following amount..... \$15.00

763 (b) After final judgment has been enrolled, further  
764 proceedings involving levy of execution on judgments, and  
765 attachment and garnishment proceedings shall be a new suit for  
766 which the marshal or constable shall be entitled to the following  
767 fee..... \$25.00

768 (c) For conveying a person charged with a crime to  
769 jail, mileage reimbursement in an amount not to exceed the rate  
770 established under Section 25-3-41(2).

771 To be paid out of the county treasury on the allowance of the  
772 board of supervisors, when the state fails in the prosecution, or  
773 the person is convicted but is not able to pay the costs.

774 (d) For other service, the same fees allowed sheriffs  
775 for similar services.

776 (e) For service as a bailiff in any court in a civil  
777 case, to be paid by the county on allowance of the court on  
778 issuance of a warrant therefor, an amount equal to the per diem  
779 compensation provided under Section 25-3-69 for each day, or part  
780 thereof, for which he serves as bailiff when the court is in  
781 session.

782 (f) For serving all warrants and other process and  
783 attending all trials in state cases in which the state fails in  
784 the prosecution, to be paid out of the county treasury on the  
785 allowance of the board of supervisors without itemization,  
786 subject, however, to the condition that the marshal or constable  
787 must not have overcharged in the collection of fees for costs,  
788 contrary to the provisions of this section, annually  
789 ..... \$1,800.00

790 (2) Marshals and constables shall be paid all uncollected  
791 fees levied under subsection (1) of this section in full from the  
792 first proceeds received by the court from the guilty party or from  
793 any other source of payment in connection with the case.

794 (3) In addition to the fees authorized to be paid to a  
795 constable under subsection (1) of this section, a constable may

796 receive payments for collecting delinquent criminal fines in  
797 justice court pursuant to the provisions of Section 19-3-41(3).

798 **SECTION 9.** Section 25-7-13, Mississippi Code of 1972, is  
799 amended as follows:

800 25-7-13. (1) The clerks of the circuit court shall charge  
801 the following fees:

802 (a) Docketing, filing, marking and registering each  
803 complaint, petition and indictment..... \$75.00

804 The fee set forth in this paragraph shall be the total fee  
805 for all services performed by the clerk up to and including entry  
806 of judgment with respect to each complaint, petition or  
807 indictment, including all answers, claims, orders, continuances  
808 and other papers filed therein, issuing each writ, summons,  
809 subpoena or other such instruments, swearing witnesses, taking and  
810 recording bonds and pleas, and recording judgments, orders, fiats  
811 and certificates; the fee shall be payable upon filing and shall  
812 accrue to the clerk at the time of collection. The clerk or his  
813 successor in office shall perform all duties set forth above  
814 without additional compensation or fee.

815 (b) Docketing and filing each motion to renew judgment,  
816 suggestion for a writ of garnishment, suggestion for a writ of  
817 execution and judgment debtor actions and issuing all process,  
818 filing and recording orders or other papers and swearing  
819 witnesses..... \$30.00

820 (c) For every civil case filed, an additional fee to be  
821 deposited to the credit of the Comprehensive Electronic Court  
822 Systems Fund established in Section 9-21-14..... \$10.00

823 (2) Except as provided in subsection (1) of this section,  
824 the clerks of the circuit court shall charge the following fees:

825 (a) Filing and marking each order or other paper and  
826 recording and indexing same..... \$ 2.00

827 (b) Issuing each writ, summons, subpoena, citation,  
828 capias and other such instruments..... \$ 1.00

829 (c) Administering an oath and taking bond..... \$ 2.00

830 (d) Certifying copies of filed documents, for each

831 complete document..... \$ 1.00

832 (e) Recording orders, fiats, licenses, certificates,

833 oaths and bonds:

834 First page..... \$ 2.00

835 Each additional page..... \$ 1.00

836 (f) Furnishing copies of any papers of record or on

837 file and entering marginal notations on documents of record:

838 If performed by the clerk or his employee,

839 per page..... \$ 1.00

840 If performed by any other person, per page.. \$ .25

841 (g) Judgment roll entry..... \$ 5.00

842 (h) Taxing cost and certificate..... \$ 1.00

843 (i) For taking and recording application for marriage

844 license, for filing and recording consent of parents when required

845 by law, for filing and recording medical certificate, filing and

846 recording proof of age, recording and issuing license, recording

847 and filing returns..... \$20.00

848 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee

849 collected for a marriage license in the Victims of Domestic

850 Violence Fund established in Section 93-21-117, on a monthly

851 basis.

852 (j) For certified copy of marriage license and search

853 of record, the same fee charged by the Bureau of Vital Statistics

854 of the State Board of Health.

855 (k) For public service not particularly provided for,

856 the circuit court may allow the clerk, per annum, to be paid by

857 the county on presentation of the circuit court's order, the

858 following amount..... \$5,000.00

859 However, in the counties having two (2) judicial districts,

860 such above allowance shall be made for each judicial district.

861           (1) For drawing jurors and issuing venire, to be paid  
862 by the county..... \$ 5.00

863           (m) For each day's attendance upon the circuit court  
864 term, for himself and necessary deputies allowed by the court,  
865 each to be paid by the county..... \$55.00

866           (n) Summons, each juror to be paid by the county upon  
867 the allowance of the court..... \$ 1.00

868           (o) For issuing each grand jury subpoena, to be paid by  
869 the county on allowance by the court, not to exceed Twenty-five  
870 Dollars (\$25.00) in any one (1) term of court..... \$ 1.00

871           (p) For each civil filing, to be deposited into the  
872 Civil Legal Assistance Fund..... \$ 5.00

873           (3) On order of the court, clerks and deputies may be  
874 allowed five (5) extra days for attendance upon the court to get  
875 up records.

876           (4) The clerk's fees in state cases where the state fails in  
877 the prosecution, or in cases of felony where the defendant is  
878 convicted and the cost cannot be made out of his estate, in an  
879 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)  
880 year, shall be paid out of the county treasury on approval of the  
881 circuit court, and the allowance thereof by the board of  
882 supervisors of the county. In counties having two (2) judicial  
883 districts, such allowance shall be made in each judicial district;  
884 however, the maximum thereof shall not exceed Eight Hundred  
885 Dollars (\$800.00). Clerks in the circuit court, in cases where  
886 appeals are taken in criminal cases and no appeal bond is filed,  
887 shall be allowed by the board of supervisors of the county after  
888 approval of their accounts by the circuit court, in addition to  
889 the above fees, for making such transcript the rate of Two Dollars  
890 (\$2.00) per page.

891           (5) The clerk of the circuit court may retain as his  
892 commission on all money coming into his hands, by law or order of

893 the court, a sum to be fixed by the court not exceeding one-half  
894 of one percent (1/2 of 1%) on all such sums.

895 (6) For making final records required by law, including, but  
896 not limited to, circuit and county court minutes, and furnishing  
897 transcripts of records, the circuit clerk shall charge Two Dollars  
898 (\$2.00) per page. The same fees shall be allowed to all officers  
899 for making and certifying copies of records or papers which they  
900 are authorized to copy and certify.

901 (7) The circuit clerk shall prepare an itemized statement of  
902 fees for services performed, cost incurred, or for furnishing  
903 copies of any papers of record or on file, and shall submit the  
904 statement to the parties or, if represented, to their attorneys  
905 within sixty (60) days. A bill for same shall accompany the  
906 statement.

907 **SECTION 10.** Section 25-7-9, Mississippi Code of 1972, is  
908 amended as follows:

909 25-7-9. (1) The clerks of the chancery courts shall charge  
910 the following fees:

911 (a) For the act of certifying copies of filed  
912 documents, for each complete document..... \$ 1.00

913 (b) (i) Recording deeds, wills, leases, amendments,  
914 subordinations, liens, releases, cancellations, orders, decrees,  
915 oaths, etc., including indexing; for the first fifteen (15)  
916 pages..... \$ 10.00

917 Each additional page..... \$ 1.00

918 (ii) Sectional index entries per section or  
919 subdivision lot..... \$ 1.00

920 (iii) Recording each cancellation  
921 per deed of trust..... \$ 10.00

922 (c) Recording deeds of trust, for the first fifteen  
923 (15) pages..... \$ 15.00

924 Each additional page..... \$ 1.00

925 Sectional index entries per section or subdivision

926 lot..... \$ 1.00

927 (d) (i) Recording oil and gas leases,

928 cancellations, etc., including indexing in general

929 indices; for the first fifteen (15) pages ..... \$ 18.00

930 Each additional page..... \$ 1.00

931 (ii) Sectional index entries per section or

932 subdivision lot..... \$ 1.00

933 (iii) Recording each oil and gas

934 assignment per assignee..... \$ 18.00

935 (e) Furnishing copies of any papers of record or on

936 file and entering marginal notations on documents of record:

937 If performed by the clerk or his employee,

938 per page..... \$ .50

939 If performed by any other person, per page..... \$ .25

940 (f) For each day's attendance on the board of

941 supervisors, for himself and one (1) deputy, each..... \$ 20.00

942 (g) For other services as clerk of the board of

943 supervisors an allowance shall be made to him (payable

944 semiannually at the July and January meetings) out of the county

945 treasury, an annual sum not exceeding..... \$3,000.00

946 (h) For each day's attendance on the chancery court, to

947 be approved by the chancellor:

948 For the first chancellor sitting only, clerk and two (2)

949 deputies, each..... \$ 55.00

950 For the second chancellor sitting, clerk only..... \$ 55.00

951 Provided that the fees herein prescribed shall be the total

952 remuneration for the clerk and his deputies for attending chancery

953 court.

954 (i) On order of the court, clerks and not more than two

955 (2) deputies may be allowed five (5) extra days for each term of

956 court for attendance upon the court to get up records.

957 (j) For public service not otherwise specifically

958 provided for, the chancery court may by order allow the clerk to

959 be paid by the county on the order of the board of supervisors, an  
960 annual sum not exceeding..... \$5,000.00

961 (k) For each civil filing, to be deposited into the  
962 Civil Legal Assistance Fund..... \$ 5.00

963 The chancery clerk shall itemize on the original document a  
964 detailed fee bill of all charges due or paid for filing, recording  
965 and abstracting same. No person shall be required to pay such  
966 fees until same have been so itemized, but said fees may be  
967 demanded before the document is recorded.

968 (2) In accordance with Uniform Chancery Court Rule 9.01 as  
969 approved by Order of the Mississippi Supreme Court, the following  
970 fees shall be a total fee for all services performed by the clerk  
971 with respect to a complaint which shall be payable upon filing and  
972 shall accrue to the chancery clerk at the time of filing. The  
973 clerk or his successor in office shall perform all duties set  
974 forth without additional compensation or fee to wit:

- 975 (a) Divorce to be contested..... \$75.00
- 976 (b) Divorce uncontested..... \$30.00
- 977 (c) Alteration of birth or marriage certificate. \$25.00
- 978 (d) Removal of minority..... \$25.00
- 979 (e) Guardianship or conservatorship..... \$75.00
- 980 (f) Estate of deceased, intestate..... \$75.00
- 981 (g) Estate of deceased, testate..... \$75.00
- 982 (h) Adoption..... \$75.00
- 983 (i) Land dispute..... \$75.00
- 984 (j) Injunction..... \$75.00
- 985 (k) Settlement of small claim..... \$30.00
- 986 (l) Contempt in child support..... \$75.00
- 987 (m) Partition suit..... \$75.00
- 988 (n) Any cross-complaint..... \$25.00

989 (3) For every civil case filed, an additional fee to be  
990 deposited to the credit of the Comprehensive Electronic Court  
991 Systems Fund established in Section 9-21-14..... \$10.00

992 (4) Cost of process shall be borne by the issuing party.  
993 Additionally, should the attorney or person filing the pleadings  
994 desire the clerk to pay the cost to the sheriff for serving  
995 process on one (1) person or more, or to pay the cost of  
996 publication, the clerk shall demand the actual charges therefor,  
997 at the time of filing.

998 **SECTION 11.** Section 9-1-43, Mississippi Code of 1972, is  
999 amended as follows:

1000 9-1-43. (1) After making deductions for employee salaries  
1001 and related salary expenses, and expenses allowed as deductions by  
1002 Schedule C of the Internal Revenue Code, no office of the chancery  
1003 clerk or circuit clerk of any county in the state shall receive  
1004 fees as compensation for the chancery clerk's or circuit clerk's  
1005 services in excess of Ninety-nine Thousand Dollars (\$99,000.00).  
1006 All such fees received by the office of chancery or circuit clerks  
1007 that are in excess of the salary limitation shall be deposited by  
1008 such clerk into the county general fund on or before April 15 for  
1009 the preceding calendar year. If the chancery clerk or circuit  
1010 clerk serves less than one (1) year, then he shall not receive as  
1011 compensation any fees in excess of that portion of the salary  
1012 limitation that can be attributed to his time in office on a pro  
1013 rata basis. Upon leaving office, income earned by any clerk in  
1014 his last full year of office but not received until after his last  
1015 full year of office shall not be included in determining the  
1016 salary limitation of the successor clerk. There shall be exempted  
1017 from the provisions of this subsection any monies or commissions  
1018 from private or governmental sources which: (a) are to be held by  
1019 the chancery or circuit clerk in a trust or custodial capacity as  
1020 prescribed in subsections (4) and (5); or (b) are received as  
1021 compensation for services performed upon order of a court or board  
1022 of supervisors which are not required of the chancery clerk or  
1023 circuit clerk by statute.

1024           (2) It shall be unlawful for any chancery clerk or circuit  
1025 clerk to use fees in excess of Ninety-nine Thousand Dollars  
1026 (\$99,000.00), to pay the salaries or actual or necessary expenses  
1027 of employees who are related to such clerk by blood or marriage  
1028 within the first degree of kinship according to the civil law  
1029 method of computing kinship as provided in Sections 1-3-71 and  
1030 1-3-73. However, the prohibition of this subsection shall not  
1031 apply to any individual who was an employee of the clerk's office  
1032 prior to the date his or her relative was elected as chancery or  
1033 circuit clerk. The spouse and/or any children of the chancery  
1034 clerk or circuit clerk employed in the office of the chancery  
1035 clerk may be paid a salary; however, the combined annual salaries  
1036 of the clerk, spouse and any child of the clerk may not exceed an  
1037 amount equal to the salary limitation.

1038           (3) The chancery clerk and the circuit clerk shall be liable  
1039 on their official bond for the proper deposit and accounting of  
1040 all monies received by his office. The State Auditor shall  
1041 promulgate uniform accounting methods for the accounting of all  
1042 sources of income by the offices of the chancery and circuit  
1043 clerk.

1044           (4) There is created in the county depository of each county  
1045 a clearing account to be designated as the "chancery court clerk  
1046 clearing account," into which shall be deposited: (a) all such  
1047 monies as the clerk of the chancery court shall receive from any  
1048 person complying with any writ of garnishment, attachment,  
1049 execution or other like process authorized by law for the  
1050 enforcement of child support, spousal support or any other  
1051 judgment; (b) any portion of any fees required by law to be  
1052 collected in civil cases which are to pay for the service of  
1053 process or writs in another county; and (c) any other money as  
1054 shall be deposited with the court which by its nature is not, at  
1055 the time of its deposit, public monies, but which is to be held by  
1056 the court in a trust or custodial capacity in a case or proceeding

1057 before the court. The clerk of the chancery court shall account  
1058 for all monies deposited in and disbursed from such account and  
1059 shall be authorized and empowered to draw and issue checks on such  
1060 account at such times, in such amounts and to such persons as  
1061 shall be proper and in accordance with law.

1062 The following monies paid to the chancery clerk shall be  
1063 subject to the salary limitation prescribed under subsection (1):  
1064 (a) all fees required by law to be collected for the filing,  
1065 recording or abstracting of any bill, petition, pleading or decree  
1066 in any civil case in chancery; (b) all fees collected for land  
1067 recordings, charters, notary bonds, certification of decrees and  
1068 copies of any documents; (c) all land redemption and mineral  
1069 documentary stamp commissions; and (d) any other monies or  
1070 commissions from private or governmental sources for statutory  
1071 functions which are not to be held by the court in a trust  
1072 capacity. Such fees as shall exceed the salary limitations shall  
1073 be maintained in a bank account in the county depository and  
1074 accounted for separately from those monies paid into the chancery  
1075 court clerk clearing account.

1076 (5) There is created in the county depository in each county  
1077 a clearing account to be designated as the "circuit court clerk  
1078 civil clearing account," into which shall be deposited: (a) all  
1079 such monies and fees as the clerk of the circuit court shall  
1080 receive from any person complying with any writ of garnishment,  
1081 attachment, execution or any other like process authorized by law  
1082 for the enforcement of a judgment; (b) any portion of any fees  
1083 required by law or court order to be collected in civil cases;  
1084 (c) all fees collected for the issuance of marriage licenses; and  
1085 (d) any other money as shall be deposited with the court which by  
1086 its nature is not, at the time of its deposit, public monies but  
1087 which is to be held by the court in a trust or custodial capacity  
1088 in a case or proceeding before the court.

1089           There is created in the county depository in each county a  
1090 clearing account to be designated as the "circuit court clerk  
1091 criminal clearing account," into which shall be deposited: (a)  
1092 all such monies as are received in criminal cases in the circuit  
1093 court pursuant to any order requiring payment as restitution to  
1094 the victims of criminal offenses; (b) any portion of any fees and  
1095 fines required by law or court order to be collected in criminal  
1096 cases; and (c) all cash bonds as shall be deposited with the  
1097 court. The clerk of the circuit court shall account for all  
1098 monies deposited in and disbursed from such account and shall be  
1099 authorized and empowered to draw and issue checks on such account,  
1100 at such times, in such amounts and to such persons as shall be  
1101 proper and in accordance with law; however, such monies as are  
1102 forfeited in criminal cases shall be paid by the clerk of the  
1103 circuit court to the clerk of the board of supervisors for deposit  
1104 in the general fund of the county.

1105           The following monies paid to the circuit clerk shall be  
1106 subject to the salary limitation prescribed under subsection (1):  
1107 (a) all fees required by law to be collected for the filing,  
1108 recording or abstracting of any bill, petition, pleading or decree  
1109 in any civil action in circuit court; (b) copies of any documents;  
1110 and (c) any other monies or commissions from private or  
1111 governmental sources for statutory functions which are not to be  
1112 held by the court in a trust capacity.

1113           (6) The chancery clerk and the circuit clerk shall establish  
1114 and maintain a cash journal for recording cash receipts from  
1115 private or government sources for furnishing copies of any papers  
1116 of record or on file, or for rendering services as a notary  
1117 public, or other fees wherein the total fee for the transaction is  
1118 Ten Dollars (\$10.00) or less. The cash journal entry shall  
1119 include the date, amount and type of transaction, and the clerk  
1120 shall not be required to issue a receipt to the person receiving  
1121 such services. The State Auditor shall not take exception to the

1122 furnishing of copies or the rendering of services as a notary by  
1123 any clerk free of charge.

1124 In any county having two (2) judicial districts, whenever the  
1125 chancery clerk serves as deputy to the circuit clerk in one (1)  
1126 judicial district and the circuit clerk serves as deputy to the  
1127 chancery clerk in the other judicial district, the chancery clerk  
1128 may maintain a cash journal, separate from the cash journal  
1129 maintained for chancery clerk receipts, for recording the cash  
1130 receipts paid to him as deputy circuit clerk, and the circuit  
1131 clerk may maintain a cash journal, separate from the cash journal  
1132 maintained for circuit clerk receipts, for recording the cash  
1133 receipts paid to him as deputy chancery clerk. The cash receipts  
1134 collected by the chancery clerk in his capacity as deputy circuit  
1135 clerk and the cash receipts collected by the circuit clerk in his  
1136 capacity as deputy chancery clerk shall be subject to the salary  
1137 limitation prescribed under subsection (1).

1138 (7) Any clerk who knowingly shall fail to deposit funds or  
1139 otherwise violate the provisions of this section shall be guilty  
1140 of a misdemeanor in office and, upon conviction thereof, shall be  
1141 fined in an amount not to exceed double the amount that he failed  
1142 to deposit, or imprisoned for not to exceed six (6) months in the  
1143 county jail, or be punished by both such fine and imprisonment.

1144 **SECTION 12.** Section 27-105-343, Mississippi Code of 1972, is  
1145 amended as follows:

1146 27-105-343. From and after the passage of this section, all  
1147 the duties except the duty of receiving and disbursing money that  
1148 were imposed by law on county treasurers shall be required to be  
1149 done by chancery clerks, and they shall be the custodians of all  
1150 the books, records, papers, and vouchers heretofore belonging to  
1151 county treasurers, and shall be custodians of all the promissory  
1152 notes, bonds, and other like property belonging to or deposited  
1153 with the county, and said clerks shall in all respects be liable  
1154 on their official bonds for the proper care of the same.

1155           The duty of receipting for and disbursing all monies  
1156 heretofore deposited with county treasurers shall be done and  
1157 performed by the designated county and drainage district  
1158 depositories appointed in the manner provided by law; and any  
1159 person or corporation required to pay money into a county treasury  
1160 shall hereafter pay the same to a properly designated depository  
1161 and such depository shall issue receipts therefor in duplicate,  
1162 one of which shall be filed with the chancery clerk and the other  
1163 retained by the person or corporation making such payment, and  
1164 such payment when made to a designated depository shall discharge  
1165 the person or corporation making such payment from any further  
1166 liability therefor.

1167           In the event there shall be no designated depository for any  
1168 money required to be paid into a county treasury, such payment  
1169 shall be made to the tax collector who shall receipt for same in  
1170 duplicate as required in the preceding paragraph and shall pay the  
1171 same over to a legally appointed depository within ten (10) days  
1172 after one is qualified to receive the same. The tax collector  
1173 shall be the custodian of all money belonging to a county or any  
1174 subdivision thereof until there be appointed a depository for any  
1175 such funds and the said tax collectors shall be liable on their  
1176 official bond for the proper accounting and payment of any funds  
1177 so paid to them.

1178           Boards of supervisors shall allow chancery clerks for their  
1179 compensation for performance of the duties required of them by  
1180 this section the sum of Two Thousand Seven Hundred Fifty Dollars  
1181 (\$2,750.00) per annum.

1182           Nothing in this section shall preclude drainage districts  
1183 from selecting their treasurer or depository as now provided by  
1184 law.

1185           **SECTION 13.** Section 25-3-9, Mississippi Code of 1972, is  
1186 amended as follows:

1187           25-3-9. (1) Except as provided in subsections (2), (3) and  
1188 (4) of this section, the county prosecuting attorney may receive  
1189 for his services an annual salary to be paid by the board of  
1190 supervisors as follows:

1191           (a) For counties with a total population of more than  
1192 two hundred thousand (200,000), a salary not to exceed Thirty-one  
1193 Thousand Three Hundred Fifty Dollars (\$31,350.00).

1194           (b) For counties with a total population of more than  
1195 one hundred thousand (100,000) and not more than two hundred  
1196 thousand (200,000), a salary not to exceed Twenty-nine Thousand  
1197 One Hundred Fifty Dollars (\$29,150.00).

1198           (c) For counties with a total population of more than  
1199 fifty thousand (50,000) and not more than one hundred thousand  
1200 (100,000), a salary not to exceed Twenty-three Thousand Eight  
1201 Hundred Seventy Dollars (\$23,870.00).

1202           (d) For counties with a total population of more than  
1203 thirty-five thousand (35,000) and not more than fifty thousand  
1204 (50,000), a salary not to exceed Twenty-two Thousand Four Hundred  
1205 Forty Thousand Dollars (\$22,440.00).

1206           (e) For counties with a total population of more than  
1207 twenty-five thousand (25,000) and not more than thirty-five  
1208 thousand (35,000), a salary not to exceed Twenty-one Thousand Two  
1209 Hundred Thirty Dollars (\$21,230.00).

1210           (f) For counties with a total population of more than  
1211 fifteen thousand (15,000) and not more than twenty-five thousand  
1212 (25,000), a salary not to exceed Nineteen Thousand Four Hundred  
1213 Seventy Dollars (\$19,470.00).

1214           (g) For counties with a total population of more than  
1215 ten thousand (10,000) and not more than fifteen thousand (15,000),  
1216 a salary not to exceed Seventeen Thousand Seven Hundred Ten  
1217 Dollars (\$17,710.00).

1218           (h) For counties with a total population of more than  
1219 six thousand (6,000) and not more than ten thousand (10,000), a

1220 salary not to exceed Fifteen Thousand Nine Hundred Fifty Dollars  
1221 (\$15,950.00).

1222 (i) For counties with a total population of six  
1223 thousand (6,000) or less, the board of supervisors, in its  
1224 discretion, may appoint a county prosecuting attorney, and it may  
1225 pay such county prosecuting attorney an annual salary not to  
1226 exceed Fourteen Thousand One Hundred Ninety Dollars (\$14,190.00).

1227 In all cases of conviction there shall be taxed against the  
1228 convicted defendant, as an item of cost, the sum of Three Dollars  
1229 (\$3.00), which shall be turned in to the county treasury as a part  
1230 of the general county funds; however, the Three Dollars (\$3.00)  
1231 shall not be taxed in any case in which it is not the specific  
1232 duty of the county attorney to appear and prosecute.

1233 From and after October 1, 1993, in addition to the salaries  
1234 provided for in this subsection, the board of supervisors of any  
1235 county, in its discretion, may pay the county prosecuting attorney  
1236 an additional amount not to exceed ten percent (10%) of the  
1237 maximum allowable salary prescribed herein.

1238 (2) In the following counties, the county prosecuting  
1239 attorney shall receive for his services an annual salary to be  
1240 paid by the board of supervisors, as follows:

1241 (a) In any county bordering upon the Mississippi River  
1242 and having a population of not less than thirty thousand (30,000)  
1243 and not more than thirty-five thousand five hundred (35,500)  
1244 according to the federal census of 1990, and in counties having a  
1245 population of not more than thirty-seven thousand (37,000)  
1246 according to the federal census of 1990 in which Interstate  
1247 Highway 55 and U.S. Highway 98 intersect, the county prosecuting  
1248 attorney shall receive a salary equal to the justice court judge  
1249 of such county; and in any county wherein is located the state's  
1250 oldest state-supported institution of higher learning and wherein  
1251 Mississippi State Highways 7 and 6 intersect, the county

1252 prosecuting attorney shall receive an annual salary equal to that  
1253 of a member of the board of supervisors of such county.

1254           (b) In counties having a population in excess of fifty  
1255 thousand (50,000) in the 1960 federal census, wherein is located a  
1256 state-supported university and in which U.S. Highways 49 and 11  
1257 intersect, the salary of the county prosecuting attorney shall be  
1258 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)  
1259 per year. The Board of Supervisors of Forrest County,  
1260 Mississippi, may, in its discretion, and by agreement with the  
1261 county prosecuting attorney, employ the county prosecuting  
1262 attorney as a full-time elected official during his/her term of  
1263 office, designate additional duties and responsibilities of the  
1264 office and pay additional compensation up to, but not in excess  
1265 of, ninety percent (90%) of the annual compensation and salary of  
1266 the county court judge and the youth court judge of Forrest County  
1267 as authorized by law and provide a reasonable office and  
1268 reasonable office expenses to the county prosecuting attorney.  
1269 The salary authorized by this paragraph (b) for the county  
1270 prosecuting attorney shall be the sole and complete salary for  
1271 such prosecuting attorney in each county to which this paragraph  
1272 applies, notwithstanding any other provision of law to the  
1273 contrary.

1274           (c) In any county wherein is housed the seat of state  
1275 government, wherein U.S. Highways 80 and 49 intersect, and having  
1276 two (2) judicial districts, the board of supervisors, in its  
1277 discretion, may pay the county prosecuting attorney an annual  
1278 salary equal to the annual salary of members of the board of  
1279 supervisors in the county.

1280           (d) In any county which has two (2) judicial districts  
1281 and wherein Highway 8 and Highway 15 intersect, having a  
1282 population of greater than seventeen thousand (17,000), according  
1283 to the 1980 federal decennial census, the board of supervisors  
1284 shall pay the county prosecuting attorney a salary equal to that

1285 of a member of the board of supervisors of such county; provided  
1286 that if such county prosecuting attorney is paid a sum for the  
1287 purpose of defraying office or secretarial expenses, then the  
1288 salary prescribed herein shall be reduced by that amount.

1289 (e) In any county bordering the State of Tennessee and  
1290 in which Mississippi Highways No. 4 and 15 intersect, and having a  
1291 population of less than twenty thousand (20,000) in the 1970  
1292 federal census, the salary of the county prosecuting attorney  
1293 shall be no less than Six Thousand Dollars (\$6,000.00).

1294 (f) In any county having a population of more than  
1295 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45  
1296 intersect, the salary of the county attorney shall be not less  
1297 than Eight Thousand Dollars (\$8,000.00).

1298 In addition, such county prosecuting attorney shall receive  
1299 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month  
1300 for the purpose of defraying secretarial expense.

1301 (g) In any county wherein I-20 and State Highway 15  
1302 intersect; and in any county wherein I-20 and State Highway 35  
1303 intersect, the salary of the county prosecuting attorney shall be  
1304 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1305 (h) In any Class 1 county bordering on the Mississippi  
1306 River, lying in whole or in part within a levee district, wherein  
1307 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River  
1308 and Stales Bayou, the board of supervisors, in its discretion, may  
1309 pay an annual salary equal to the annual salary of members of the  
1310 board of supervisors in the county. In addition, such county  
1311 prosecuting attorney shall receive the sum of One Thousand Dollars  
1312 (\$1,000.00) per month for the purpose of defraying secretarial  
1313 expenses.

1314 (i) In any county bordering on the Gulf of Mexico  
1315 having two (2) judicial districts, and wherein U.S. Highways 90  
1316 and 49 intersect, the salary of the county prosecuting attorney  
1317 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per

1318 year. The Board of Supervisors of Harrison County, Mississippi,  
1319 may, in its discretion, and by agreement with the county  
1320 prosecuting attorney, employ the county prosecuting attorney and  
1321 his/her assistant during his/her term of office, and designate  
1322 additional duties and responsibilities of the office and pay  
1323 additional compensation up to, but not in excess of, ninety  
1324 percent (90%) of the annual compensation and salary of the county  
1325 court judges of Harrison County as authorized by law and provide  
1326 adequate office space and reasonable office expenses to the county  
1327 prosecuting attorney and his/her assistant. The salary authorized  
1328 by this paragraph (i) for the county prosecuting attorney and  
1329 his/her assistant shall be the sole and complete salary paid by  
1330 the county for such prosecuting attorney and his/her assistant in  
1331 each county to which this paragraph applies, notwithstanding any  
1332 other provision of law to the contrary.

1333 (j) In any county bordering on the State of Alabama,  
1334 having a population in excess of seventy-five thousand (75,000)  
1335 according to the 1980 decennial census in which is located an  
1336 institution of higher learning and a United States military  
1337 installation and which is traversed by an interstate highway, the  
1338 salary of the county prosecuting attorney shall not be less than  
1339 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of  
1340 the annual salary received by a member of the board of supervisors  
1341 of that county.

1342 (k) In any county with a land area wherein Mississippi  
1343 Highways 8 and 9 intersect, the salary of the county prosecuting  
1344 attorney shall be not less than Eight Thousand Five Hundred  
1345 Dollars (\$8,500.00) per year.

1346 (l) In any Class 2 county wherein Mississippi Highways  
1347 6 and 3 intersect, the salary of the county prosecuting attorney  
1348 shall be not less than Twelve Thousand Dollars (\$12,000.00) per  
1349 year nor more than the amount of the annual salary received by a  
1350 member of the board of supervisors of that county.

1351           (m) In any county wherein Interstate Highway 55 and  
1352 State Highway 8 intersect, the salary of the county prosecuting  
1353 attorney shall be not less than Twelve Thousand Dollars  
1354 (\$12,000.00) per year.

1355           (n) In any county wherein U.S. Highway 51 intersects  
1356 Mississippi Highway 6, and having two (2) judicial districts, the  
1357 salary of the county prosecuting attorney shall be not less than  
1358 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1359           (o) In any county bordering on the Alabama state line,  
1360 having a population of greater than fifteen thousand (15,000)  
1361 according to the 1970 federal decennial census, wherein U.S.  
1362 Highway 45 and Mississippi Highway 18 intersect, the salary of the  
1363 county prosecuting attorney shall be not less than Three Thousand  
1364 Six Hundred Dollars (\$3,600.00) nor greater than that of a member  
1365 of the board of supervisors of such county. All prior acts,  
1366 orders and resolutions of the board of supervisors of such county  
1367 which authorized the payment of the salary in conformity with the  
1368 provisions of this paragraph, whether or not heretofore  
1369 specifically authorized by law are hereby ratified, approved and  
1370 confirmed.

1371           (p) In any county wherein is located a state-supported  
1372 institution of higher learning and wherein U.S. Highway 82 and  
1373 Mississippi Highway 389 intersect, the board of supervisors, in  
1374 its discretion, may pay the county prosecuting attorney an annual  
1375 salary equal to the annual salary of members of the board of  
1376 supervisors in the county.

1377           (q) In any county having two (2) judicial districts  
1378 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the  
1379 salary of the county prosecuting attorney shall be not less than  
1380 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1381           (r) In any county traversed by the Natchez Trace  
1382 Parkway wherein U.S. Highway 45 and Mississippi Highway 4  
1383 intersect, the board of supervisors, in its discretion, may pay

1384 the county prosecuting attorney an annual salary equal to the  
1385 annual salary of justice court judges in the county.

1386 (s) In any county having a population of more than  
1387 fourteen thousand (14,000) according to the 1970 census and which  
1388 county is bordered on the north by the State of Tennessee and on  
1389 the east by the State of Alabama and in which U.S. Highway No. 72  
1390 and Highway No. 25 intersect, the board of supervisors, in its  
1391 discretion, may pay the county prosecuting attorney an annual  
1392 salary equal to the annual salary of justice court judges in the  
1393 county.

1394 (t) (i) In any county wherein Interstate Highway 55  
1395 and State Highway 22 intersect, and which is also traversed in  
1396 whole or part by U.S. Highways 49 and 51, and State Highways 16,  
1397 17, 43 and the Natchez Trace Parkway, and also containing a part  
1398 of a public lake or reservoir, in excess of thirty thousand  
1399 (30,000) acres, the board of supervisors, in its discretion, may  
1400 pay the county prosecuting attorney an annual salary in the amount  
1401 of Twenty-eight Thousand Dollars (\$28,000.00).

1402 (ii) From and after October 1, 1993, in addition  
1403 to the salary provided for in subparagraph (i) of this paragraph,  
1404 the board of supervisors, in its discretion, may pay the county  
1405 prosecuting attorney an additional amount not to exceed ten  
1406 percent (10%) of the maximum allowable salary prescribed herein.

1407 (u) In any county having a population in the 1970  
1408 census in excess of thirty-five thousand (35,000) and in which  
1409 U.S. Highways 49W and 82 intersect, and in which is located a  
1410 state penitentiary, the annual salary of a county prosecuting  
1411 attorney shall be Thirty Thousand Four Hundred Twenty Dollars  
1412 (\$30,420.00).

1413 (v) In any county wherein Mississippi Highway 50  
1414 intersects U.S. Highway 45-Alternate, and having a population  
1415 greater than twenty thousand (20,000) according to the 1980  
1416 federal decennial census, a salary equal to that of a member of

1417 the board of supervisors of such county; provided that if such  
1418 county prosecuting attorney is paid a sum for the purpose of  
1419 defraying office or secretarial expenses, then the salary  
1420 prescribed herein shall be reduced by that amount.

1421 (w) In any county in which the 1975 assessed valuation  
1422 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred  
1423 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and  
1424 Mississippi Highway 8 intersect, the salary of the county  
1425 prosecuting attorney shall be equal to that of a member of the  
1426 board of supervisors of such county.

1427 (x) In any county bordering on the Mississippi River  
1428 having a population greater than fifty thousand (50,000) according  
1429 to the 1980 federal decennial census and also having a national  
1430 military park and national cemetery, an annual salary of  
1431 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to  
1432 that of a member of the board of supervisors in such county,  
1433 whichever is greater. In addition, such county prosecuting  
1434 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)  
1435 per month for the purpose of defraying secretarial expenses.

1436 (y) In any county bordering on the Alabama state line,  
1437 traversed by the Chickasawhay River, and wherein U.S. Highway 45  
1438 and U.S. Highway 84 intersect, a salary that shall be equal to the  
1439 annual salary of a member of the board of supervisors of such  
1440 county. All prior acts, orders and resolutions of the board of  
1441 supervisors of such county which authorize the payment of the  
1442 salary of the county prosecuting attorney in conformity with the  
1443 provisions of this section as it existed immediately prior to the  
1444 effective date of Chapter 506, Laws of 1985, are hereby ratified,  
1445 approved, confirmed and validated.

1446 (z) In any county having a population greater than  
1447 sixty-five thousand five hundred eighty (65,580) but less than  
1448 sixty-five thousand five hundred ninety (65,590) according to the  
1449 1990 federal decennial census, wherein U.S. Highway 45 intersects

1450 with Mississippi Highway 6, an annual salary equal to Thirty  
1451 Thousand Dollars (\$30,000.00).

1452 (aa) In any county where an institution of higher  
1453 learning is located and wherein U.S. Highway 82 and U.S. Highway  
1454 45 intersect, the salary of the county prosecuting attorney shall  
1455 be not less than that of a member of the board of supervisors in  
1456 such county, and the board of supervisors may, in its discretion,  
1457 pay such county prosecuting attorney a salary in an amount not to  
1458 exceed the amount of the salary of the District Attorney for the  
1459 Sixteenth Judicial District of Mississippi.

1460 (bb) In any county having a population greater than six  
1461 thousand (6,000) according to the federal decennial census and  
1462 wherein U.S. Highway 61 and Highway 24 intersect, the board of  
1463 supervisors, in its discretion, may pay the county prosecuting  
1464 attorney an annual salary equal to the annual salary of members of  
1465 the board of supervisors in the county.

1466 (cc) In any county having a population greater than  
1467 thirty-one thousand (31,000) according to the 1990 federal  
1468 decennial census and wherein U.S. Highway 61 and U.S. Highway 49  
1469 intersect, a salary of not less than the annual salary of justice  
1470 court judges in the county.

1471 (dd) (i) The Rankin County prosecuting attorney, if  
1472 such person is not employed on a full-time basis, shall receive an  
1473 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1474 (ii) The Board of Supervisors of Rankin County, in  
1475 its discretion, may employ the elected county prosecuting attorney  
1476 and an assistant on a full-time basis during his or her term of  
1477 office and may pay compensation to such full-time prosecuting  
1478 attorney in an amount of not more than ninety percent (90%) of the  
1479 annual compensation and salary of the county court judges of the  
1480 county as authorized by law, and may provide adequate office space  
1481 and reasonable office expenses to the county prosecuting attorney  
1482 and his/her assistant. The Board of Supervisors of Rankin County,

1483 in its discretion, may also employ a full-time assistant county  
1484 prosecuting attorney and may pay such person an annual salary in  
1485 such amount as determined by the board of supervisors. The salary  
1486 authorized by this subparagraph (dd)(ii) for the elected county  
1487 prosecuting attorney and an assistant shall be the sole and  
1488 complete salary paid by the county for the elected prosecuting  
1489 attorney and assistant in Rankin County, notwithstanding any other  
1490 provisions of law to the contrary.

1491 (ee) In any county having a population greater than  
1492 eight thousand (8,000) but less than eight thousand two hundred  
1493 (8,200) according to the 1990 federal census, and in which U.S.  
1494 Highway 61 and Mississippi Highway 4 intersect, the board of  
1495 supervisors may, in its discretion, pay the county prosecuting  
1496 attorney an amount not to exceed Fourteen Thousand Dollars  
1497 (\$14,000.00), in addition to the maximum allowable salary for that  
1498 attorney under subsection (1), beginning on April 1, 1997.

1499 (ff) In any county having a population greater than  
1500 thirty thousand three hundred (30,300) but less than thirty  
1501 thousand four hundred (30,400) according to the 1990 federal  
1502 census, and in which U.S. Highway 78 and Mississippi Highway 7  
1503 intersect, a salary of not less than the annual salary of a member  
1504 of the board of supervisors in such county.

1505 (gg) In any county having a population greater than  
1506 thirteen thousand three hundred (13,300) but less than thirteen  
1507 thousand four hundred (13,400) according to the 1990 federal  
1508 census, and in which Mississippi Highway 24 and Mississippi  
1509 Highway 48 intersect, the board of supervisors may, in its  
1510 discretion, pay the county prosecuting attorney an additional  
1511 amount not to exceed ten percent (10%) of the maximum allowable  
1512 salary for that attorney under subsection (1).

1513 (hh) In any county having a population greater than  
1514 eight thousand three hundred (8,300) but less than eight thousand  
1515 four hundred (8,400) according to the 1990 federal census, and in

1516 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of  
1517 supervisors may, in its discretion, pay the county prosecuting  
1518 attorney an additional amount not to exceed ten percent (10%) of  
1519 the maximum allowable salary for that attorney under subsection  
1520 (1).

1521 (ii) In any county having a population of more than  
1522 thirty thousand four hundred (30,400) and which is traversed in  
1523 whole or part by I-59, U.S. Highways 98 and 11 and State Highway  
1524 13, the annual salary of the county prosecuting attorney shall be  
1525 Twenty-five Thousand Dollars (\$25,000.00).

1526 (jj) In any county having a population greater than  
1527 twenty thousand (20,000) according to the 1990 federal census and  
1528 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the  
1529 board of supervisors, in its discretion, may pay the county  
1530 prosecuting attorney an annual salary equal to the annual salary  
1531 of justice court judges in the county.

1532 (kk) In any county having a population greater than  
1533 twelve thousand four hundred (12,400) but less than twelve  
1534 thousand five hundred (12,500) according to the 1990 federal  
1535 census, and in which U.S. Highway 84 and Mississippi Highway 27  
1536 intersect, the board of supervisors may, in its discretion, pay  
1537 the county prosecuting attorney an additional amount not to exceed  
1538 ten percent (10%) of the maximum allowable salary for that  
1539 attorney under subsection (1).

1540 (ll) In any county having a population greater than  
1541 thirty thousand two hundred (30,200) but less than thirty thousand  
1542 three hundred (30,300) according to the 1990 federal census, and  
1543 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,  
1544 the board of supervisors may, in its discretion, pay the county  
1545 prosecuting attorney an additional amount not to exceed ten  
1546 percent (10%) of the maximum allowable salary for that attorney  
1547 under subsection (1).

1548                   (mm) In any county on the Mississippi River levee,  
1549 having a population greater than forty-one thousand eight hundred  
1550 (41,800) but less than forty-one thousand nine hundred (41,900)  
1551 according to the 1990 federal census wherein U.S. Highway 61 and  
1552 Mississippi Highway 8 intersect, the board of supervisors, in its  
1553 discretion, may pay the county prosecuting attorney an annual  
1554 salary equal to the annual salary of members of the board of  
1555 supervisors in the county. In addition, the board of supervisors,  
1556 in its discretion, may pay the county prosecuting attorney the sum  
1557 of One Thousand Dollars (\$1,000.00) per month for the purpose of  
1558 defraying secretarial expenses.

1559                   (nn) In any county having a population greater than  
1560 twenty-four thousand seven hundred (24,700) and less than  
1561 twenty-four thousand nine hundred (24,900) according to the 1990  
1562 federal census, wherein Mississippi Highways 15 and 16 intersect,  
1563 the board of supervisors, in its discretion, may pay the county  
1564 prosecuting attorney an annual salary equal to the annual salary  
1565 of members of the board of supervisors in the county.

1566                   (oo) In any county having a population greater than  
1567 thirty-seven thousand (37,000) but less than thirty-eight thousand  
1568 (38,000) according to the 1990 federal census, in which is located  
1569 a state supported institution of higher learning, and in which  
1570 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of  
1571 supervisors may, in its discretion, pay the county prosecuting  
1572 attorney a salary in an amount not to exceed the amount of the  
1573 salary of the District Attorney for the Fourth Judicial District  
1574 of Mississippi.

1575                   (pp) In any county in which U.S. Highway 78 and  
1576 Mississippi Highway 15 intersect and which is traversed by the  
1577 Tallahatchie River, a salary equal to that of members of the board  
1578 of supervisors of the county, which salary shall be in addition to  
1579 any sums received for the purpose of defraying office or

1580 secretarial expenses and sums received as youth court prosecutor  
1581 fees.

1582 (qq) In any county bordering on the State of Tennessee  
1583 and the State of Arkansas, wherein Interstate Highway 55 and  
1584 Mississippi Highway 302 intersect, the board of supervisors, in  
1585 its discretion, may pay the county prosecuting attorney an annual  
1586 salary equal to the annual salary of justice court judges in the  
1587 county.

1588 (rr) In any county that is traversed by the Natchez  
1589 Trace Parkway and in which Mississippi Highway 35 and Mississippi  
1590 Highway 12 intersect, the board of supervisors, in its discretion,  
1591 may pay the county prosecuting attorney an annual salary in the  
1592 amount of the annual salary of justice court judges in the county.

1593 (ss) In any county in which Mississippi Highway 14 and  
1594 Mississippi Highway 25 intersect, the board of supervisors, in its  
1595 discretion, may pay the county prosecuting attorney an annual  
1596 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1597 (tt) In any county in which Interstate Highway 59 and  
1598 U.S. Highway 84 intersect, the board of supervisors, in its  
1599 discretion, may pay the county prosecuting attorney an annual  
1600 salary equal to the annual salary of members of the board of  
1601 supervisors in the county.

1602 (3) In any case where a salary, expense allowance or other  
1603 sum is authorized or paid by the board of supervisors pursuant to  
1604 this section, that salary, expense allowance or other sum shall  
1605 not be reduced or terminated during the term for which the county  
1606 attorney was elected.

1607 (4) Notwithstanding any provision of this section to the  
1608 contrary, no county prosecuting attorney shall receive for his  
1609 services an annual salary less than the salary paid to a justice  
1610 court judge in his respective county.

1611 **SECTION 14.** Section 23-15-153, Mississippi Code of 1972, is  
1612 amended as follows:

1613           23-15-153. (1) At the following times the commissioners of  
1614 election shall meet at the office of the registrar and carefully  
1615 revise the registration books and the pollbooks of the several  
1616 voting precincts, and shall erase from those books the names of  
1617 all persons erroneously on the books, or who have died, removed or  
1618 become disqualified as electors from any cause; and shall register  
1619 the names of all persons who have duly applied to be registered  
1620 and have been illegally denied registration:

1621           (a) On the Tuesday after the second Monday in January  
1622 1987 and every following year;

1623           (b) On the first Tuesday in the month immediately  
1624 preceding the first primary election for congressmen in the years  
1625 when congressmen are elected;

1626           (c) On the first Monday in the month immediately  
1627 preceding the first primary election for state, state district  
1628 legislative, county and county district offices in the years in  
1629 which those offices are elected; and

1630           (d) On the second Monday of September preceding the  
1631 general election or regular special election day in years in which  
1632 a general election is not conducted.

1633           Except for the names of those persons who are duly qualified  
1634 to vote in the election, no name shall be permitted to remain on  
1635 the registration books and pollbooks; however, no name shall be  
1636 erased from the registration books or pollbooks based on a change  
1637 in the residence of an elector except in accordance with  
1638 procedures provided for by the National Voter Registration Act of  
1639 1993 that are in effect at the time of such erasure. Except as  
1640 otherwise provided by Section 23-15-573, no person shall vote at  
1641 any election whose name is not on the pollbook.

1642           (2) Except as provided in subsection (3) of this section,  
1643 and subject to the following annual limitations, the commissioners  
1644 of election shall be entitled to receive a per diem in the amount  
1645 of Ninety-two Dollars (\$92.00), to be paid from the county general

1646 fund, for every day or period of no less than five (5) hours  
1647 accumulated over two (2) or more days actually employed in the  
1648 performance of their duties in the conduct of an election or  
1649 actually employed in the performance of their duties for the  
1650 necessary time spent in the revision of the registration books and  
1651 pollbooks as required in subsection (1) of this section:

1652           (a) In counties having less than fifteen thousand  
1653 (15,000) residents according to the latest federal decennial  
1654 census, not more than fifty (50) days per year, with no more than  
1655 fifteen (15) additional days allowed for the conduct of each  
1656 election in excess of one (1) occurring in any calendar year;

1657           (b) In counties having fifteen thousand (15,000)  
1658 residents according to the latest federal decennial census but  
1659 less than thirty thousand (30,000) residents according to the  
1660 latest federal decennial census, not more than seventy-five (75)  
1661 days per year, with no more than twenty-five (25) additional days  
1662 allowed for the conduct of each election in excess of one (1)  
1663 occurring in any calendar year;

1664           (c) In counties having thirty thousand (30,000)  
1665 residents according to the latest federal decennial census but  
1666 less than seventy thousand (70,000) residents according to the  
1667 latest federal decennial census, not more than one hundred (100)  
1668 days per year, with no more than thirty-five (35) additional days  
1669 allowed for the conduct of each election in excess of one (1)  
1670 occurring in any calendar year;

1671           (d) In counties having seventy thousand (70,000)  
1672 residents according to the latest federal decennial census but  
1673 less than ninety thousand (90,000) residents according to the  
1674 latest federal decennial census, not more than one hundred  
1675 twenty-five (125) days per year, with no more than forty-five (45)  
1676 additional days allowed for the conduct of each election in excess  
1677 of one (1) occurring in any calendar year;

1678 (e) In counties having ninety thousand (90,000)  
1679 residents according to the latest federal decennial census but  
1680 less than one hundred seventy thousand (170,000) residents  
1681 according to the latest federal decennial census, not more than  
1682 one hundred fifty (150) days per year, with no more than  
1683 fifty-five (55) additional days allowed for the conduct of each  
1684 election in excess of one (1) occurring in any calendar year;

1685 (f) In counties having one hundred seventy thousand  
1686 (170,000) residents according to the latest federal decennial  
1687 census but less than two hundred thousand (200,000) residents  
1688 according to the latest federal decennial census, not more than  
1689 one hundred seventy-five (175) days per year, with no more than  
1690 sixty-five (65) additional days allowed for the conduct of each  
1691 election in excess of one (1) occurring in any calendar year;

1692 (g) In counties having two hundred thousand (200,000)  
1693 residents according to the latest federal decennial census but  
1694 less than two hundred twenty-five thousand (225,000) residents  
1695 according to the latest federal decennial census, not more than  
1696 one hundred ninety (190) days per year, with no more than  
1697 seventy-five (75) additional days allowed for the conduct of each  
1698 election in excess of one (1) occurring in any calendar year;

1699 (h) In counties having two hundred twenty-five thousand  
1700 (225,000) residents according to the latest federal decennial  
1701 census but less than two hundred fifty thousand (250,000)  
1702 residents according to the latest federal decennial census, not  
1703 more than two hundred fifteen (215) days per year, with no more  
1704 than eighty-five (85) additional days allowed for the conduct of  
1705 each election in excess of one (1) occurring in any calendar year;

1706 (i) In counties having two hundred fifty thousand  
1707 (250,000) residents according to the latest federal decennial  
1708 census but less than two hundred seventy-five thousand (275,000)  
1709 residents according to the latest federal decennial census, not  
1710 more than two hundred thirty (230) days per year, with no more

1711 than ninety-five (95) additional days allowed for the conduct of  
1712 each election in excess of one (1) occurring in any calendar year;

1713 (j) In counties having two hundred seventy-five  
1714 thousand (275,000) residents according to the latest federal  
1715 decennial census or more, not more than two hundred forty (240)  
1716 days per year, with no more than one hundred five (105) additional  
1717 days allowed for the conduct of each election in excess of one (1)  
1718 occurring in any calendar year.

1719 (3) The commissioners of election shall be entitled to  
1720 receive a per diem in the amount of Eighty-four Dollars (\$84.00),  
1721 to be paid from the county general fund, not to exceed ten (10)  
1722 days for every day or period of no less than five (5) hours  
1723 accumulated over two (2) or more days actually employed in the  
1724 performance of their duties for the necessary time spent in the  
1725 revision of the registration books and pollbooks prior to any  
1726 special election. For purposes of this subsection, the regular  
1727 special election day shall not be considered a special election.  
1728 The annual limitations set forth in subsection (2) of this section  
1729 shall not apply to this subsection.

1730 (4) The commissioners of election shall be entitled to  
1731 receive only one (1) per diem payment for those days when the  
1732 commissioners of election discharge more than one (1) duty or  
1733 responsibility on the same day.

1734 (5) The county registrar shall prepare the pollbooks and the  
1735 county commissioners of election shall prepare the registration  
1736 books of each municipality located within the county pursuant to  
1737 an agreement between the county and each municipality in the  
1738 county. The county commissioners of election and the county  
1739 registrar shall be paid by each municipality for the actual cost  
1740 of preparing registration books and pollbooks for the municipality  
1741 and shall pay each county commissioner of election a per diem in  
1742 the amount provided for in subsection (2) of this section for each  
1743 day or period of not less than five (5) hours accumulated over two

1744 (2) or more days the commissioners are actually employed in  
 1745 preparing the registration books for the municipality, not to  
 1746 exceed five (5) days. The county commissioners of election and  
 1747 county registrar shall provide copies of the registration books  
 1748 and pollbooks to the municipal clerk of each municipality in the  
 1749 county. The municipality shall pay the county registrar for  
 1750 preparing and printing the pollbooks. A municipality may secure  
 1751 "read only" access to the Statewide Centralized Voter System and  
 1752 print its own pollbooks using this information; however, county  
 1753 commissioners of election shall remain responsible for preparing  
 1754 registration books for municipalities and shall be paid for this  
 1755 duty in accordance with this subsection.

1756 (6) Every commissioner of election shall sign personally a  
 1757 certification setting forth the number of hours actually worked in  
 1758 the performance of the commissioner's official duties and for  
 1759 which the commissioner seeks compensation. The certification must  
 1760 be on a form as prescribed in this subsection. The commissioner's  
 1761 signature is, as a matter of law, made under the commissioner's  
 1762 oath of office and under penalties of perjury.

1763 The certification form shall be as follows:

1764 **COUNTY ELECTION COMMISSIONER**

1765 **PER DIEM CLAIM FORM**

1766 NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

1767 ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

1768 CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

	PURPOSE	APPLICABLE	ACTUAL	PER DIEM
DATE	BEGINNING	ENDING	OF	MS CODE
WORKED	TIME	TIME	WORK	SECTION
			HOURS	DAYS
			WORKED	EARNED

1772 \_\_\_\_\_

1773 \_\_\_\_\_

1774 \_\_\_\_\_

1775 TOTAL NUMBER OF PER DIEM DAYS EARNED \_\_\_\_\_

1776 PER DIEM RATE PER DAY EARNED X 84.00

1777 TOTAL AMOUNT OF PER DIEM CLAIMED \$\_\_\_\_\_

1778 I understand that I am signing this document under my oath as  
1779 a commissioner of election and under penalties of perjury.

1780 I understand that I am requesting payment from taxpayer funds  
1781 and that I have an obligation to be specific and truthful as to  
1782 the amount of hours worked and the compensation I am requesting.

1783 Signed this the \_\_\_\_\_day of \_\_\_\_\_, \_\_\_\_.

1784 \_\_\_\_\_

1785 Commissioner's Signature

1786 When properly completed and signed, the certification must be  
1787 filed with the clerk of the county board of supervisors before any  
1788 payment may be made. The certification will be a public record  
1789 available for inspection and reproduction immediately upon the  
1790 oral or written request of any person.

1791 Any person may contest the accuracy of the certification in  
1792 any respect by notifying the chairman of the commission, any  
1793 member of the board of supervisors or the clerk of the board of  
1794 supervisors of such contest at any time before or after payment is  
1795 made. If the contest is made before payment is made, no payment  
1796 shall be made as to the contested certificate until the contest is  
1797 finally disposed of. The person filing the contest shall be  
1798 entitled to a full hearing, and the clerk of the board of  
1799 supervisors shall issue subpoenas upon request of the contestor  
1800 compelling the attendance of witnesses and production of documents  
1801 and things. The contestor shall have the right to appeal de novo  
1802 to the circuit court of the involved county, which appeal must be  
1803 perfected within thirty (30) days from a final decision of the  
1804 commission, the clerk of the board of supervisors or the board of  
1805 supervisors, as the case may be.

1806 Any contestor who successfully contests any certification  
1807 will be awarded all expenses incident to his contest, together  
1808 with reasonable attorney's fees, which will be awarded upon  
1809 petition to the chancery court of the involved county upon final

1810 disposition of the contest before the election commission, board  
1811 of supervisors, clerk of the board of supervisors, or, in case of  
1812 an appeal, final disposition by the court. The commissioner  
1813 against whom the contest is decided shall be liable for the  
1814 payment of the expenses and attorney's fees, and the county shall  
1815 be jointly and severally liable for same.

1816 (7) Any commissioner of election who has not received a  
1817 certificate issued by the Secretary of State pursuant to Section  
1818 23-15-211 indicating that the commissioner of election has  
1819 received the required elections seminar instruction and that the  
1820 commissioner of election is fully qualified to conduct an  
1821 election, shall not receive any compensation authorized by this  
1822 Section 23-15-153, Section 23-15-491 or Section 23-15-239.

1823 **SECTION 15.** The Attorney General of the State of Mississippi  
1824 shall submit this act, immediately upon approval by the Governor,  
1825 or upon approval by the Legislature subsequent to a veto, to the  
1826 Attorney General of the United States or to the United States  
1827 District Court for the District of Columbia in accordance with the  
1828 provisions of the Voting Rights Act of 1965, as amended and  
1829 extended.

1830 **SECTION 16.** This act shall take effect and be in force from  
1831 and after the date it is effectuated under Section 5 of the Voting  
1832 Rights Act of 1965, as amended and extended, or October 1, 2007,  
1833 whichever occurs later.