

By: Representative Baker

To: Judiciary A

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 484

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE SALARIES OF THE JUSTICES OF THE SUPREME COURT, JUDGES  
3 OF THE COURT OF APPEALS, JUDGES OF THE CHANCERY AND CIRCUIT COURTS  
4 AND DISTRICT ATTORNEYS ON AN INCREMENTAL BASIS; TO AMEND SECTION  
5 9-21-45, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSE FOR WHICH  
6 MONIES IN THE JUDICIAL SYSTEM OPERATION FUND MAY BE USED TO  
7 CONFORM TO THIS ACT; TO AMEND SECTION 25-7-3, MISSISSIPPI CODE OF  
8 1972, TO INCREASE THE GENERAL DOCKET FEE FOR FILING AN APPEAL IN A  
9 CIVIL OR CRIMINAL CASE; TO AMEND SECTIONS 25-7-9 AND 25-7-13,  
10 MISSISSIPPI CODE OF 1972, TO ESTABLISH AN ADDITIONAL FEE FOR EVERY  
11 CIVIL CASE FILED WITH THE CHANCERY AND CIRCUIT CLERKS TO BE  
12 DEPOSITED INTO THE JUDICIAL SYSTEM OPERATION SPECIAL FUND FOR THE  
13 PURPOSE OF PROVIDING ADDITIONAL FUNDS FOR JUDICIAL SALARIES; TO  
14 CREATE SECTION 25-9-115, MISSISSIPPI CODE OF 1972, TO REQUIRE  
15 CERTAIN FUTURE JUDICIAL SALARY ADJUSTMENTS TO BE MADE BY THE STATE  
16 PERSONNEL BOARD; TO AMEND SECTION 25-9-101, MISSISSIPPI CODE OF  
17 1972, TO CONFORM; TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF  
18 1972, TO PROVIDE STATE SUPPORT FOR CERTAIN INCREASES IN JUDICIAL  
19 SALARIES FOR COUNTY COURT JUDGES; TO AMEND SECTION 99-19-73,  
20 MISSISSIPPI CODE OF 1972, TO REVISE THE STATEWIDE MONETARY  
21 ASSESSMENTS SO AS TO PROVIDE ADDITIONAL FUNDING FOR DISTRICT  
22 ATTORNEYS' AND ASSISTANT DISTRICT ATTORNEYS' SALARIES; AND FOR  
23 RELATED PURPOSES.

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

25 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is  
26 amended as follows:

27 25-3-35. (1) The annual salaries of the following judges  
28 are fixed as follows \* \* \*:

29 **From and after January 1, 2013, through December 31, 2013:**

30	Chief Justice of the Supreme Court.....	<u>\$126,292.50</u>
31	Presiding Justices of the Supreme Court, each.....	<u>123,600.75</u>
32	Associate Justices of the Supreme Court, each.....	<u>122,460.00</u>

33 **From and after January 1, 2014, through December 31, 2014:**

34	Chief Justice of the Supreme Court.....	<u>\$137,195.00</u>
35	Presiding Justices of the Supreme Court, each.....	<u>134,011.50</u>
36	Associate Justices of the Supreme Court, each.....	<u>132,390.00</u>



37 **From and after January 1, 2015, through December 31, 2015:**  
38 Chief Justice of the Supreme Court.....\$148,097.50  
39 Presiding Justices of the Supreme Court, each..... 144,422.25  
40 Associate Justices of the Supreme Court, each..... 142,320.00

41 **From and after January 1, 2016:**  
42 Chief Justice of the Supreme Court.....\$159,000.00  
43 Presiding Justices of the Supreme Court, each..... 154,833.00  
44 Associate Justices of the Supreme Court, each..... 152,250.00

45 \* \* \* There are imposed upon the Supreme Court justices the  
46 extra duties of taking all necessary action to promote judicial  
47 education in schools, drug courts, electronic filing and case  
48 management systems as developed by the Administrative Office of  
49 Courts, or such other additional duties as may be assigned by the  
50 Chief Justice of the Supreme Court. For such extra services each  
51 justice, from and after January 1, 2013, shall receive a sum  
52 sufficient \* \* \* to aggregate \* \* \*, per annum, the salaries set  
53 forth in this subsection (1).

54 The fixed salaries in this subsection (1) shall be paid from  
55 the State General Fund and from the Judicial System Operation Fund  
56 created under Section 9-21-45. No less than: One Hundred Fifteen  
57 Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief  
58 Justice's salary in this subsection (1), One Hundred Thirteen  
59 Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of  
60 a Presiding Justice in this subsection (1), and One Hundred Twelve  
61 Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary  
62 of an Associate Justice in this subsection (1) shall be paid from  
63 General Fund monies; in addition, the Legislature shall  
64 appropriate annually from the Judicial System Operation Fund a sum  
65 sufficient to increase the salary of the Chief Justice, a  
66 Presiding Justice and an Associate Justice to the levels set forth  
67 in this subsection (1).

68 The fixed salaries as specified in this subsection (1) shall  
69 be the exclusive and total compensation which can be reported to



70 the Public Employees' Retirement System for retirement purposes;  
71 however, any judge in office on December 31, 2003, may continue to  
72 report his expense allowance as part of his compensation for  
73 retirement purposes.

74 (2) The annual salaries of the judges of the Court of  
75 Appeals of Mississippi are fixed as follows \* \* \*:

76 **From and after January 1, 2013, through December 31, 2013:**  
77 Chief Judge of the Court of Appeals.....\$117,992.00  
78 Associate Judges of the Court of Appeals, each.... 114,994.25

79 **From and after January 1, 2014, through December 31, 2014:**  
80 Chief Judge of the Court of Appeals.....\$127,854.00  
81 Associate Judges of the Court of Appeals, each.... 124,938.50

82 **From and after January 1, 2015, through December 31, 2015:**  
83 Chief Judge of the Court of Appeals.....\$137,716.00  
84 Associate Judges of the Court of Appeals, each.... 134,882.75

85 **From and after January 1, 2016:**  
86 Chief Judge of the Court of Appeals.....\$147,578.00  
87 Associate Judges of the Court of Appeals, each.... 144,827.00

88 From and after January 1, 2013, each judge shall receive a  
89 sum sufficient to aggregate, per annum, the salaries set forth in  
90 this subsection (2).

91 The fixed salaries in this subsection (2) shall be paid from  
92 the State General Fund and from the Judicial System Operation Fund  
93 created under Section 9-21-45. No less than One Hundred Eight  
94 Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief  
95 Judge's salary in this subsection (2) shall be paid from General  
96 Fund monies; in addition, the Legislature shall appropriate  
97 annually from the Judicial System Operation Fund a sum sufficient  
98 to increase the Chief Judge's salary to the level set forth in  
99 this subsection (2). No less than One Hundred Five Thousand Fifty  
100 Dollars (\$105,050.00) of the salary of an Associate Judge in this  
101 subsection (2) shall be paid from General Fund monies; in  
102 addition, the Legislature shall appropriate annually from the



103 Judicial System Operation Fund a sum sufficient to increase the  
104 salary of an Associate Judge to the level set forth in this  
105 subsection (2).

106 The fixed salaries as specified in this subsection (2) shall  
107 be the exclusive and total compensation which can be reported to  
108 the Public Employees' Retirement System for retirement purposes;  
109 however, any judge in office on December 31, 2003, may continue to  
110 report his expense allowance as part of his compensation for  
111 retirement purposes.

112 (3) The annual salaries of the chancery and circuit court  
113 judges are fixed as follows \* \* \*:

114 **From and after January 1, 2013, through December 31, 2013:**

115 Chancery Judges, each.....\$112,127.50  
116 Circuit Judges, each..... 112,127.50

117 **From and after January 1, 2014, through December 31, 2014:**

118 Chancery Judges, each.....\$120,085.00  
119 Circuit Judges, each..... 120,085.00

120 **From and after January 1, 2015, through December 31, 2015:**

121 Chancery Judges, each.....\$128,042.50  
122 Circuit Judges, each..... 128,042.50

123 **From and after January 1, 2016:**

124 Chancery Judges, each.....\$136,000.00  
125 Circuit Judges, each..... 136,000.00

126 In addition to their present official duties, the circuit and  
127 chancery judges shall take necessary action to promote judicial  
128 education in schools, drug courts, electronic filing and case  
129 management systems as developed by the Administrative Office of  
130 Courts, or such other additional duties as may be assigned by the  
131 Chief Justice of the Supreme Court. For such extra services each  
132 judge, from and after January 1, 2013, shall receive a sum  
133 sufficient \* \* \* to aggregate \* \* \*, per annum \* \* \*, the salaries  
134 set forth in this subsection (3).



135       The fixed salaries in this subsection (3) shall be paid from  
136 the State General Fund and from the Judicial System Operation Fund  
137 created under Section 9-21-45. No less than One Hundred Four  
138 Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary  
139 of a Chancery or Circuit Judge in this subsection (3) shall be  
140 paid from General Fund monies; in addition, the Legislature shall  
141 appropriate annually from the Judicial System Operation Fund a sum  
142 sufficient to increase the salary of a Chancery or Circuit Judge  
143 to the levels set forth in this subsection (3).

144       (4) From and after January 1, 2019, and every four (4) years  
145 thereafter, the annual salaries of the judges in subsections (1),  
146 (2) and (3) shall be fixed at the level of compensation  
147 recommended by the State Personnel Board according to the board's  
148 most recent report on judicial salaries, as required under Section  
149 25-9-115, to the extent that sufficient funds are available. The  
150 annual salaries fixed in accordance with this subsection (4) shall  
151 not become effective until the commencement of the next  
152 immediately succeeding term of office.

153       (5) The Supreme Court shall prepare a payroll for chancery  
154 judges and circuit judges and submit such payroll to the  
155 Department of Finance and Administration.

156       (6) The annual salary of the full-time district attorneys  
157 shall be \* \* \*:

158       **From and after January 1, 2013, through December 31, 2013:**  
159       One Hundred Three Thousand Three Hundred Twenty-two Dollars  
160 (\$103,322.00).

161       **From and after January 1, 2014, through December 31, 2014:**  
162       One Hundred Ten Thousand Eight Hundred Forty-eight Dollars  
163 (\$110,848.00).

164       **From and after January 1, 2015, through December 31, 2015:**  
165       One Hundred Eighteen Thousand Three Hundred Seventy-four  
166 Dollars (\$118,374.00).

167       **From and after January 1, 2016:**



168           One Hundred Twenty-five Thousand Nine Hundred Dollars  
169    (\$125,900.00).

170           (7) The annual salary of the full-time legal assistants  
171 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor  
172 more than eighty percent (80%) of the salary of the district  
173 attorney for legal assistants who have been licensed to practice  
174 law for five (5) years or less; eighty-five percent (85%) of the  
175 salary of the district attorney for legal assistants who have been  
176 licensed to practice law for at least five (5) years but less than  
177 fifteen (15) years; and ninety percent (90%) of the salary of the  
178 district attorney for legal assistants who have been licensed to  
179 practice law for at least fifteen (15) years or more.

180           **SECTION 2.** Section 9-21-45, Mississippi Code of 1972, is  
181 amended as follows:

182           9-21-45. (1) There is created in the State Treasury a  
183 special fund designated as the Judicial System Operation Fund.  
184 The funds shall be administered by the Supreme Court through the  
185 Administrative Office of Courts. The fund shall consist of monies  
186 deposited therein as provided in Section 99-19-72 and monies from  
187 any other source designated for deposit into the fund. The  
188 Administrative Office of Courts may also accept monies from any  
189 public or private source for deposit into the fund. Money  
190 remaining in the fund at the end of a fiscal year shall not lapse  
191 into the State General Fund, and any interest earned from the  
192 investment of monies in the fund shall be deposited to the credit  
193 of the fund.

194           (2) Monies in the fund shall be subject to appropriation by  
195 the Legislature and may only be used for the purpose of the  
196 operation of the judicial system in the state as determined  
197 necessary by the Supreme Court and to provide additional funds for  
198 the judicial salaries set forth in Section 25-3-25 and Section  
199 9-9-11(8). Monies in the fund used for the purposes described in



200 this section shall be in addition to other funds available from  
201 any other source for such purposes.

202 **SECTION 3.** Section 25-7-3, Mississippi Code of 1972, is  
203 amended as follows:

204 25-7-3. The Clerk of the Supreme Court shall charge the  
205 following fees:

- 206 (a) General docket fee, for filing the record on appeal  
207 in a civil or criminal case.....\$200.00  
208 (b) Miscellaneous docket fee..... 50.00  
209 (c) Confidential miscellaneous docket fee..... 200.00  
210 (d) Admission of new attorneys..... 30.00  
211 (e) Act of Congress certificate..... 25.00  
212 (f) Certificate of admission replacement..... 25.00  
213 (g) Certificate of good standing replacement.... 10.00  
214 (h) Attest stamp..... 5.00  
215 (i) Order from Minute Book..... 10.00  
216 (j) Regular copying..... .50 per page  
217 (k) Copying from bound volumes or  
218 records.....2.00 per page  
219 (l) Copy of mandate..... 10.00  
220 (m) Minimum copy charge..... 1.00  
221 (n) Notary fee..... 2.50  
222 (o) Decision list charge..... 5.00  
223 (p) Handling charge and retrieval and delivery charges  
224 on completed Supreme Court records (to be retained out of deposit)  
225 On-site retrieval..... 10.00  
226 Off-site retrieval..... 15.00  
227 (q) Forfeited deposits on completed Supreme Court  
228 records..... 100.00  
229 (r) Petition for rehearing..... 50.00

230 Said general docket fee shall be collected from the appellant  
231 by the clerk of the lower court and forwarded to the Clerk of the  
232 Supreme Court. The Clerk of the Supreme Court shall charge the



233 maximum amount allowable by law for services rendered where  
234 charges for such services are provided by statute; for any other  
235 services rendered, the amount charged shall be consistent with the  
236 cost of providing such services. All fees shall be paid in the  
237 form of cash, cashier's check, or money order or by a check on the  
238 account of an attorney payable to the Clerk of the Supreme Court.  
239 All fees authorized to be assessed and collected by the Clerk of  
240 the Supreme Court shall be deposited into the State General Fund,  
241 except that One Hundred Dollars (\$100.00) of the general docket  
242 fee set under paragraph (a), Twenty-five Dollars (\$25.00) of the  
243 miscellaneous docket fee set under paragraph (b), One Hundred  
244 Dollars (\$100.00) of the confidential miscellaneous fee set under  
245 paragraph (c), Fifteen Dollars (\$15.00) of the act of congress  
246 certificate set under paragraph (e), Ten Dollars (\$10.00) of the  
247 certificate of admission replacement set under paragraph (f), Two  
248 Dollars and Fifty Cents (\$2.50) of the attest stamp set under  
249 paragraph (h), Five Dollars (\$5.00) of the order from minute book  
250 set under paragraph (i), Seven Dollars (\$7.00) of the copy of  
251 mandate set under paragraph (l), Fifty Dollars (\$50.00) of the  
252 forfeited deposits on completed Supreme Court records set under  
253 paragraph (q), Twenty-five Dollars (\$25.00) of the petition for  
254 rehearing fee under paragraph (r), and the total amount charged  
255 for any other services rendered shall be deposited to the credit  
256 of the Judicial System Operation Fund established in Section  
257 9-21-45.

258       **SECTION 4.** Section 25-7-9, Mississippi Code of 1972, is  
259 amended as follows:

260       25-7-9. (1) The clerks of the chancery courts shall charge  
261 the following fees:

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

264               (b) (i) Recording each deed, will, lease, amendment,  
265 subordination, lien, release, cancellation, order, decree, oath,



266 etc., per book and page listed where applicable; for the first  
 267 fifteen (15) pages.....\$ 10.00  
 268       Each additional page.....\$ 1.00  
 269       (ii) Sectional index entries per section or  
 270 subdivision lot.....\$ 1.00  
 271       (c) Recording each deed of trust, for the first fifteen  
 272 (15) pages.....\$ 15.00  
 273       Each additional page.....\$ 1.00  
 274       Sectional index entries per section or subdivision  
 275 lot.....\$ 1.00  
 276       (d) (i) Recording oil and gas leases, cancellations,  
 277 etc., including indexing in general indices; for the first  
 278 fifteen (15) pages.....\$ 18.00  
 279       Each additional page.....\$ 1.00  
 280       (ii) Sectional index entries per section or  
 281 subdivision lot.....\$ 1.00  
 282       (iii) Recording each oil and gas assignment  
 283 per assignee.....\$ 18.00  
 284       (e) (i) Furnishing copies of any papers of record or  
 285 on file:  
 286       If performed by the clerk or his employee,  
 287 per page.....\$ .50  
 288       If performed by any other person, per page.....\$ .25  
 289       (ii) Entering marginal notations on  
 290 documents of record.....\$ 1.00  
 291       (f) For each day's attendance on the board of  
 292 supervisors, for himself and one (1) deputy, each.....\$ 20.00  
 293       (g) For other services as clerk of the board of  
 294 supervisors an allowance shall be made to him (payable  
 295 semiannually at the July and January meetings) out of the county  
 296 treasury, an annual sum not exceeding.....\$3,000.00  
 297       (h) For each day's attendance on the chancery court, to  
 298 be approved by the chancellor:



299 For the first chancellor sitting only, clerk and two (2)  
300 deputies, each.....\$ 50.00

301 For the second chancellor sitting, clerk only..\$ 50.00

302 Provided that the fees herein prescribed shall be the total  
303 remuneration for the clerk and his deputies for attending chancery  
304 court.

305 (i) On order of the court, clerks and not more than two  
306 (2) deputies may be allowed five (5) extra days for each term of  
307 court for attendance upon the court to get up records.

308 (j) For public service not otherwise specifically  
309 provided for, the chancery court may by order allow the clerk to  
310 be paid by the county on the order of the board of supervisors, an  
311 annual sum not exceeding.....\$5,000.00

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

314 The chancery clerk shall itemize on the original document a  
315 detailed fee bill of all charges due or paid for filing, recording  
316 and abstracting same. No person shall be required to pay such  
317 fees until same have been so itemized, but those fees may be  
318 demanded before the document is recorded.

319 (2) The following fees shall be a total fee for all services  
320 performed by the clerk with respect to a complaint which shall be  
321 payable upon filing and shall accrue to the chancery clerk at the  
322 time of filing. The clerk or his successor in office shall  
323 perform all duties set forth without additional compensation or  
324 fee to wit:

325 (a) Divorce to be contested.....\$75.00

326 (b) Divorce uncontested.....\$30.00

327 (c) Alteration of birth or marriage certificate..\$25.00

328 (d) Removal of minority.....\$25.00

329 (e) Guardianship or conservatorship.....\$75.00

330 (f) Estate of deceased, intestate.....\$75.00

331 (g) Estate of deceased, testate.....\$75.00



- 332 (h) Adoption.....\$75.00
- 333 (i) Land dispute.....\$75.00
- 334 (j) Injunction.....\$75.00
- 335 (k) Settlement of small claim.....\$30.00
- 336 (l) Contempt in child support.....\$75.00
- 337 (m) Partition suit.....\$75.00
- 338 (n) Any cross-complaint.....\$25.00
- 339 (o) Commitment.....\$75.00

340 (3) For every civil case filed:

341 (a) An additional fee to be deposited to the credit of  
 342 the Comprehensive Electronic Court Systems Fund established  
 343 in Section 9-21-14.....\$10.00

344 (b) An additional fee to be deposited to the  
 345 credit of the Judicial System Operation Fund established in  
 346 Section 9-21-45.....\$40.00

347 (4) Cost of process shall be borne by the issuing party.  
 348 Additionally, should the attorney or person filing the pleadings  
 349 desire the clerk to pay the cost to the sheriff for serving  
 350 process on one (1) person or more, or to pay the cost of  
 351 publication, the clerk shall demand the actual charges therefor,  
 352 at the time of filing.

353 **SECTION 5.** Section 25-7-13, Mississippi Code of 1972, is  
 354 amended as follows:

355 25-7-13. (1) The clerks of the circuit court shall charge  
 356 the following fees:

357 (a) Docketing, filing, marking and registering each  
 358 complaint, petition and indictment.....\$ 85.00

359 The fee set forth in this paragraph shall be the total fee  
 360 for all services performed by the clerk up to and including entry  
 361 of judgment with respect to each complaint, petition or  
 362 indictment, including all answers, claims, orders, continuances  
 363 and other papers filed therein, issuing each writ, summons,  
 364 subpoena or other such instruments, swearing witnesses, taking and



365 recording bonds and pleas, and recording judgments, orders, fiats  
366 and certificates; the fee shall be payable upon filing and shall  
367 accrue to the clerk at the time of collection. The clerk or his  
368 successor in office shall perform all duties set forth above  
369 without additional compensation or fee.

370 (b) Docketing and filing each motion to renew judgment,  
371 suggestion for a writ of garnishment, suggestion for a writ of  
372 execution and judgment debtor actions and issuing all process,  
373 filing and recording orders or other papers and swearing  
374 witnesses.....\$ 35.00

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

378 (d) For every civil case filed, an additional fee to be  
379 deposited to the credit of the Judicial System Operation Fund  
380 established in Section 9-21-45.....\$ 40.00

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

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

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

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

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

390 (e) Recording orders, fiats, licenses, certificates,  
391 oaths and bonds:

392 First page.....\$ 2.00

393 Each additional page.....\$ 1.00

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

396 If performed by the clerk or his employee,  
397 per page.....\$ 1.00



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

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

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

401           (i) For taking and recording application for marriage

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

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

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

405 and filing returns.....\$       20.00

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

407 collected for a marriage license in the Victims of Domestic

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

409 basis.

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

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

412 of the State Board of Health.

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

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

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

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

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

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

419           (l) For drawing jurors and issuing venire, to be paid

420 by the county.....\$       5.00

421           (m) For each day's attendance upon the circuit court

422 term, for himself and necessary deputies allowed by the court,

423 each to be paid by the county.....\$       50.00

424           (n) Summons, each juror to be paid by the county upon

425 the allowance of the court.....\$       1.00

426           (o) For issuing each grand jury subpoena, to be paid by

427 the county on allowance by the court, not to exceed Twenty-five

428 Dollars (\$25.00) in any one (1) term of court.....\$       1.00

429           (p) For each civil filing, to be deposited into the

430 Civil Legal Assistance Fund.....\$       5.00



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

434 (4) The clerk's fees in state cases where the state fails in  
435 the prosecution, or in cases of felony where the defendant is  
436 convicted and the cost cannot be made out of his estate, in an  
437 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)  
438 year, shall be paid out of the county treasury on approval of the  
439 circuit court, and the allowance thereof by the board of  
440 supervisors of the county. In counties having two (2) judicial  
441 districts, such allowance shall be made in each judicial district;  
442 however, the maximum thereof shall not exceed Eight Hundred  
443 Dollars (\$800.00). Clerks in the circuit court, in cases where  
444 appeals are taken in criminal cases and no appeal bond is filed,  
445 shall be allowed by the board of supervisors of the county after  
446 approval of their accounts by the circuit court, in addition to  
447 the above fees, for making such transcript the rate of Two Dollars  
448 (\$2.00) per page.

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

453 (6) For making final records required by law, including, but  
454 not limited to, circuit and county court minutes, and furnishing  
455 transcripts of records, the circuit clerk shall charge Two Dollars  
456 (\$2.00) per page. The same fees shall be allowed to all officers  
457 for making and certifying copies of records or papers which they  
458 are authorized to copy and certify.

459 (7) The circuit clerk shall prepare an itemized statement of  
460 fees for services performed, cost incurred, or for furnishing  
461 copies of any papers of record or on file, and shall submit the  
462 statement to the parties or, if represented, to their attorneys



463 within sixty (60) days. A bill for same shall accompany the  
464 statement.

465 **SECTION 6.** The following shall be codified as Section  
466 25-9-115, Mississippi Code of 1972:

467 25-9-115. From and after November 1, 2017, and every four  
468 (4) years thereafter, the State Personnel Board shall prepare a  
469 written report to the Legislature that examines, evaluates and  
470 recommends an adequate level of compensation for the justices of  
471 the Supreme Court, the judges of the Court of Appeals, the judges  
472 of the chancery and circuit courts, the judges of the county  
473 courts, judicial staff attorneys, and law clerks. In preparing  
474 the report, the board shall consider all appropriate factors  
475 including, but not limited to, comparative judicial, judicial  
476 staff attorney, and law clerk salaries in neighboring states and  
477 in the Southeast as a whole; comparative judicial, judicial staff  
478 attorney, and law clerk salaries in the federal judiciary;  
479 salaries of comparable professionals in government, academia,  
480 private law practice and the corporate sector; changes in public  
481 sector spending; rates of inflation; and the overall economic  
482 climate.

483 **SECTION 7.** Section 25-9-101, Mississippi Code of 1972, is  
484 amended as follows:

485 25-9-101. It is the purpose of this chapter to establish in  
486 the State of Mississippi a system of personnel administration  
487 based on sound methods of personnel administration governing the  
488 establishment of employment positions, classification of positions  
489 and the employment conduct, movement and separation of state  
490 employees; to build a career service in government which will  
491 attract, select and retain the best persons, with incentives in  
492 the form of equal opportunities for initial appointment and  
493 promotions in the state service; \* \* \* to establish a system of  
494 personnel management that will ensure the effective and efficient



495 use of employees in the state service; and to perform such other  
496 duties as may be specified in this chapter or any other law.

497 **SECTION 8.** Section 9-9-11, Mississippi Code of 1972, is  
498 amended as follows:

499 9-9-11. (1) Except as otherwise provided in subsections  
500 (2), (3) and (4), the county court judge shall receive an annual  
501 salary payable monthly out of the county treasury in an amount not  
502 to exceed One Thousand Dollars (\$1,000.00) less than the salary  
503 which is now or shall hereafter be provided for circuit and  
504 chancery judges of this state, in the discretion of the board of  
505 supervisors of said county; provided, however, that the salary of  
506 such judge shall not be reduced during his term of office.  
507 Provided further, that the office of county court judge in any  
508 county receiving an annual salary of Thirty-six Thousand Dollars  
509 (\$36,000.00) or more shall be a full-time position, and the holder  
510 thereof shall not otherwise engage in the practice of law.

511 (2) If a county court is established by agreement between  
512 two (2) or more counties as provided in Section 9-9-3, the county  
513 judge of the court so established shall be paid a salary equal to  
514 one and one-half (1-1/2) times that salary that he would be paid  
515 if he were the judge of the smallest of such two (2) or more  
516 counties, such salary to be paid in monthly installments as  
517 provided by law; provided that such salary shall not exceed One  
518 Thousand Dollars (\$1,000.00) less than the salary of the circuit  
519 and chancery judges of this state.

520 (3) The county court judge shall receive an annual salary  
521 payable monthly out of the county treasury as follows:

522 (a) In any county having a population of seventy  
523 thousand (70,000) or more according to the 1980 federal census,  
524 the county judge shall receive an annual salary of One Thousand  
525 Dollars (\$1,000.00) less than that paid to a circuit court judge.  
526 The office of county judge shall be a full-time position, and the  
527 holder thereof shall not otherwise engage in the practice of law.





528           (b) In any county having a population of sixty thousand  
529 (60,000) or more but less than seventy thousand (70,000) according  
530 to the 1980 federal census, the county judge shall receive an  
531 annual salary of Forty Thousand Dollars (\$40,000.00). The office  
532 of county judge shall be a full-time position, and the holder  
533 thereof shall not otherwise engage in the practice of law. The  
534 county judge shall not be eligible for any additional salary  
535 except as may be authorized in subsection (4).

536           (c) In any county having a population of twenty-seven  
537 thousand (27,000) or more but less than sixty thousand (60,000)  
538 according to the 1980 federal census, the county judge shall  
539 receive an annual salary of not less than Twelve Thousand Dollars  
540 (\$12,000.00) but not more than Forty Thousand Dollars  
541 (\$40,000.00), in the discretion of the board of supervisors of  
542 said county. The county judge shall not be eligible for any  
543 additional salary except as may be authorized in subsection (4).  
544 In the event that the board of supervisors of said county elects  
545 to pay such county judge an annual salary of Thirty Thousand  
546 Dollars (\$30,000.00) or more, the office of county judge shall be  
547 a full-time position, and the holder thereof shall not otherwise  
548 engage in the practice of law.

549           (d) In any county having a population of less than  
550 twenty-seven thousand (27,000) according to the 1980 federal  
551 census, the county judge shall receive an annual salary of not  
552 less than Four Thousand Two Hundred Dollars (\$4,200.00) and not  
553 more than Eight Thousand Five Hundred Dollars (\$8,500.00), in the  
554 discretion of the board of supervisors of said county. The county  
555 judge shall not be eligible for any additional salary except as  
556 may be authorized in subsection (4).

557           (4) The county judge of any county described in this  
558 subsection shall be paid the compensation, and he shall be subject  
559 to any restrictions set forth in the following paragraphs:



560           (a) The county judge of any such Class 1 county with a  
561 population according to the latest federal decennial census of  
562 forty-five thousand (45,000) or more and lying wholly within a  
563 levee district and having two (2) judicial districts shall, in the  
564 discretion of the board of supervisors of such county, receive an  
565 annual salary not exceeding Forty Thousand Dollars (\$40,000.00),  
566 or a sum which is One Thousand Dollars (\$1,000.00) less than the  
567 salary which is now or shall hereafter be provided for circuit and  
568 chancery judges of the state, whichever is greater.

569           (b) The county judge of any Class 1 county having an  
570 area in excess of nine hundred twenty-five (925) square miles  
571 shall receive an annual salary of not less than Thirty Thousand  
572 Dollars (\$30,000.00) but, in the discretion of the board of  
573 supervisors of such county, such salary may be not more than Five  
574 Hundred Dollars (\$500.00) less than the annual salary of a circuit  
575 judge, payable monthly out of the county treasury, and the county  
576 judge shall not practice law.

577           (c) The office of county judge in any such Class 1  
578 county with a population according to the 1970 federal decennial  
579 census of greater than thirty-nine thousand (39,000), and where  
580 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive  
581 an annual salary to be paid in monthly installments of not less  
582 than an amount equal to ninety percent (90%) of the annual salary  
583 which is now or shall hereafter be provided for circuit and  
584 chancery judges of the state, as follows: The salary of the  
585 county judge shall be increased by ten percent (10%) annually  
586 above the base salary of the preceding year until such time as the  
587 judge's salary is equal to the amount that is provided by this  
588 subsection. The office of county judge shall be a full-time  
589 position and the holder thereof shall not otherwise engage in the  
590 practice of law.

591           (d) In any Class 1 county bordering on the Mississippi  
592 River and which has situated therein a national military park and



593 national military cemetery, the office of county judge shall be a  
594 full-time position and the holder thereof shall not otherwise  
595 engage in the practice of law. The salary for the county judge in  
596 said county shall be fixed at a sum which is One Thousand Dollars  
597 (\$1,000.00) less than the salary which is now or shall hereafter  
598 be provided for circuit and chancery judges of this state.

599 (e) The county judge in any county having a population  
600 of at least forty-two thousand one hundred eleven (42,111),  
601 according to the 1970 census, and where U.S. Highway 49E and U.S.  
602 Highway 82 intersect, shall receive an annual salary to be paid in  
603 monthly installments of not less than Thirty Thousand Dollars  
604 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars  
605 (\$2,500.00) less than the annual salary of the circuit judge, in  
606 the discretion of the board of supervisors of said county.

607 (f) The county judge in any Class 1 county bordering on  
608 the Mississippi River and having an area of less than four hundred  
609 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect  
610 shall receive an annual salary of Four Thousand Dollars  
611 (\$4,000.00) less than the annual salary of a circuit judge, and  
612 such county judge shall not practice law in any manner. The  
613 county judge in such county shall not be eligible to receive any  
614 additional salary authorized by this section or from any other  
615 source other than that set out and authorized by this paragraph.

616 (g) The county judge of any Class 1 county bordering on  
617 the Mississippi River on the west and the State of Tennessee on  
618 the north, and traversed north to south by Interstate Highway 55,  
619 shall receive an annual salary of ninety percent (90%) of the  
620 salary which is now or shall hereafter be provided for chancery  
621 and circuit judges of this state, but in any event not less than  
622 Sixty Thousand Two Hundred Dollars (\$60,200.00).

623 (h) The county judge of any Class 1 county with a  
624 population of greater than sixty-nine thousand (69,000) according  
625 to the 1980 federal decennial census, and wherein U.S. Highway 80



626 and Mississippi Highway 43 intersect, shall receive an annual  
627 salary in an amount not greater than the sum of Five Hundred  
628 Dollars (\$500.00) less than the salary which is now or shall  
629 hereafter be provided for circuit and chancery judges of this  
630 state, in the discretion of the board of supervisors of said  
631 county.

632 (i) The county judge of any county having a population  
633 in excess of sixty-six thousand (66,000) according to the 1980  
634 federal decennial census, wherein is located a state-supported  
635 university and in which U.S. Highways 49 and 11 intersect, shall  
636 receive an annual salary of One Thousand Dollars (\$1,000.00) less  
637 than that paid to a circuit court judge. The office of such  
638 county judge shall be a full-time position, and the holder thereof  
639 shall not otherwise engage in the practice of law.

640 (j) The county judge of any county having two (2)  
641 judicial districts, having a population in excess of sixty-one  
642 thousand nine hundred (61,900) according to the 1980 federal  
643 decennial census, in which U.S. Interstate Highway 59 intersects  
644 with U.S. Highway 84, shall receive an annual salary of One  
645 Thousand Dollars (\$1,000.00) less than the salary which is now or  
646 hereafter authorized to be paid circuit and chancery court judges  
647 of this state. The office of such county judge shall be a  
648 full-time position, and the holder thereof shall not otherwise  
649 engage in the practice of law.

650 (k) The office of county judge of any Class I county  
651 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a  
652 full-time position and the holder thereof shall not otherwise  
653 engage in the practice of law. The annual salary for the office  
654 of county judge in said county may be fixed, in the discretion of  
655 the board of supervisors of said county, at a sum not to exceed  
656 Two Thousand Dollars (\$2,000.00) less than the salary which is now  
657 or shall hereafter be provided for circuit and chancery judges of  
658 this state.



659           (1) The county judge of any county having a population  
660 of more than forty-one thousand six hundred (41,600) but less than  
661 forty-one thousand six hundred fifty (41,650) according to the  
662 1980 federal census, and wherein U.S. Highway 49 intersects with  
663 Mississippi Highway 22, shall receive an annual salary payable  
664 monthly out of the county treasury of One Thousand Dollars  
665 (\$1,000.00) less than the salary provided now or hereafter for  
666 circuit and chancery judges of this state.

667           (m) The county judge of any county having a population  
668 of more than fifty-seven thousand (57,000) but less than  
669 fifty-seven thousand one hundred (57,100) according to the 1980  
670 federal census, wherein U.S. Highway 45 intersects with  
671 Mississippi Highway 6, shall receive an annual salary in an amount  
672 established by the board of supervisors, but in no event to exceed  
673 the salary provided now or hereafter for circuit and chancery  
674 judges of this state.

675           (n) The county judge of any county having a population  
676 of more than fifty-seven thousand three hundred (57,300) according  
677 to the 1980 federal decennial census, wherein is located a  
678 state-supported university and wherein U.S. Highways 82 and 45  
679 intersect, shall receive an annual salary in an amount established  
680 by the board of supervisors, but in no event to exceed the salary  
681 provided now or hereafter for circuit and chancery judges of this  
682 state.

683           (5) The salary of a county court judge or justice court  
684 judge shall not be reduced during his term of office as a result  
685 of a population decrease based upon the 1990 federal decennial  
686 census.

687           (6) The salary of a sheriff shall not be reduced during his  
688 term of office as a result of a population decrease based upon the  
689 1990 federal decennial census.

690           (7) Notwithstanding any provision of this section to the  
691 contrary, the board of supervisors of any county, in its



692 discretion, may pay its county court judge an annual salary of One  
693 Thousand Dollars (\$1,000.00) less than that paid to a circuit  
694 court judge. The office of county judge shall be a full-time  
695 position, and the holder thereof shall not otherwise engage in the  
696 practice of law.

697 (8) (a) There shall be transferred to the county for each  
698 county court judge, payment to be made in monthly installments  
699 from the Judicial System Operation Fund created under Section  
700 9-21-45, an annual salary supplement of:

701 (i) From and after January 1, 2013, through  
702 December 31, 2013, the sum of Seven Thousand Nine Hundred  
703 Fifty-seven Dollars and Fifty Cents (\$7,957.50), plus any  
704 applicable fringe benefits resulting from this amount;

705 (ii) From and after January 1, 2014, through  
706 December 31, 2014, the sum of Fifteen Thousand Nine Hundred  
707 Fifteen Dollars (\$15,915.00), plus any applicable fringe benefits  
708 resulting from this amount;

709 (iii) From and after January 1, 2015, through  
710 December 31, 2015, the sum of Twenty-three Thousand Eight Hundred  
711 Seventy-two Dollars and Fifty Cents (\$23,872.50), plus any  
712 applicable fringe benefits resulting from this amount; and

713 (iv) From and after January 1, 2016, through  
714 December 31, 2019, the sum of Thirty-one Thousand Eight Hundred  
715 Thirty Dollars (\$31,830.00), plus any applicable fringe benefits  
716 resulting from this amount.

717 (b) From and after January 1, 2019, and every four (4)  
718 years thereafter, the annual salary in this subsection (8) shall  
719 be adjusted according to the level of compensation recommended by  
720 the State Personnel Board for county court judges in the board's  
721 most recent report on judicial salaries, as required under Section  
722 25-9-115, to the extent that sufficient funds are available.

723 (c) The total annual salary paid to the county court  
724 judge out of the county treasury and out of the Judicial System



725 Operation Fund created under Section 9-21-45 shall not exceed the  
726 salary limitation set forth in subsection (7) of this section.

727 **SECTION 9.** Section 99-19-73, Mississippi Code of 1972, is  
728 amended as follows:

729 99-19-73. (1) **Traffic violations.** In addition to any  
730 monetary penalties and any other penalties imposed by law, there  
731 shall be imposed and collected the following state assessment from  
732 each person upon whom a court imposes a fine or other penalty for  
733 any violation in Title 63, Mississippi Code of 1972, except  
734 offenses relating to the Mississippi Implied Consent Law (Section  
735 63-11-1 et seq.) and offenses relating to vehicular parking or  
736 registration:

737	FUND	AMOUNT
738	State Court Education Fund.....	\$ 1.50
739	State Prosecutor Education Fund.....	2.00
740	Vulnerable Persons Training,	
741	Investigation and Prosecution Trust Fund.....	1.50
742	Child Support Prosecution Trust Fund.....	.50
743	Driver Training Penalty Assessment Fund.....	7.00
744	Law Enforcement Officers Training Fund.....	5.00
745	Spinal Cord and Head Injury Trust Fund	
746	(for all moving violations).....	6.00
747	Emergency Medical Services Operating Fund.....	20.00
748	Mississippi Leadership Council on Aging Fund.....	1.00
749	Law Enforcement Officers and Fire Fighters Death	
750	Benefits Trust Fund.....	.50
751	Law Enforcement Officers and Fire Fighters	
752	Disability Benefits Trust Fund.....	1.00
753	State Prosecutor Compensation Fund for the purpose	
754	of providing additional compensation for <u>district</u>	
755	<u>attorneys and their legal assistants</u> .....	<u>10.00</u>
756	Crisis Intervention Mental Health Fund.....	10.00
757	Drug Court Fund.....	10.00



758	Capital Defense Counsel Fund.....	2.89
759	Indigent Appeals Fund.....	2.29
760	Capital Post-Conviction Counsel Fund.....	2.33
761	Victims of Domestic Violence Fund.....	.49
762	Public Defenders Education Fund.....	1.00
763	Domestic Violence Training Fund.....	1.00
764	Attorney General's Cyber-Crime Unit.....	2.50
765	TOTAL STATE ASSESSMENT.....	\$ <u>88.50</u>

766       (2) **Implied Consent Law violations.** In addition to any  
767 monetary penalties and any other penalties imposed by law, there  
768 shall be imposed and collected the following state assessment from  
769 each person upon whom a court imposes a fine or any other penalty  
770 for any violation of the Mississippi Implied Consent Law (Section  
771 63-11-1 et seq.):

772	FUND	AMOUNT
773	Crime Victims' Compensation Fund.....	\$ 10.00
774	State Court Education Fund.....	1.50
775	State Prosecutor Education Fund.....	2.00
776	Vulnerable Persons Training,	
777	Investigation and Prosecution Trust Fund.....	1.50
778	Child Support Prosecution Trust Fund.....	.50
779	Driver Training Penalty Assessment Fund.....	22.00
780	Law Enforcement Officers Training Fund.....	11.00
781	Emergency Medical Services Operating Fund.....	45.00
782	Mississippi Alcohol Safety Education Program Fund.....	5.00
783	Federal-State Alcohol Program Fund.....	10.00
784	Mississippi Crime Laboratory	
785	Implied Consent Law Fund.....	25.00
786	Spinal Cord and Head Injury Trust Fund.....	25.00
787	Capital Defense Counsel Fund.....	2.89
788	Indigent Appeals Fund.....	2.29
789	Capital Post-Conviction Counsel Fund.....	2.33
790	Victims of Domestic Violence Fund.....	.49





791	State General Fund.....	35.00
792	Law Enforcement Officers and Fire Fighters Death	
793	Benefits Trust Fund.....	.50
794	Law Enforcement Officers and Fire Fighters Disability	
795	Benefits Trust Fund.....	1.00
796	State Prosecutor Compensation Fund for the purpose	
797	of providing additional compensation for <u>district</u>	
798	<u>attorneys and their legal assistants.....</u>	<u>10.00</u>
799	Crisis Intervention Mental Health Fund.....	10.00
800	Drug Court Fund.....	10.00
801	Statewide Victims' Information and Notification	
802	System Fund.....	6.00
803	Public Defenders Education Fund.....	1.00
804	Domestic Violence Training Fund.....	1.00
805	Attorney General's Cyber-Crime Unit.....	2.50
806	TOTAL STATE ASSESSMENT.....	<u>\$243.50</u>

807       (3) **Game and Fish Law violations.** In addition to any  
808 monetary penalties and any other penalties imposed by law, there  
809 shall be imposed and collected the following state assessment from  
810 each person upon whom a court imposes a fine or other penalty for  
811 any violation of the game and fish statutes or regulations of this  
812 state:

813	FUND	AMOUNT
814	State Court Education Fund.....	\$ 1.50
815	State Prosecutor Education Fund.....	2.00
816	Vulnerable Persons Training,	
817	Investigation and Prosecution Trust Fund.....	1.50
818	Law Enforcement Officers Training Fund.....	5.00
819	Hunter Education and Training Program Fund.....	5.00
820	State General Fund.....	30.00
821	Law Enforcement Officers and Fire Fighters Death	
822	Benefits Trust Fund.....	.50
823	Law Enforcement Officers and Fire Fighters Disability	



824	Benefits Trust Fund.....	1.00
825	State Prosecutor Compensation Fund for the purpose	
826	of providing additional compensation for <u>district</u>	
827	<u>attorneys and their legal assistants.....</u>	<u>10.00</u>
828	Crisis Intervention Mental Health Fund.....	10.00
829	Drug Court Fund.....	10.00
830	Capital Defense Counsel Fund.....	2.89
831	Indigent Appeals Fund.....	2.29
832	Capital Post-Conviction Counsel Fund.....	2.33
833	Victims of Domestic Violence Fund.....	.49
834	Public Defenders Education Fund.....	1.00
835	Domestic Violence Training Fund.....	1.00
836	Attorney General's Cyber-Crime Unit.....	2.50
837	TOTAL STATE ASSESSMENT.....	\$ <u>89.00</u>

838 (4) **Litter Law violations.** In addition to any monetary  
839 penalties and any other penalties imposed by law, there shall be  
840 imposed and collected the following state assessment from each  
841 person upon whom a court imposes a fine or other penalty for any  
842 violation of Section 97-15-29 or 97-15-30:

843	FUND	AMOUNT
844	Statewide Litter Prevention Fund.....	\$ 25.00
845	TOTAL STATE ASSESSMENT.....	\$ 25.00

846 (5) **Speeding, reckless and careless driving violations.** In  
847 addition to any assessment imposed under subsection (1) or (2) of  
848 this section, there shall be imposed and collected the following  
849 state assessment from each person upon whom a court imposes a fine  
850 or other penalty for driving a vehicle on a road or highway:

851 (a) At a speed that exceeds the posted speed limit by  
852 at least ten (10) miles per hour but not more than twenty (20)  
853 miles per hour.....\$ 10.00

854 (b) At a speed that exceeds the posted speed limit by  
855 at least twenty (20) miles per hour but not more than thirty (30)  
856 miles per hour.....\$ 20.00



857 (c) At a speed that exceeds the posted speed limit by  
858 thirty (30) miles per hour or more.....\$ 30.00

859 (d) In violation of Section 63-3-1201, which is the  
860 offense of reckless driving.....\$ 10.00

861 (e) In violation of Section 63-3-1213, which is the  
862 offense of careless driving.....\$ 10.00

863 All assessments collected under this subsection shall be  
864 deposited into the Mississippi Trauma Care Systems Fund  
865 established under Section 41-59-75.

866 (6) **Other misdemeanors.** In addition to any monetary  
867 penalties and any other penalties imposed by law, there shall be  
868 imposed and collected the following state assessment from each  
869 person upon whom a court imposes a fine or other penalty for any  
870 misdemeanor violation not specified in subsection (1), (2) or (3)  
871 of this section, except offenses relating to vehicular parking or  
872 registration:

873	FUND	AMOUNT
874	Crime Victims' Compensation Fund.....	\$ 10.00
875	State Court Education Fund.....	1.50
876	State Prosecutor Education Fund.....	2.00
877	Vulnerable Persons Training, 878 Investigation and Prosecution Trust Fund.....	1.50
879	Child Support Prosecution Trust Fund.....	.50
880	Law Enforcement Officers Training Fund.....	5.00
881	Capital Defense Counsel Fund.....	2.89
882	Indigent Appeals Fund.....	2.29
883	Capital Post-Conviction Counsel Fund.....	2.33
884	Victims of Domestic Violence Fund.....	.49
885	State General Fund.....	30.00
886	State Crime Stoppers Fund.....	1.50
887	Law Enforcement Officers and Fire Fighters Death 888 Benefits Trust Fund.....	.50
889	Law Enforcement Officers and Fire Fighters Disability	



890	Benefits Trust Fund.....	1.00
891	State Prosecutor Compensation Fund for the purpose	
892	of providing additional compensation for <u>district</u>	
893	<u>attorneys and their legal assistants.....</u>	<u>10.00</u>
894	Crisis Intervention Mental Health Fund.....	10.00
895	Drug Court Fund.....	8.00
896	Judicial Performance Fund.....	2.00
897	Statewide Victims' Information and Notification	
898	System Fund.....	6.00
899	Public Defenders Education Fund.....	1.00
900	Domestic Violence Training Fund.....	1.00
901	Attorney General's Cyber-Crime Unit.....	2.50
902	Information Exchange Network Fund.....	4.00
903	TOTAL STATE ASSESSMENT.....	<u>\$106.00</u>

904 (7) **Other felonies.** In addition to any monetary penalties  
905 and any other penalties imposed by law, there shall be imposed and  
906 collected the following state assessment from each person upon  
907 whom a court imposes a fine or other penalty for any felony  
908 violation not specified in subsection (1), (2) or (3) of this  
909 section:

910	FUND	AMOUNT
911	Crime Victims' Compensation Fund.....	\$ 10.00
912	State Court Education Fund.....	1.50
913	State Prosecutor Education Fund.....	2.00
914	Vulnerable Persons Training,	
915	Investigation and Prosecution Trust Fund.....	1.50
916	Child Support Prosecution Trust Fund.....	.50
917	Law Enforcement Officers Training Fund.....	5.00
918	Capital Defense Counsel Fund.....	2.89
919	Indigent Appeals Fund.....	2.29
920	Capital Post-Conviction Counsel Fund.....	2.33
921	Victims of Domestic Violence Fund.....	.49
922	State General Fund.....	60.00



923	Criminal Justice Fund.....	50.00
924	Law Enforcement Officers and Fire Fighters Death	
925	Benefits Trust Fund.....	.50
926	Law Enforcement Officers and Fire Fighters Disability	
927	Benefits Trust Fund.....	1.00
928	State Prosecutor Compensation Fund for the purpose	
929	of providing additional compensation for <u>district</u>	
930	<u>attorneys and their legal assistants</u> .....	<u>10.00</u>
931	Crisis Intervention Mental Health Fund.....	10.00
932	Drug Court Fund.....	10.00
933	Statewide Victims' Information and Notification	
934	System Fund.....	6.00
935	Public Defenders Education Fund.....	1.00
936	Domestic Violence Training Fund.....	1.00
937	Attorney General's Cyber-Crime Unit.....	2.50
938	Crime Laboratory DNA Identification System Fund.....	100.00
939	TOTAL STATE ASSESSMENT.....	<u>\$280.50</u>

940       (8) **Additional assessments on certain violations:**

941           (a) **Railroad crossing violations.** In addition to any  
942 monetary penalties and any other penalties imposed by law, there  
943 shall be imposed and collected the following state assessment in  
944 addition to all other state assessments due under this section  
945 from each person upon whom a court imposes a fine or other penalty  
946 for any violation involving railroad crossings under Section  
947 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

948           Operation Lifesaver Fund.....\$25.00

949           (b) **Drug violations.** In addition to any monetary  
950 penalties and any other penalties imposed by law, there shall be  
951 imposed and collected the following state assessment in addition  
952 to all other state assessments due under this section from each  
953 person upon whom a court imposes a fine or other penalty for any  
954 violation of Section 41-29-139:

955           Drug Evidence Disposition Fund.....\$25.00



956 (9) If a fine or other penalty imposed is suspended, in  
957 whole or in part, such suspension shall not affect the state  
958 assessment under this section. No state assessment imposed under  
959 the provisions of this section may be suspended or reduced by the  
960 court.

961 (10) After a determination by the court of the amount due,  
962 it shall be the duty of the clerk of the court to promptly collect  
963 all state assessments imposed under the provisions of this  
964 section. The state assessments imposed under the provisions of  
965 this section may not be paid by personal check. It shall be the  
966 duty of the chancery clerk of each county to deposit all such  
967 state assessments collected in the circuit, county and justice  
968 courts in such county on a monthly basis with the State Treasurer  
969 pursuant to appropriate procedures established by the State  
970 Auditor. The chancery clerk shall make a monthly lump-sum deposit  
971 of the total state assessments collected in the circuit, county  
972 and justice courts in such county under this section, and shall  
973 report to the Department of Finance and Administration the total  
974 number of violations under each subsection for which state  
975 assessments were collected in the circuit, county and justice  
976 courts in such county during such month. It shall be the duty of  
977 the municipal clerk of each municipality to deposit all such state  
978 assessments collected in the municipal court in such municipality  
979 on a monthly basis with the State Treasurer pursuant to  
980 appropriate procedures established by the State Auditor. The  
981 municipal clerk shall make a monthly lump-sum deposit of the total  
982 state assessments collected in the municipal court in such  
983 municipality under this section, and shall report to the  
984 Department of Finance and Administration the total number of  
985 violations under each subsection for which state assessments were  
986 collected in the municipal court in such municipality during such  
987 month.



988           (11) It shall be the duty of the Department of Finance and  
989 Administration to deposit on a monthly basis all such state  
990 assessments into the proper special fund in the State Treasury.  
991 The monthly deposit shall be based upon the number of violations  
992 reported under each subsection and the pro rata amount of such  
993 assessment due to the appropriate special fund. The Department of  
994 Finance and Administration shall issue regulations providing for  
995 the proper allocation of these special funds.

996           (12) The State Auditor shall establish by regulation  
997 procedures for refunds of state assessments, including refunds  
998 associated with assessments imposed before July 1, 1990, and  
999 refunds after appeals in which the defendant's conviction is  
1000 reversed. The Auditor shall provide in such regulations for  
1001 certification of eligibility for refunds and may require the  
1002 defendant seeking a refund to submit a verified copy of a court  
1003 order or abstract by which such defendant is entitled to a refund.  
1004 All refunds of state assessments shall be made in accordance with  
1005 the procedures established by the Auditor.

1006           **SECTION 10.** The Attorney General of the State of Mississippi  
1007 shall submit Sections 1 and 8 of this act, immediately upon  
1008 approval by the Governor, or upon approval by the Legislature  
1009 subsequent to a veto, to the Attorney General of the United States  
1010 or to the United States District Court for the District of  
1011 Columbia in accordance with the provisions of the Voting Rights  
1012 Act of 1965, as amended and extended.

1013           **SECTION 11.** Sections 1 and 8 of this act shall take effect  
1014 and be in force from and after the date it is effectuated under  
1015 Section 5 of the Voting Rights Act of 1965, as amended and  
1016 extended, or January 1, 2013, whichever occurs later; and the  
1017 remainder of this act shall take effect and be in force from and  
1018 after July 1, 2012.

