

REPORT OF CONFERENCE COMMITTEE

2

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1049: Court reporters; increase salary for those in circuit, chancery and county courts.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

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

5 **SECTION 1.** Section 9-13-19, Mississippi Code of 1972, is
6 amended as follows:
7 9-13-19. (1) Court reporters for circuit and chancery
8 courts shall be paid an annual salary payable by the
9 Administrative Office of Courts not to exceed Forty Thousand Five
10 Hundred Dollars (\$40,500.00) for court reporters with five (5)
11 years' experience or less; not to exceed Forty-three Thousand Five
12 Hundred Dollars (\$43,500.00) for court reporters who have more
13 than five (5) years' experience but less than ten (10) years; and
14 not to exceed Forty-six Thousand Dollars (\$46,000.00) for court
15 reporters who have ten (10) years or more experience. In
16 addition, any court reporter performing the duties of a court
17 administrator in the same judicial district in which the person is
18 employed as a court reporter may be paid additional compensation



19 for performing the court administrator duties. The annual amount
20 of the additional compensation shall be set by vote of the judges
21 and chancellors for whom the court administrator duties are
22 performed, with consideration given to the number of hours per
23 month devoted by the court reporter to performing the duties of a
24 court administrator. The additional compensation shall be
25 submitted to the Administrative Office of Courts for approval.

26 (2) The several counties in each respective court district
27 shall transfer from the general funds of those county treasuries
28 to the Administrative Office of Courts a proportionate amount to
29 be paid toward the annual compensation of the court reporter,
30 including any additional compensation paid for the performance of
31 court administrator duties. The amount to be paid by each county
32 shall be determined by the number of weeks in which court is held
33 in each county in proportion to the total number of weeks court is
34 held in the district. For purposes of this section, the term
35 "compensation" means the gross salary plus all amounts paid for
36 benefits, or otherwise, as a result of employment or as required
37 by employment, but does not include transcript fees otherwise
38 authorized to be paid by or through the counties. However, only
39 salary earned for services rendered shall be reported and credited
40 for retirement purposes. Amounts paid for transcript fees,
41 benefits or otherwise, including reimbursement for travel
42 expenses, shall not be reported or credited for retirement
43 purposes.



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

48 (3) The salary and any additional compensation for the
49 performance of court administrator duties shall be paid in twelve
50 (12) installments on the last working day of each month after it
51 has been duly authorized by the appointing judge or chancellor and
52 an order duly placed on the minutes of the court. Each county
53 shall transfer to the Administrative Office of Courts one-twelfth
54 (1/12) of the amount required to be paid pursuant to subsection
55 (2) of this section by the twentieth day of each month for the
56 salary that is to be paid on the last working day of the month.
57 The Administrative Office of Courts shall pay to the court
58 reporter the total amount of salary due for that month. Any
59 county may pay, in the discretion of the board of supervisors, by
60 the twentieth day of January of any year, the amount due for a
61 full twelve (12) months.

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

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



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

70 (7) For all travel required in the performance of official
71 duties, the circuit or chancery court reporter shall be paid
72 mileage by the county in which the duties were performed at the
73 same rate as provided for state employees in Section 25-3-41. The
74 court reporter shall file in the office of the clerk of the court
75 which he serves a certificate of mileage expense incurred during
76 that term and payment of such expense to the court reporter shall
77 be paid on allowance by the judge of such court.

78 **[Until October 1, 2015, through October 1, 2016, this section**
79 **shall read as follows:]**

80 9-13-19. (1) Court reporters for circuit and chancery
81 courts * * * may be paid an annual salary payable by the
82 Administrative Office of Courts not to exceed * * * Forty-three
83 Thousand Five Hundred Dollars (\$43,500.00) for court reporters
84 with five (5) years' experience or less; not to exceed * * *
85 Forty-eight Thousand Five Hundred Dollars (\$48,500.00) for court
86 reporters who have more than five (5) years' experience but less
87 than ten (10) years; and not to exceed * * * Fifty-two Thousand
88 Dollars (\$52,000.00) for court reporters who have ten (10) years
89 or more experience. No amount of the increase in the maximum
90 salary authorized by this act shall be paid from the State General
91 Fund. The board of supervisors of any county is authorized to pay
92 its court reporters the applicable amount of the maximum salary



93 authorized by this act. In addition, any court reporter
94 performing the duties of a court administrator in the same
95 judicial district in which the person is employed as a court
96 reporter may be paid additional compensation for performing the
97 court administrator duties. The annual amount of the additional
98 compensation shall be set by vote of the judges and chancellors
99 for whom the court administrator duties are performed, with
100 consideration given to the number of hours per month devoted by
101 the court reporter to performing the duties of a court
102 administrator. The additional compensation shall be submitted to
103 the Administrative Office of Courts for approval.

104 (2) The several counties in each respective court district
105 shall transfer from the general funds of those county treasuries
106 to the Administrative Office of Courts a proportionate amount to
107 be paid toward the annual compensation of the court reporter,
108 including any additional compensation paid for the performance of
109 court administrator duties. The amount to be paid by each county
110 shall be determined by the number of weeks in which court is held
111 in each county in proportion to the total number of weeks court is
112 held in the district. For purposes of this section, the term
113 "compensation" means the gross salary plus all amounts paid for
114 benefits, or otherwise, as a result of employment or as required
115 by employment, but does not include transcript fees otherwise
116 authorized to be paid by or through the counties. However, only
117 salary earned for services rendered shall be reported and credited



118 for retirement purposes. Amounts paid for transcript fees,
119 benefits or otherwise, including reimbursement for travel
120 expenses, shall not be reported or credited for retirement
121 purposes.

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123 weeks in a particular district, a county in which court is
124 scheduled five (5) weeks out of the year would have to pay
125 five-thirty-eighths (5/38) of the total annual compensation.

126 (3) The salary and any additional compensation for the
127 performance of court administrator duties shall be paid in twelve
128 (12) installments on the last working day of each month after it
129 has been duly authorized by the appointing judge or chancellor and
130 an order duly placed on the minutes of the court. Each county
131 shall transfer to the Administrative Office of Courts one-twelfth
132 (1/12) of the amount required to be paid pursuant to subsection
133 (2) of this section by the twentieth day of each month for the
134 salary that is to be paid on the last working day of the month.
135 The Administrative Office of Courts shall pay to the court
136 reporter the total amount of salary due for that month. Any
137 county may pay, in the discretion of the board of supervisors, by
138 the twentieth day of January of any year, the amount due for a
139 full twelve (12) months.

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



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

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

148 (7) For all travel required in the performance of official
149 duties, the circuit or chancery court reporter shall be paid
150 mileage by the county in which the duties were performed at the
151 same rate as provided for state employees in Section 25-3-41. The
152 court reporter shall file in the office of the clerk of the court
153 which he serves a certificate of mileage expense incurred during
154 that term and payment of such expense to the court reporter shall
155 be paid on allowance by the judge of such court.

156 **[From and after October 1, 2016, through October 1, 2017,**
157 **this section shall read as follows:]**

158 9-13-19. (1) Court reporters for circuit and chancery
159 courts may be paid an annual salary payable by the Administrative
160 Office of Courts not to exceed * * * Forty-six Thousand Five
161 Hundred Dollars (\$46,500.00) for court reporters with five (5)
162 years' experience or less; not to exceed * * * Fifty-three
163 Thousand Five Hundred Dollars (\$53,500.00) for court reporters who
164 have more than five (5) years' experience but less than ten (10)
165 years; and not to exceed * * * Fifty-eight Thousand Dollars
166 (\$58,000.00) for court reporters who have ten (10) years or more
167 experience. No amount of the increase in the maximum salary



168 authorized by this act shall be paid from the State General Fund.
169 The board of supervisors of any county is authorized to pay its
170 court reporters the applicable amount of the maximum salary
171 authorized by this act. In addition, any court reporter
172 performing the duties of a court administrator in the same
173 judicial district in which the person is employed as a court
174 reporter may be paid additional compensation for performing the
175 court administrator duties. The annual amount of the additional
176 compensation shall be set by vote of the judges and chancellors
177 for whom the court administrator duties are performed, with
178 consideration given to the number of hours per month devoted by
179 the court reporter to performing the duties of a court
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181 the Administrative Office of Courts for approval.

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183 shall transfer from the general funds of those county treasuries
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185 be paid toward the annual compensation of the court reporter,
186 including any additional compensation paid for the performance of
187 court administrator duties. The amount to be paid by each county
188 shall be determined by the number of weeks in which court is held
189 in each county in proportion to the total number of weeks court is
190 held in the district. For purposes of this section, the term
191 "compensation" means the gross salary plus all amounts paid for
192 benefits, or otherwise, as a result of employment or as required



193 by employment, but does not include transcript fees otherwise
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201 weeks in a particular district, a county in which court is
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205 performance of court administrator duties shall be paid in twelve
206 (12) installments on the last working day of each month after it
207 has been duly authorized by the appointing judge or chancellor and
208 an order duly placed on the minutes of the court. Each county
209 shall transfer to the Administrative Office of Courts one-twelfth
210 (1/12) of the amount required to be paid pursuant to subsection
211 (2) of this section by the twentieth day of each month for the
212 salary that is to be paid on the last working day of the month.
213 The Administrative Office of Courts shall pay to the court
214 reporter the total amount of salary due for that month. Any
215 county may pay, in the discretion of the board of supervisors, by
216 the twentieth day of January of any year, the amount due for a
217 full twelve (12) months.



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

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

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

226 (7) For all travel required in the performance of official
227 duties, the circuit or chancery court reporter shall be paid
228 mileage by the county in which the duties were performed at the
229 same rate as provided for state employees in Section 25-3-41. The
230 court reporter shall file in the office of the clerk of the court
231 which he serves a certificate of mileage expense incurred during
232 that term and payment of such expense to the court reporter shall
233 be paid on allowance by the judge of such court.

234 **[From and after October 1, 2017, this section shall read as**
235 **follows:]**

236 9-13-19. (1) Court reporters for circuit and chancery
237 courts * * * may be paid an annual salary payable by the
238 Administrative Office of Courts not to exceed * * * Forty-nine
239 Thousand Five Hundred Dollars (\$49,500.00) for court reporters
240 with five (5) years' experience or less; not to exceed * * *
241 Fifty-eight Thousand Five Hundred Dollars (\$58,500.00) for court
242 reporters who have more than five (5) years' experience but less



243 than ten (10) years; and not to exceed * * * Sixty-four Thousand
244 Dollars (\$64,000,00) for court reporters who have ten (10) years
245 or more experience. No amount of the increase in the maximum
246 salary authorized by this act shall be paid from the State General
247 Fund. The board of supervisors of any county is authorized to pay
248 its court reporters the applicable amount of the maximum salary
249 authorized by this act. In addition, any court reporter
250 performing the duties of a court administrator in the same
251 judicial district in which the person is employed as a court
252 reporter may be paid additional compensation for performing the
253 court administrator duties. The annual amount of the additional
254 compensation shall be set by vote of the judges and chancellors
255 for whom the court administrator duties are performed, with
256 consideration given to the number of hours per month devoted by
257 the court reporter to performing the duties of a court
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261 shall transfer from the general funds of those county treasuries
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263 be paid toward the annual compensation of the court reporter,
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265 court administrator duties. The amount to be paid by each county
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267 in each county in proportion to the total number of weeks court is



268 held in the district. For purposes of this section, the term
269 "compensation" means the gross salary plus all amounts paid for
270 benefits, or otherwise, as a result of employment or as required
271 by employment, but does not include transcript fees otherwise
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283 performance of court administrator duties shall be paid in twelve
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285 has been duly authorized by the appointing judge or chancellor and
286 an order duly placed on the minutes of the court. Each county
287 shall transfer to the Administrative Office of Courts one-twelfth
288 (1/12) of the amount required to be paid pursuant to subsection
289 (2) of this section by the twentieth day of each month for the
290 salary that is to be paid on the last working day of the month.
291 The Administrative Office of Courts shall pay to the court
292 reporter the total amount of salary due for that month. Any



293 county may pay, in the discretion of the board of supervisors, by
294 the twentieth day of January of any year, the amount due for a
295 full twelve (12) months.

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297 court reporters will be employees of the Administrative Office of
298 Courts.

299 (5) No circuit or chancery court reporter shall be entitled
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301 after passage of this section.

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

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305 duties, the circuit or chancery court reporter shall be paid
306 mileage by the county in which the duties were performed at the
307 same rate as provided for state employees in Section 25-3-41. The
308 court reporter shall file in the office of the clerk of the court
309 which he serves a certificate of mileage expense incurred during
310 that term and payment of such expense to the court reporter shall
311 be paid on allowance by the judge of such court.

312 **SECTION 2.** This act shall take effect and be in force from
313 and after July 1, 2015.

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



1 AN ACT TO AMEND SECTION 9-13-19, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE COUNTY BOARD OF SUPERVISORS TO REVISE THE ANNUAL
3 SALARY OF COURT REPORTERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

X (SIGNED)
Gipson

X (SIGNED)
Willis

X (SIGNED)
Carpenter

CONFEREES FOR THE SENATE

X (SIGNED)
Clarke

X (SIGNED)
Burton

X (SIGNED)
Collins

