

By: Senator(s) Ross

To: Judiciary, Division A;
County Affairs

SENATE BILL NO. 3051

1 AN ACT TO AMEND SECTION 9-11-5, MISSISSIPPI CODE OF 1972, TO
 2 REQUIRE THE COUNTIES TO PROVIDE ADEQUATE SECURITY IN JUSTICE COURT
 3 COURTROOMS; TO AMEND SECTIONS 9-11-9 AND 99-33-1, MISSISSIPPI CODE
 4 OF 1972, TO REVISE JURISDICTION OF JUSTICE COURTS; TO AMEND
 5 SECTIONS 9-11-3 AND 9-11-4, MISSISSIPPI CODE OF 1972, TO REVISE
 6 CONTINUING EDUCATION REQUIREMENTS FOR JUSTICE COURT JUDGES; TO
 7 AMEND SECTION 11-9-143, MISSISSIPPI CODE OF 1972, TO REVISE TRIAL
 8 BY JURY IN JUSTICE COURTS; TO AMEND SECTION 97-37-7, MISSISSIPPI
 9 CODE OF 1972, TO AUTHORIZE JUSTICE COURT JUDGES TO CARRY A
 10 CONCEALED WEAPON ON THE SAME BASIS AS JUDGES OF OTHER COURTS; TO
 11 AMEND SECTION 11-9-107, MISSISSIPPI CODE OF 1972, TO REVISE
 12 SERVICE OF PROCESS IN JUSTICE COURT; TO AMEND SECTION 25-3-36,
 13 MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF JUSTICE COURT
 14 JUDGES; TO AMEND SECTION 25-7-13, MISSISSIPPI CODE OF 1972, TO
 15 INCREASE THE FILING FEE IN CIRCUIT AND COUNTY COURTS TO OFFSET THE
 16 LOSS OF INCOME FROM THE INCREASE IN CIVIL JURISDICTION IN JUSTICE
 17 COURT; TO REPEAL SECTIONS 11-9-143, 11-9-145 AND 11-9-147,
 18 MISSISSIPPI CODE OF 1972, DEALING WITH JURIES IN JUSTICE COURT;
 19 AND FOR RELATED PURPOSES.

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

21 **SECTION 1.** Section 9-11-5, Mississippi Code of 1972, is
 22 amended as follows:

23 9-11-5. (1) The justice court judges shall be provided
 24 courtrooms by the county and all trials shall be held therein.
 25 Such courtrooms shall be in the county courthouse, county office
 26 building or any other building within the county deemed
 27 appropriate by the board of supervisors.

28 (2) The county shall provide office space and furnish each
 29 justice court office, provide necessary office supplies and
 30 furnish adequate security.

31 (3) The board of supervisors of each county may secure
 32 insurance coverage to protect the office of the justice court
 33 clerk against losses due to theft or robbery.

34 **SECTION 2.** Section 9-11-9, Mississippi Code of 1972, is
 35 amended as follows:

36 9-11-9. (1) (a) Justice court judges shall have
37 jurisdiction of all actions for the recovery of debts or damages
38 or personal property, where the principal of the debt, the amount
39 of the demand, or the value of the property sought to be recovered
40 shall not exceed Five Thousand Dollars (\$5,000.00).

41 (b) The justice court judges shall have no pecuniary
42 interest in the outcome of any action once suit has been filed.

43 (2) The criminal jurisdiction of the justice court shall be
44 as provided in Section 99-33-1.

45 **SECTION 3.** Section 99-33-1, Mississippi Code of 1972, is
46 amended as follows:

47 99-33-1. (1) [Repealed]

48 (2) [Repealed]

49 (3) Upon the election of any county to employ a clerk for
50 the justice court of such county in accordance with the provisions
51 of subsection (3) of Section 9-11-27 prior to January 1, 1984, the
52 venue of criminal actions in such county shall be as provided in
53 subsection (5) of this section. Actions filed prior to such time
54 shall be concluded pursuant to the provisions of subsection (1) of
55 this section.

56 (4) Subsections (1) and (2) of this section shall stand
57 repealed from and after January 1, 1984; provided, however, that
58 criminal actions brought prior to January 1, 1984, shall be
59 concluded pursuant to subsection (1) of this section.

60 (5) From and after January 1, 1984, justice court judges
61 shall have jurisdiction concurrent with the circuit court of the
62 county over all crimes occurring in the county whereof the
63 punishment prescribed does not extend beyond a fine and
64 imprisonment in the county jail; provided, that if a defendant
65 invokes the right of a trial by jury under Section 31 of the
66 Mississippi Constitution of 1890, jurisdiction shall be in the
67 circuit court.

68 **SECTION 4.** Section 9-11-3, Mississippi Code of 1972, is
69 amended as follows:

70 9-11-3. (1) Except as otherwise provided herein, no justice
71 court judge elected for a full term of office commencing on or
72 after January 1, 1992, shall exercise the judicial functions of
73 his office or be eligible to take the oath of office unless he has
74 filed in the office of the chancery clerk a certificate of
75 completion of a course of training and education conducted by the
76 Mississippi Judicial College of the University of Mississippi Law
77 Center within six (6) months of the beginning of the term for
78 which such justice is elected. A justice court judge who has
79 completed the course of training and education and has satisfied
80 his annual continuing education course requirements, and who is
81 then elected for a succeeding term of office subsequent to the
82 initial term for which he completed the training course, shall not
83 be required to repeat the training and education course upon
84 reelection.

85 (2) In addition to meeting the requirements of subsection
86 (1) of this section, after taking office, each justice court judge
87 shall be required to attend twenty-seven (27) hours of continuing
88 education as set forth in Section 9-11-4 and file annually in the
89 office of the chancery clerk a certificate of completion of
90 twenty-seven (27) hours of continuing education conducted by the
91 Mississippi Judicial College.

92 (3) The requirements for obtaining each of the certificates
93 in subsections (1) and (2) of this section shall be as provided in
94 Section 9-11-4.

95 (4) Upon the failure of any justice court judge to complete
96 the training and file with the chancery clerk the certificates of
97 completion as provided in subsections (1) and (2) of this section,
98 such justice court judge shall, in addition to any other fine or
99 punishment provided by law for such conduct, not be entitled to

100 compensation for the period of time during which such certificates
101 remain unfiled.

102 **SECTION 5.** Section 9-11-4, Mississippi Code of 1972, is
103 amended as follows:

104 9-11-4. (1) The Mississippi Judicial College of the
105 University of Mississippi Law Center shall prepare and conduct
106 courses of training for basic and continuing education for justice
107 court judges of this state. The basic course of training shall be
108 known as the "Justice Court Judge Training Course" and shall
109 consist of at least thirty-two (32) hours of training. The
110 continuing education course shall be known as the "Continuing
111 Education Course for Justice Court Judges," and shall consist of
112 at least twenty-seven (27) hours of training. The content of the
113 basic and continuing education courses and when and where such
114 courses are to be conducted shall be determined by the Judicial
115 College. The Judicial College shall issue certificates of
116 completion to those justice court judges who complete such
117 courses.

118 (2) All costs and expenses for preparing and conducting the
119 basic and continuing education courses provided for in subsection
120 (1) of this section shall be paid out of any funds which are made
121 available to the Judicial College upon authorization and
122 appropriation by the Legislature.

123 **SECTION 6.** Section 11-9-143, Mississippi Code of 1972, is
124 amended as follows:

125 11-9-143. * * * There shall be no trial by jury, civil or
126 criminal, in justice court.

127 **SECTION 7.** Section 97-37-7, Mississippi Code of 1972, is
128 amended as follows:

129 97-37-7. (1) (a) It shall not be a violation of Section
130 97-37-1 or any other statute for pistols, firearms or other
131 suitable and appropriate weapons to be carried by duly constituted
132 bank guards, company guards, watchmen, railroad special agents or

133 duly authorized representatives who are not sworn law enforcement
134 officers, agents or employees of a patrol service, guard service,
135 or a company engaged in the business of transporting money,
136 securities or other valuables, while actually engaged in the
137 performance of their duties as such, provided that such persons
138 have made a written application and paid a nonrefundable permit
139 fee of One Hundred Dollars (\$100.00) to the Department of Public
140 Safety.

141 (b) No permit shall be issued to any person who has
142 ever been convicted of a felony under the laws of this or any
143 other state or of the United States. To determine an applicant's
144 eligibility for a permit, the person shall be fingerprinted. If
145 no disqualifying record is identified at the state level, the
146 fingerprints shall be forwarded by the Department of Public Safety
147 to the Federal Bureau of Investigation for a national criminal
148 history record check. The department shall charge a fee which
149 includes the amounts required by the Federal Bureau of
150 Investigation and the department for the national and state
151 criminal history record checks and any necessary costs incurred by
152 the department for the handling and administration of the criminal
153 history background checks. In the event a legible set of
154 fingerprints, as determined by the Department of Public Safety and
155 the Federal Bureau of Investigation, cannot be obtained after a
156 minimum of three (3) attempts, the Department of Public Safety
157 shall determine eligibility based upon a name check by the
158 Mississippi Highway Safety Patrol and a Federal Bureau of
159 Investigation name check conducted by the Mississippi Safety
160 Patrol at the request of the Department of Public Safety.

161 (c) A person may obtain a duplicate of a lost or
162 destroyed permit upon payment of a Fifteen Dollar (\$15.00)
163 replacement fee to the Department of Public Safety, if he
164 furnishes a notarized statement to the department that the permit
165 has been lost or destroyed.

166 (d) (i) No less than ninety (90) days prior to the
167 expiration date of a permit, the Department of Public Safety shall
168 mail to the permit holder written notice of expiration together
169 with the renewal form prescribed by the department. The permit
170 holder shall renew the permit on or before the expiration date by
171 filing with the department the renewal form, a notarized affidavit
172 stating that the permit holder remains qualified, and the renewal
173 fee of Fifty Dollars (\$50.00); provided, however, that honorably
174 retired law enforcement officers shall be exempt from payment of
175 the renewal fee. A permit holder who fails to file a renewal
176 application on or before its expiration date shall pay a late fee
177 of Fifteen Dollars (\$15.00).

178 (ii) Renewal of the permit shall be required every
179 four (4) years. The permit of a qualified renewal applicant shall
180 be renewed upon receipt of the completed renewal application and
181 appropriate payment of fees.

182 (iii) A permit cannot be renewed six (6) months or
183 more after its expiration date, and such permit shall be deemed to
184 be permanently expired; the holder may reapply for an original
185 permit as provided in this section.

186 (2) It shall not be a violation of this or any other statute
187 for pistols, firearms or other suitable and appropriate weapons to
188 be carried by Department of Wildlife, Fisheries and Parks law
189 enforcement officers, railroad special agents who are sworn law
190 enforcement officers, investigators employed by the Attorney
191 General, district attorneys, legal assistants to district
192 attorneys, criminal investigators employed by the district
193 attorneys, investigators or probation officers employed by the
194 Department of Corrections, employees of the State Auditor who are
195 authorized by the State Auditor to perform investigative
196 functions, or any deputy fire marshal or investigator employed by
197 the State Fire Marshal, while engaged in the performance of their
198 duties as such, or by fraud investigators with the Department of

199 Human Services, or by judges of the Mississippi Supreme Court,
200 Court of Appeals, circuit, chancery, county, justice and municipal
201 courts. Before any person shall be authorized under this
202 subsection to carry a weapon, he shall complete a weapons training
203 course approved by the Board of Law Enforcement Officer Standards
204 and Training. Before any criminal investigator employed by a
205 district attorney shall be authorized under this section to carry
206 a pistol, firearm or other weapon, he shall have complied with
207 Section 45-6-11 or any training program required for employment as
208 an agent of the Federal Bureau of Investigation. A law
209 enforcement officer, as defined in Section 45-6-3, shall be
210 authorized to carry weapons in courthouses in performance of his
211 official duties. This section shall in no way interfere with the
212 right of a trial judge to restrict the carrying of firearms in the
213 courtroom.

214 (3) It shall not be a violation of this or any other statute
215 for pistols, firearms or other suitable and appropriate weapons,
216 to be carried by any out-of-state, full-time commissioned law
217 enforcement officer who holds a valid commission card from the
218 appropriate out-of-state law enforcement agency and a photo
219 identification. The provisions of this subsection shall only
220 apply if the state where the out-of-state officer is employed has
221 entered into a reciprocity agreement with the state that allows
222 full-time commissioned law enforcement officers in Mississippi to
223 lawfully carry or possess a weapon in such other states. The
224 Commissioner of Public Safety is authorized to enter into
225 reciprocal agreements with other states to carry out the
226 provisions of this subsection.

227 **SECTION 8.** Section 11-9-107, Mississippi Code of 1972, is
228 amended as follows:

229 11-9-107. When any criminal process has not been returned by
230 a constable within ten (10) working days after issuance by the
231 clerk of the justice court, the clerk shall direct the sheriff of

232 his county and his deputies to execute any such process of the
233 justice court; and the sheriff and his deputies shall execute any
234 process so directed to him by any clerk of the justice court.
235 Service of process in a civil suit shall be made and returned
236 according to the Mississippi Rules of Civil Procedure.

237 **SECTION 9.** Section 25-3-36, Mississippi Code of 1972, is
238 amended as follows:

239 25-3-36. (1) Every justice court judge shall receive as
240 full compensation for his or her services and in lieu of any and
241 all other fees, costs or compensation heretofore authorized for
242 such justice court judge, an annual salary * * * determined as
243 follows:

244 (a) Until July 1, 2008:

245 (i) In counties having five (5) justice court
246 judges, Sixty-one Thousand One Hundred Fifteen Dollars
247 (\$61,115.00).

248 (ii) In counties having four (4) justice court
249 judges, Fifty-six Thousand One Hundred Six Dollars (\$56,106.00).

250 (iii) In counties having three (3) justice court
251 judges, Fifty-one Thousand Ninety-six Dollars (\$51,096.00).

252 (iv) In counties having two (2) justice court
253 judges, Thirty-four Thousand Dollars (\$34,000.00).

254 (b) From July 1, 2008, until July 1, 2009:

255 (i) In counties having five (5) justice court
256 judges, Sixty-seven Thousand Two Hundred Twenty Dollars
257 (\$67,220.00).

258 (ii) In counties having four (4) justice court
259 judges, Sixty-one Thousand Seven Hundred Dollars (\$61,700.00).

260 (iii) In counties having three (3) justice court
261 judges, Fifty-six Thousand Two Hundred Dollars (\$56,200.00).

262 (iv) In counties having two (2) justice court
263 judges, Thirty-seven Thousand Four Hundred Dollars (\$37,400.00).

264 (c) From and after July 1, 2009:

265 (i) In counties having five (5) justice court
266 judges, Seventy-three Thousand Nine Hundred Fifty Dollars
267 (\$73,950.00).

268 (ii) In counties having four (4) justice court
269 judges, Sixty-seven Thousand Eight Hundred Ninety Dollars
270 (\$67,890.00).

271 (iii) In counties having three (3) justice court
272 judges, Sixty-one Thousand Eight Hundred Twenty-six Dollars
273 (\$61,826.00).

274 (iv) In counties having two (2) justice court
275 judges, Forty-one Thousand One Hundred Forty Dollars (\$41,140.00).

276 * * *

277 (2) From and after January 1, 1984, all fees, costs, fines
278 and penalties charged and collected in the justice court shall be
279 paid to the clerk of the justice court for deposit, along with
280 monies from cash bonds and other monies which have been forfeited
281 in criminal cases, into the general fund of the county as provided
282 in Section 9-11-19; and the clerk of the board of supervisors
283 shall be authorized and empowered, upon approval by the board of
284 supervisors, to make disbursements and withdrawals from the
285 general fund of the county in order to pay any reasonable and
286 necessary expenses incurred in complying with this section,
287 including payment of the salaries of justice court judges as
288 provided by subsection (1) of this section. The provisions of
289 this subsection shall not, except as to cash bonds and other
290 monies which have been forfeited in criminal cases, apply to
291 monies required to be deposited in the justice court clerk
292 clearing account as provided in Section 9-11-18, Mississippi Code
293 of 1972.

294 (3) The salaries provided for in this section shall be
295 payable monthly by warrant drawn by the clerk of the board of
296 supervisors on the general fund of the county; however, the board
297 of supervisors, by resolution duly adopted and entered on its

298 minutes, may provide that such salaries shall be paid semimonthly
299 on the first and fifteenth day of each month. If a pay date falls
300 on a weekend or legal holiday, salary payments shall be made on
301 the workday immediately preceding the weekend or legal holiday.

302 (4) Provided, that the salary of any justice court judge
303 shall not be reduced during his term of office as a result of a
304 population change following a federal decennial census.

305 (5) Any justice court judge who is unable to attend and hold
306 court by reason of being under suspension by the Commission on
307 Judicial Performance or the Mississippi Supreme Court shall not
308 receive a salary while under such suspension.

309 **SECTION 10.** Section 25-7-13, Mississippi Code of 1972, is
310 amended as follows:

311 25-7-13. (1) The clerks of the circuit court shall charge
312 the following fees:

313 (a) Docketing, filing, marking and registering each
314 complaint, petition and indictment..... \$80.00

315 The fee set forth in this paragraph shall be the total fee
316 for all services performed by the clerk up to and including entry
317 of judgment with respect to each complaint, petition or
318 indictment, including all answers, claims, orders, continuances
319 and other papers filed therein, issuing each writ, summons,
320 subpoena or other such instruments, swearing witnesses, taking and
321 recording bonds and pleas, and recording judgments, orders, fiats
322 and certificates; the fee shall be payable upon filing and shall
323 accrue to the clerk at the time of collection. The clerk or his
324 successor in office shall perform all duties set forth above
325 without additional compensation or fee.

326 (b) Docketing and filing each motion to renew judgment,
327 suggestion for a writ of garnishment, suggestion for a writ of
328 execution and judgment debtor actions and issuing all process,
329 filing and recording orders or other papers and swearing
330 witnesses..... \$30.00

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

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

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

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

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

341 (d) Certifying copies of filed documents, for each
342 complete document..... \$ 1.00

343 (e) Recording orders, fiats, licenses, certificates,
344 oaths and bonds:

345 First page..... \$ 2.00

346 Each additional page..... \$ 1.00

347 (f) Furnishing copies of any papers of record or on
348 file and entering marginal notations on documents of record:

349 If performed by the clerk or his employee,
350 per page..... \$ 1.00

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

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

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

354 (i) For taking and recording application for marriage
355 license, for filing and recording consent of parents when required
356 by law, for filing and recording medical certificate, filing and
357 recording proof of age, recording and issuing license, recording
358 and filing returns..... \$20.00

359 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee
360 collected for a marriage license in the Victims of Domestic
361 Violence Fund established in Section 93-21-117, on a monthly
362 basis.

363 (j) For certified copy of marriage license and search
364 of record, the same fee charged by the Bureau of Vital Statistics
365 of the State Board of Health.

366 (k) For public service not particularly provided for,
367 the circuit court may allow the clerk, per annum, to be paid by
368 the county on presentation of the circuit court's order, the
369 following amount..... \$5,000.00

370 However, in the counties having two (2) judicial districts,
371 such above allowance shall be made for each judicial district.

372 (l) For drawing jurors and issuing venire, to be paid
373 by the county..... \$ 5.00

374 (m) For each day's attendance upon the circuit court
375 term, for himself and necessary deputies allowed by the court,
376 each to be paid by the county..... \$50.00

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

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

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

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

387 (4) The clerk's fees in state cases where the state fails in
388 the prosecution, or in cases of felony where the defendant is
389 convicted and the cost cannot be made out of his estate, in an
390 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)
391 year, shall be paid out of the county treasury on approval of the
392 circuit court, and the allowance thereof by the board of
393 supervisors of the county. In counties having two (2) judicial
394 districts, such allowance shall be made in each judicial district;
395 however, the maximum thereof shall not exceed Eight Hundred

396 Dollars (\$800.00). Clerks in the circuit court, in cases where
397 appeals are taken in criminal cases and no appeal bond is filed,
398 shall be allowed by the board of supervisors of the county after
399 approval of their accounts by the circuit court, in addition to
400 the above fees, for making such transcript the rate of Two Dollars
401 (\$2.00) per page.

402 (5) The clerk of the circuit court may retain as his
403 commission on all money coming into his hands, by law or order of
404 the court, a sum to be fixed by the court not exceeding one-half
405 of one percent (1/2 of 1%) on all such sums.

406 (6) For making final records required by law, including, but
407 not limited to, circuit and county court minutes, and furnishing
408 transcripts of records, the circuit clerk shall charge Two Dollars
409 (\$2.00) per page. The same fees shall be allowed to all officers
410 for making and certifying copies of records or papers which they
411 are authorized to copy and certify.

412 (7) The circuit clerk shall prepare an itemized statement of
413 fees for services performed, cost incurred, or for furnishing
414 copies of any papers of record or on file, and shall submit the
415 statement to the parties or, if represented, to their attorneys
416 within sixty (60) days. A bill for same shall accompany the
417 statement.

418 **SECTION 11.** (1) The Mississippi Justice Court Judge
419 Compensation Study Committee is hereby created. It shall consist
420 of fifteen (15) voting and two (2) nonvoting members who are to be
421 selected as follows:

422 (a) Four (4) justice court judges elected by the
423 Conference of Justice Court Judges, only one (1) of whom is also
424 an attorney.

425 (b) One (1) chancellor elected by the Conference of
426 Chancery Judges.

427 (c) One (1) circuit judge elected by the Conference of
428 Circuit Judges.

429 (d) One (1) county court judge elected by the
430 Conference of County Court Judges.

431 (e) The Chairman of the Senate Judiciary Committee,
432 Division A, and the Chairman of the House of Representatives
433 Judiciary A Committee, or their designees, shall serve as
434 legislative liaisons and nonvoting members.

435 (f) The Lieutenant Governor shall appoint two (2)
436 members, neither of whom is an attorney nor a member of the
437 Legislature.

438 (g) The Speaker of the House shall appoint two (2)
439 members, neither of whom is an attorney nor a member of the
440 Legislature.

441 (h) The Presidents of The Mississippi Bar and the
442 Magnolia Bar Association shall each appoint one (1) member, each
443 of whom shall be licensed to practice law in the State of
444 Mississippi.

445 (i) One (1) prosecutor elected by the Prosecutors'
446 Association.

447 (j) The Governor shall appoint one (1) Public Defender
448 who works at the trial level.

449 Members shall be appointed for a two-year term. Appointments
450 and vacancies on the study committee shall be filled by the
451 respective selecting and appointing authorities.

452 (2) The purpose of the study committee shall be to make
453 recommendations to the Legislature as to the best and most
454 appropriate compensation for justice court judges; conducting
455 research relating to improvement of the administration of justice
456 at the justice court level; and making a comprehensive study of
457 the state justice court system for the purpose of the improvement
458 thereof. In addition, the study committee is charged with the
459 examination of the operational needs, including budget and
460 staffing, of the justice courts.

461 (3) (a) The Governor shall set and give notice of the time,
462 date and place of the initial meeting, at which time the study
463 committee shall elect a chairperson from its members who shall
464 preside at the meetings of the committee. The chair shall not
465 vote unless necessary to break a tie vote of the committee. The
466 committee shall elect a vice chair who shall preside over meetings
467 in the absence of the chair and any other officers which it
468 considers necessary to carry out the purpose of the committee.
469 The committee may form any committees from its membership in order
470 to assist the committee in accomplishing its purposes as provided
471 in this section.

472 (b) The committee shall meet quarterly and at such
473 other times as meetings may be called by the chair. A majority of
474 the members shall constitute a quorum at any meeting. Any final
475 action taken by the study committee shall require the affirmative
476 vote of a majority of the nonlegislative members.

477 (4) The Administrative Office of Courts shall provide such
478 support of the Mississippi Justice Court Compensation Study
479 Committee as is necessary to accomplish the purposes of this act,
480 including, but not limited to, research and clerical assistance.

481 (5) (a) In addition to the other duties specified, the
482 committee shall file reports with the Legislature not later than
483 December 15, 2007, and December 15, 2008, detailing its findings
484 and recommendations.

485 (b) The committee is authorized and empowered for the
486 accomplishment of its purposes to undertake any studies, reviews,
487 inquiries, hearings, examinations, surveys or analyses as it may
488 deem pertinent, relevant and justified. The committee shall
489 propose and prepare in detailed form for the consideration of the
490 Legislature such amendments to existing law, such statutes, and
491 such constitutional amendments as in the judgment of the committee
492 will promote the administration of justice.

493 (6) The committee is authorized to call upon any and all
494 existing courts, agencies, departments, divisions, officers,
495 employees, boards, bureaus, commissions and institutions of the
496 State of Mississippi, or any political subdivision thereof, to
497 furnish such information, data and assistance as will enable it to
498 carry out its powers and duties hereunder and all such agencies,
499 departments, divisions, officers, employees, boards, bureaus,
500 commissions and institutions of the State of Mississippi and its
501 political subdivisions are hereby directed to cooperate with the
502 committee and render such information, data, aid and assistance as
503 may be requested by the committee.

504 (7) The committee shall have the power to enlist the
505 services of any agency, either public or private, or any
506 individual or educational institution, bar association, research
507 organization, foundation or educational or civic organization for
508 assistance in accomplishing the purposes of this act, conducting
509 research studies, gathering information or printing and publishing
510 its reports. The committee is authorized to make and sign any
511 agreements or contracts to do or perform any actions that may be
512 necessary, desirable or proper to carry out the purposes and
513 objectives of this section.

514 (8) The committee may employ any agents, clerks,
515 researchers, counsel, consultants and other personnel necessary
516 for the performance of the duties of the study committee and fix
517 their respective rates of compensation, all subject to the
518 approval of the State Personnel Board and within the amounts made
519 available by appropriation therefor or received from other
520 sources.

521 (9) Members of the committee shall receive a per diem as
522 provided in Section 25-3-69 for actual attendance upon meetings of
523 the study committee, together with reimbursement for traveling and
524 subsistence expenses incurred as provided in Section 25-3-41,
525 except that members of the study committee who are members of the

526 Legislature shall not receive per diem for attendance while the
527 Legislature is in session and no member whose regular compensation
528 is payable by the state or any political subdivision of the state
529 shall receive per diem for attendance upon meetings of the study
530 committee.

531 (10) The committee is authorized and empowered to receive
532 and expend any funds appropriated to it by the Legislature and any
533 funds received by it from any other source in carrying out the
534 objectives and purposes of this act.

535 (11) The committee shall stand dissolved on December 31,
536 2008.

537 **SECTION 12.** Sections 11-9-143, 11-9-145 and 11-9-147,
538 Mississippi Code of 1972, dealing with juries in justice court,
539 are repealed.

540 **SECTION 13.** The Attorney General of the State of Mississippi
541 shall submit this act, immediately upon approval by the Governor,
542 or upon approval by the Legislature subsequent to a veto, to the
543 Attorney General of the United States or to the United States
544 District Court for the District of Columbia in accordance with the
545 provisions of the Voting Rights Act of 1965, as amended and
546 extended.

547 **SECTION 14.** This act shall take effect and be in force from
548 and after October 1, 2007, or the date it is effectuated under
549 Section 5 of the Voting Rights Act of 1965, as amended and
550 extended, whichever is later.