

**House Amendments to Senate Bill No. 2608**

**TO THE SECRETARY OF THE SENATE:**

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

**AMENDMENT NO. 1**

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

6           **SECTION 1.** Section 25-31-5, Mississippi Code of 1972, is  
7 amended as follows:  
8           25-31-5. (1) The following number of full-time legal  
9 assistants are authorized in the following circuit court  
10 districts:  
11           (a) First Circuit Court District..... eight (8)  
12 legal assistants.  
13           (b) Second Circuit Court District..... nine (9)  
14 legal assistants.  
15           (c) Third Circuit Court District..... five (5)  
16 legal assistants.  
17           (d) Fourth Circuit Court District..... six (6)  
18 legal assistants.  
19           (e) Fifth Circuit Court District..... four (4)  
20 legal assistants.  
21           (f) Sixth Circuit Court District..... two (2)  
22 legal assistants.  
23           (g) Seventh Circuit Court District..... twelve (12)  
24 legal assistants.  
25           (h) Eighth Circuit Court District..... three (3)  
26 legal assistants.  
27           (i) Ninth Circuit Court District..... two (2)  
28 legal assistants.  
29           (j) Tenth Circuit Court District..... four (4)  
30 legal assistants.  
31           (k) Eleventh Circuit Court District..... five (5)

32	legal assistants.	
33	(l) Twelfth Circuit Court District.....	<u>four (4)</u>
34	legal assistants.	
35	(m) Thirteenth Circuit Court District.....	<u>three (3)</u>
36	legal assistants.	
37	(n) Fourteenth Circuit Court District.....	<u>four (4)</u>
38	legal assistants.	
39	(o) Fifteenth Circuit Court District.....	five (5)
40	legal assistants.	
41	(p) Sixteenth Circuit Court District.....	<u>five (5)</u>
42	legal assistants.	
43	(q) Seventeenth Circuit Court District....	six (6)
44	legal assistants.	
45	(r) Eighteenth Circuit Court District.....	two (2)
46	legal assistants.	
47	(s) Nineteenth Circuit Court District.....	four (4)
48	legal assistants.	
49	(t) Twentieth Circuit Court District.....	four (4)
50	legal assistants.	
51	(u) Twenty-first Circuit Court District...	two (2)
52	legal assistants.	
53	(v) Twenty-second Circuit Court District..	two (2)
54	legal assistants.	
55	(2) In addition to any legal assistants authorized pursuant	
56	to subsection (1) of this section, the following number of	
57	full-time legal assistants are authorized (i) in the following	
58	circuit court districts if funds are appropriated by the	
59	Legislature to adequately fund the salaries, expenses and fringe	
60	benefits of such legal assistants, or (ii) in any of the following	
61	circuit court districts in which the board of supervisors of one	
62	or more of the counties in a circuit court district adopts a	
63	resolution to pay all of the salaries, supplemental pay, expenses	
64	and fringe benefits of legal assistants authorized in such	
65	district pursuant to this subsection:	
66	(a) First Circuit Court District.....	two (2)

67 legal assistants.

68           (b) Second Circuit Court District..... two (2)

69 legal assistants.

70           (c) Third Circuit Court District..... two (2)

71 legal assistants.

72           (d) Fourth Circuit Court District..... two (2)

73 legal assistants.

74           (e) Fifth Circuit Court District..... two (2)

75 legal assistants.

76           (f) Sixth Circuit Court District..... two (2)

77 legal assistants.

78           (g) Seventh Circuit Court District..... two (2)

79 legal assistants.

80           (h) Eighth Circuit Court District..... two (2)

81 legal assistants.

82           (i) Ninth Circuit Court District..... two (2)

83 legal assistants.

84           (j) Tenth Circuit Court District..... two (2)

85 legal assistants.

86           (k) Eleventh Circuit Court District..... two (2)

87 legal assistants.

88           (l) Twelfth Circuit Court District..... two (2)

89 legal assistants.

90           (m) Thirteenth Circuit Court District..... two (2)

91 legal assistants.

92           (n) Fourteenth Circuit Court District..... two (2)

93 legal assistants.

94           (o) Fifteenth Circuit Court District..... two (2)

95 legal assistants.

96           (p) Sixteenth Circuit Court District..... two (2)

97 legal assistants.

98           (q) Seventeenth Circuit Court District..... two (2)

99 legal assistants.

100          (r) Eighteenth Circuit Court District..... two (2)

101 legal assistants.

102                   (s) Nineteenth Circuit Court District.....       two (2)  
103 legal assistants.

104                   (t) Twentieth Circuit Court District.....       two (2)  
105 legal assistants.

106                   (u) Twenty-first Circuit Court District....       two (2)  
107 legal assistants.

108                   (v) Twenty-second Circuit Court District...       two (2)  
109 legal assistants.

110           (3) The board of supervisors of any county may pay all or a  
111 part of the salary, supplemental pay, expenses and fringe benefits  
112 of any district attorney or legal assistant authorized in the  
113 circuit court district to which such county belongs pursuant to  
114 this section.

115           (4) The district attorney of any circuit court district may  
116 employ additional legal assistants or criminal investigators, or  
117 both, without regard to any limitation on the number of legal  
118 assistants authorized in this section or criminal investigators  
119 authorized by other provisions of law to the extent that the  
120 district attorney's office receives federal funds which may be  
121 expended for those positions in an amount sufficient to pay all of  
122 the salary, supplemental pay, expenses and fringe benefits of the  
123 positions. Such funds shall be transferred by the district  
124 attorney to the Department of Finance and Administration, which  
125 shall disburse the funds to such employees in the same manner as  
126 state-funded criminal investigators and full-time legal  
127 assistants.

128           **SECTION 2.** Section 25-31-10, Mississippi Code of 1972, is  
129 amended as follows:

130           25-31-10. (1) Any district attorney may appoint a full-time  
131 criminal investigator.

132           (2) The district attorneys of the Third, Fifth, Ninth,  
133 Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth,  
134 Sixteenth, Seventeenth and Twentieth Circuit Court Districts may  
135 appoint one (1) additional full-time criminal investigator for a  
136 total of two (2) full-time criminal investigators.

137 (3) The district attorneys of the First, Second, Fourth and  
138 Seventh and Nineteenth Circuit Court Districts may appoint two (2)  
139 additional full-time criminal investigators for a total of three  
140 (3) full-time criminal investigators.

141 (4) No district attorney or assistant district attorney  
142 shall accept any private employment, civil or criminal, in any  
143 matter investigated by such criminal investigators.

144 (5) The full and complete compensation for all public duties  
145 rendered by said criminal investigators shall be not more than  
146 Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) per annum,  
147 to be determined at the discretion of the district attorney based  
148 upon the qualifications, education and experience of the criminal  
149 investigator, plus necessary travel and other expenses, to be paid  
150 in accordance with Section 25-31-8. However, the maximum salary  
151 under this subsection for a criminal investigator who has a law  
152 degree may be supplemented by the district attorney from other  
153 available funds, but not to exceed the maximum salary for a legal  
154 assistant to a district attorney.

155 (6) Any criminal investigator may be designated by the  
156 district attorney to attend the Law Enforcement Officers Training  
157 Program set forth in Section 45-6-1 et seq., Mississippi Code of  
158 1972. The total expenses associated with attendance by criminal  
159 investigators at the Law Enforcement Officers Training Program  
160 shall be paid out of the funds of the appropriate district  
161 attorney.

162 **SECTION 3.** This act shall take effect and be in force from  
163 and after July 1, 2007.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 25-31-5 AND 25-31-10, MISSISSIPPI  
2 CODE OF 1972, TO REVISE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS  
3 AND CRIMINAL INVESTIGATORS AUTHORIZED FOR CERTAIN CIRCUIT COURT  
4 DISTRICTS; AND FOR RELATED PURPOSES.

HR03\SB2608A.J

Don Richardson  
Clerk of the House of Representatives