

By: Representatives Hopkins, Henley

To: Appropriations

HOUSE BILL NO. 490

1 AN ACT TO PROVIDE THAT FROM AND AFTER OCTOBER 1, 2018, ALL
2 STATE, STATE DISTRICT AND LOCAL ELECTED OFFICIALS SHALL BE
3 REQUIRED TO TAKE A DRUG TEST ANNUALLY TO DETERMINE THEIR
4 ELIGIBILITY TO CONTINUE RECEIVING THEIR COMPENSATION; TO PROVIDE
5 THAT IF AN ELECTED OFFICIAL REFUSES TO TAKE THE REQUIRED DRUG
6 TEST, THE OFFICIAL'S COMPENSATION SHALL BE TERMINATED AND THE
7 OFFICIAL MAY NOT RECEIVE ANY COMPENSATION FOR A CERTAIN PERIOD OF
8 TIME; TO PROVIDE THAT IF AN ELECTED OFFICIAL TESTS POSITIVE FOR
9 THE UNLAWFUL USE OF A DRUG AFTER TAKING A DRUG TEST, THE OFFICIAL
10 SHALL BE GIVEN A LIST OF APPROVED SUBSTANCE USE DISORDER TREATMENT
11 PROVIDERS THAT ARE AVAILABLE IN THE AREA IN WHICH THE OFFICIAL
12 RESIDES, AND MAY CONTINUE TO RECEIVE HIS OR HER COMPENSATION IF
13 THE OFFICIAL ENTERS INTO AND FOLLOWS THE REQUIREMENTS OF A
14 SUBSTANCE USE DISORDER TREATMENT PLAN; TO PROVIDE THAT IF AN
15 ELECTED OFFICIAL DECLINES TO ENTER INTO A SUBSTANCE USE DISORDER
16 TREATMENT PLAN, OR IF THE OFFICIAL ENTERS INTO, BUT FAILS TO MEET,
17 A REQUIREMENT OF A SUBSTANCE USE DISORDER TREATMENT PLAN, THE
18 OFFICIAL'S COMPENSATION SHALL BE TERMINATED AND THE OFFICIAL MAY
19 NOT RECEIVE ANY COMPENSATION FOR A CERTAIN PERIOD OF TIME; TO
20 PROVIDE THAT IF AN ELECTED OFFICIAL TESTS POSITIVE FOR THE
21 UNLAWFUL USE OF ANY DRUG THREE TIMES, THE OFFICIAL'S COMPENSATION
22 SHALL BE TERMINATED AND THE OFFICIAL IS THEREAFTER INELIGIBLE TO
23 RECEIVE ANY COMPENSATION; TO BRING FORWARD SECTIONS 5-1-41,
24 5-1-43, 5-1-45, 5-1-46, 5-1-47, 25-3-3, 25-3-9, 25-3-13, 25-3-19,
25 25-3-25, 25-3-31, 25-3-35, 25-3-36, 25-3-41, 25-3-43 AND 25-3-69,
26 MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE COMPENSATION OF
27 ELECTED OFFICIALS, FOR THE PURPOSES OF AMENDMENT; AND FOR RELATED
28 PURPOSES.

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

30 **SECTION 1.** (1) As used in this section:



31 (a) "Drug" means a controlled substance, as defined in
32 Section 41-29-105, for which a person does not have a valid
33 prescription.

34 (b) "Drug test" means a chemical test administered for
35 the purpose of determining the presence or absence of a drug or
36 metabolites in a person's body fluids.

37 (c) "Compensation" means any salary or other payments
38 that are funded, in whole or in part, with funds of the State of
39 Mississippi or a political subdivision of the state that an
40 elected official receives in connection with his or her holding
41 the elected office.

42 (2) From and after October 1, 2018, all state, state
43 district and local elected officials shall be required to take a
44 drug test annually to determine their eligibility to continue
45 receiving their compensation.

46 (3) A drug test shall be administered with due regard to the
47 privacy and dignity of the person being tested.

48 (4) Before taking a drug test, an elected official may
49 advise the person administering the test regarding any
50 prescription or over-the-counter medication that the official is
51 taking.

52 (5) The result of a drug test is a private record and
53 disclosure to a third party is prohibited.



54 (6) If an elected official refuses to take the required drug
55 test, the official's compensation shall be terminated and the
56 official may not receive any compensation for:

57 (a) Ninety (90) days after a first refusal to take a
58 drug test within one (1) year; or

59 (b) One (1) year after a second refusal to take a drug
60 test within one (1) year.

61 (7) If an elected official is given a drug test and he or
62 she tests positive for the unlawful use of any drug, the official:

63 (a) Shall be given a list of approved substance use
64 disorder treatment providers that are available in the area in
65 which the official resides; and

66 (b) May continue to receive his or her compensation if
67 the official enters into and follows the requirements of a
68 substance use disorder treatment plan, including:

69 (i) Receiving treatment from an approved substance
70 use disorder treatment provider for at least sixty (60) days; and

71 (ii) Testing negative for the unlawful use of a
72 drug in an additional drug test given at the conclusion of
73 treatment.

74 (8) The elected official must have documented proof from an
75 approved substance use disorder treatment provider, not later than
76 ninety (90) days after testing positive for the unlawful use of a
77 drug, that he or she is free from substance abuse in order to
78 continue receiving his or her compensation.



79 (9) If an elected official declines to enter into a
80 substance use disorder treatment plan, or if the official enters
81 into but fails to meet a requirement of a substance use disorder
82 treatment plan, including if the official refuses to take a drug
83 test required by a substance use disorder treatment plan or tests
84 positive for the unlawful use of a drug in a drug test required by
85 a substance use disorder treatment plan, the official's
86 compensation shall be terminated and the recipient may not receive
87 any compensation for:

88 (a) Ninety (90) days after the day that the official is
89 no longer eligible to receive any compensation; or

90 (b) One (1) year after the day that the official is no
91 longer eligible to receive any compensation, if the official has
92 on at least one (1) other occasion in the past year not been
93 eligible to receive any compensation.

94 (10) If an elected official tests positive for the unlawful
95 use of any drug three (3) times, the official's compensation shall
96 be terminated and the official is thereafter ineligible to receive
97 any compensation.

98 **SECTION 2.** Section 5-1-41, Mississippi Code of 1972, is
99 brought forward as follows:

100 5-1-41. Beginning with the 1986 Regular Session of the
101 Legislature of the State of Mississippi, each Senator and
102 Representative of the Legislature shall receive as compensation at
103 each regular session the sum of Ten Thousand Dollars (\$10,000.00)



104 and the mileage allowance provided by Section 25-3-41, for each
105 mile of the distance by the most direct route usually traveled in
106 coming to and returning from the place where the Legislature sits.
107 Beginning on April 16, 1997, each Senator and Representative shall
108 receive for attending each extraordinary session or called session
109 the sum of Seventy-five Dollars (\$75.00) per day and mileage at
110 the same rate as per regular session. In addition to the above,
111 beginning on April 16, 1997, each Senator and Representative and
112 the Lieutenant Governor shall receive the sum of One Thousand Five
113 Hundred Dollars (\$1,500.00) per month for expenses incidental to
114 his office for every full month of his term, except any month or
115 major fraction thereof when the Legislature is convened in regular
116 or extraordinary session; and payments shall be made to each
117 Senator and Representative and the Lieutenant Governor by the
118 State Treasurer between the first and tenth day of each month
119 following the month for which the payments are due.

120 **SECTION 3.** Section 5-1-43, Mississippi Code of 1972, is
121 brought forward as follows:

122 5-1-43. (1) The salary of the Lieutenant Governor and of
123 the Speaker of the House of Representatives shall be Sixty
124 Thousand Dollars (\$60,000.00) annually, and they shall receive for
125 attending each extraordinary or called session the same
126 compensation and mileage as is provided for members of the
127 Legislature. However, in the event the Lieutenant Governor
128 serving on the effective date of Laws, 1997, Chapter 577, shall be



129 re-elected for the term beginning in the year 2000, he shall
130 continue to receive an annual salary of Forty Thousand Eight
131 Hundred Dollars (\$40,800.00).

132 (2) On the first day of each month, the Lieutenant Governor
133 and the Speaker of the House of Representatives shall receive in
134 twelve (12) equal monthly installments the compensation provided
135 for pursuant to subsection (1) of this section.

136 **SECTION 4.** Section 5-1-45, Mississippi Code of 1972, is
137 brought forward as follows:

138 5-1-45. Beginning on June 4, 1997, the President Pro Tempore
139 of the Senate shall receive an annual salary in an amount equal to
140 Fifteen Thousand Dollars (\$15,000.00). The salary provided for
141 the President Pro Tempore under this section shall be in addition
142 to the compensation and expense allowance established for members
143 of the Legislature under Section 5-1-41.

144 **SECTION 5.** Section 5-1-46, Mississippi Code of 1972, is
145 brought forward as follows:

146 5-1-46. Beginning on June 4, 1997, the Speaker Pro Tempore
147 of the House of Representatives shall receive an annual salary in
148 an amount equal to Fifteen Thousand Dollars (\$15,000.00). The
149 salary provided for the Speaker Pro Tempore under this section
150 shall be in addition to the compensation and expense allowance
151 established for members of the Legislature under Section 5-1-41.

152 **SECTION 6.** Section 5-1-47, Mississippi Code of 1972, is
153 brought forward as follows:



154 5-1-47. (1) In addition to the regular salary and mileage
155 provided by law, an expense allowance equal to the maximum daily
156 expense rate allowable to employees of the federal government for
157 travel in the high rate geographical area of Jackson, Mississippi,
158 as may be established by federal regulations for each legislative
159 day in actual attendance at a session shall be paid to the
160 Lieutenant Governor and members of the Senate and House of
161 Representatives, together with an additional mileage allowance as
162 provided by Section 25-3-41, for each mile of the distance by the
163 most direct route usually traveled in coming to and returning from
164 the place where the Legislature is in session, which expense
165 allowance and additional mileage allowance shall be paid at the
166 end of each seven-day period while the Legislature is in session.

167 (2) In addition to the mileage allowance provided for in
168 subsection (1) of this section, an expense allowance equal to the
169 maximum daily expense rate allowable to employees of the federal
170 government for travel in the high rate geographical area of
171 Jackson, Mississippi, as may be established by federal
172 regulations, per day, shall be paid to:

173 (a) The Lieutenant Governor and members of the Senate,
174 upon the approval of the Senate Rules Committee, for attending to
175 legislative duties on any of the following days that the Senate
176 does not convene in session on that day: (i) any day between
177 legislative regular or extraordinary sessions, or (ii) any day of
178 a legislative regular session that has been extended beyond the



179 number of calendar days specified in Section 36, Mississippi
180 Constitution of 1890, when that day falls after the ninetieth or
181 one-hundred-twenty-fifth day of the session, as the case may be,
182 or (iii) any day during a legislative extraordinary session; and

183 (b) Members of the House of Representatives, upon the
184 approval of the House Management Committee, for attending to
185 legislative duties on any of the following days that the House
186 does not convene in session on that day: (i) any day between
187 legislative regular or extraordinary sessions, or (ii) any day of
188 a legislative regular session that has been extended beyond the
189 number of calendar days specified in Section 36, Mississippi
190 Constitution of 1890, when that day falls after the ninetieth or
191 one-hundred-twenty-fifth day of the session, as the case may be,
192 or (iii) any day during a legislative extraordinary session.

193 (3) The expense allowance and additional mileage allowance
194 provided by this section for the Lieutenant Governor and members
195 of the Senate shall be paid from the appropriate legislative fund
196 of the Senate as provided by law, and the expense allowance and
197 additional mileage allowance for members of the House of
198 Representatives shall be paid from the appropriate legislative
199 fund of the House of Representatives as provided by law, upon
200 warrants drawn for such purpose in the manner provided by law.

201 **SECTION 7.** Section 25-3-3, Mississippi Code of 1972, is
202 brought forward as follows:



203 25-3-3. (1) The term "total assessed valuation" as used in
204 this section only refers to the ad valorem assessment for the
205 county and, in addition, in counties where oil or gas is produced,
206 the actual value of oil at the point of production, as certified
207 to the counties by the State Tax Commission under the provisions
208 of Sections 27-25-501 through 27-25-525, and the actual value of
209 gas as certified by the State Tax Commission under the provisions
210 of Sections 27-25-701 through 27-25-723.

211 (2) The salary of assessors and collectors of the various
212 counties is fixed as full compensation for their services as
213 county assessors or tax collectors, or both if the office of
214 assessor has been combined with the office of tax collector. The
215 annual salary of each assessor or tax collector, or both if the
216 offices have been combined, shall be based upon the total assessed
217 valuation of his respective county for the preceding taxable year
218 in the following categories and for the following amounts:

219 (a) For counties having a total assessed valuation of
220 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
221 Sixty-four Thousand Dollars (\$64,000.00);

222 (b) For counties having a total assessed valuation of
223 at least One Billion Dollars (\$1,000,000,000.00) but less than Two
224 Billion Dollars (\$2,000,000,000.00), a salary of Sixty-one
225 Thousand Five Hundred Dollars (\$61,500.00);

226 (c) For counties having a total assessed valuation of
227 at least Five Hundred Million Dollars (\$500,000,000.00) but less



228 than One Billion Dollars (\$1,000,000,000.00), a salary of
229 Fifty-eight Thousand Five Hundred Dollars (\$58,500.00);

230 (d) For counties having a total assessed valuation of
231 at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but
232 less than Five Hundred Million Dollars (\$500,000,000.00), a salary
233 of Fifty-six Thousand Dollars (\$56,000.00);

234 (e) For counties having a total assessed valuation of
235 at least One Hundred Fifty Million Dollars (\$150,000,000.00) but
236 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a
237 salary of Fifty-four Thousand Dollars (\$54,000.00);

238 (f) For counties having a total assessed valuation of
239 at least Seventy-five Million Dollars (\$75,000,000.00) but less
240 than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary
241 of Fifty-two Thousand Five Hundred Dollars (\$52,500.00);

242 (g) For counties having a total assessed valuation of
243 at least Thirty-five Million Dollars (\$35,000,000.00) but less
244 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
245 Forty-eight Thousand Five Hundred Dollars (\$48,500.00);

246 (h) For counties having a total assessed valuation of
247 less than Thirty-five Million Dollars (\$35,000,000.00), a salary
248 of Forty-one Thousand Five Hundred Dollars (\$41,500.00).

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



253 (4) The annual salary established for assessors and tax
254 collectors shall not be reduced as a result of a reduction in
255 total assessed valuation. The salaries shall be increased as a
256 result of an increase in total assessed valuation.

257 (5) In addition to all other compensation paid to assessors
258 and tax collectors in counties having two (2) judicial districts,
259 the board of supervisors shall pay such assessors and tax
260 collectors an additional Three Thousand Five Hundred Dollars
261 (\$3,500.00) per year. In addition to all other compensation paid
262 to assessors or tax collectors, in counties maintaining two (2)
263 full-time offices, the board of supervisors shall pay the assessor
264 or tax collector an additional Three Thousand Five Hundred Dollars
265 (\$3,500.00) per year.

266 (6) In addition to all other compensation paid to assessors
267 and tax collectors, the board of supervisors of a county shall
268 allow for such assessor or tax collector, or both, to be paid
269 additional compensation when there is a contract between the
270 county and one or more municipalities providing that the assessor
271 or tax collector, or both, shall assess or collect taxes, or both,
272 for the municipality or municipalities; and such assessor or tax
273 collector, or both, shall be authorized to receive such additional
274 compensation from the county and/or the municipality or
275 municipalities in any amount allowed by the county and/or the
276 municipality or municipalities for performing those services.



277 (7) When any tax assessor holds a valid certificate of
278 educational recognition from the International Association of
279 Assessing Officers or is a licensed appraiser under Section
280 73-34-1 et seq., he shall receive an additional One Thousand Five
281 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
282 year after completion. When any tax assessor is a licensed state
283 certified Residential Appraiser (RA) or licensed state certified
284 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
285 any tax assessor holds a valid designation from the International
286 Association of Assessing Officers as a Cadastral Mapping
287 Specialist (CMS) or Personal Property Specialist (PPS) or
288 Residential Evaluation Specialist (RES), he shall receive an
289 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
290 beginning the next fiscal year after completion. When any tax
291 assessor holds the valid designation of Certified Assessment
292 Evaluator (CAE) from the International Association of Assessing
293 Officers or is a state certified General Real Estate Appraiser
294 (GA) under Section 73-34-1 et seq., he shall receive an additional
295 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
296 the next fiscal year after completion.

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



301 (9) The salaries provided for in this section shall be
302 payable monthly on the first day of each calendar month by
303 chancery clerk's warrant drawn on the general fund of the county;
304 however, the board of supervisors, by resolution duly adopted and
305 entered on its minutes, may provide that such salaries shall be
306 paid semimonthly on the first and fifteenth day of each month. If
307 a pay date falls on a weekend or legal holiday, salary payments
308 shall be made on the workday immediately preceding the weekend or
309 legal holiday.

310 **SECTION 8.** Section 25-3-9, Mississippi Code of 1972, is
311 brought forward as follows:

312 25-3-9. (1) Except as provided in subsections (2), (3) and
313 (4) of this section, the county prosecuting attorney may receive
314 for his services an annual salary to be paid by the board of
315 supervisors as follows:

316 (a) For counties with a total population of more than
317 two hundred thousand (200,000), a salary not to exceed
318 Twenty-eight Thousand Five Hundred Dollars (\$28,500.00).

319 (b) For counties with a total population of more than
320 one hundred thousand (100,000) and not more than two hundred
321 thousand (200,000), a salary not to exceed Twenty-six Thousand
322 Five Hundred Dollars (\$26,500.00).

323 (c) For counties with a total population of more than
324 fifty thousand (50,000) and not more than one hundred thousand



325 (100,000), a salary not to exceed Twenty-one Thousand Seven
326 Hundred Dollars (\$21,700.00).

327 (d) For counties with a total population of more than
328 thirty-five thousand (35,000) and not more than fifty thousand
329 (50,000), a salary not to exceed Twenty Thousand Four Hundred
330 Dollars (\$20,400.00).

331 (e) For counties with a total population of more than
332 twenty-five thousand (25,000) and not more than thirty-five
333 thousand (35,000), a salary not to exceed Nineteen Thousand Three
334 Hundred Dollars (\$19,300.00).

335 (f) For counties with a total population of more than
336 fifteen thousand (15,000) and not more than twenty-five thousand
337 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred
338 Dollars (\$17,700.00).

339 (g) For counties with a total population of more than
340 ten thousand (10,000) and not more than fifteen thousand (15,000),
341 a salary not to exceed Sixteen Thousand One Hundred Dollars
342 (\$16,100.00).

343 (h) For counties with a total population of more than
344 six thousand (6,000) and not more than ten thousand (10,000), a
345 salary not to exceed Fourteen Thousand Five Hundred Dollars
346 (\$14,500.00).

347 (i) For counties with a total population of six
348 thousand (6,000) or less, the board of supervisors, in its
349 discretion, may appoint a county prosecuting attorney, and it may



350 pay such county prosecuting attorney an annual salary not to
351 exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00).

352 In all cases of conviction there shall be taxed against the
353 convicted defendant, as an item of cost, the sum of Three Dollars
354 (\$3.00), which shall be turned in to the county treasury as a part
355 of the general county funds; however, the Three Dollars (\$3.00)
356 shall not be taxed in any case in which it is not the specific
357 duty of the county attorney to appear and prosecute.

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

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

366 (a) In any county bordering upon the Mississippi River
367 and having a population of not less than thirty thousand (30,000)
368 and not more than thirty-five thousand five hundred (35,500)
369 according to the federal census of 1990, and in counties having a
370 population of not more than thirty-seven thousand (37,000)
371 according to the federal census of 1990 in which Interstate
372 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
373 attorney shall receive a salary equal to the justice court judge
374 of such county; and in any county wherein is located the state's



375 oldest state-supported institution of higher learning and wherein
376 Mississippi State Highways 7 and 6 intersect, the county
377 prosecuting attorney shall receive an annual salary equal to that
378 of a member of the board of supervisors of such county.

379 (b) In counties having a population in excess of fifty
380 thousand (50,000) in the 1960 federal census, wherein is located a
381 state-supported university and in which U.S. Highways 49 and 11
382 intersect, the salary of the county prosecuting attorney shall be
383 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
384 per year. The Board of Supervisors of Forrest County,
385 Mississippi, may, in its discretion, and by agreement with the
386 county prosecuting attorney, employ the county prosecuting
387 attorney as a full-time elected official during his/her term of
388 office, designate additional duties and responsibilities of the
389 office and pay additional compensation up to, but not in excess
390 of, ninety percent (90%) of the annual compensation and salary of
391 the county court judge and the youth court judge of Forrest County
392 as authorized by law and provide a reasonable office and
393 reasonable office expenses to the county prosecuting attorney.
394 The salary authorized by this paragraph (b) for the county
395 prosecuting attorney shall be the sole and complete salary for
396 such prosecuting attorney in each county to which this paragraph
397 applies, notwithstanding any other provision of law to the
398 contrary.



399 (c) In any county wherein is housed the seat of state
400 government, wherein U.S. Highways 80 and 49 intersect, and having
401 two (2) judicial districts, the board of supervisors, in its
402 discretion, may pay the county prosecuting attorney an annual
403 salary equal to the annual salary of members of the board of
404 supervisors in the county.

405 (d) In any county which has two (2) judicial districts
406 and wherein Highway 8 and Highway 15 intersect, having a
407 population of greater than seventeen thousand (17,000), according
408 to the 1980 federal decennial census, the board of supervisors
409 shall pay the county prosecuting attorney a salary equal to that
410 of a member of the board of supervisors of such county; provided
411 that if such county prosecuting attorney is paid a sum for the
412 purpose of defraying office or secretarial expenses, then the
413 salary prescribed herein shall be reduced by that amount.

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

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



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

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

430 (h) In any Class 1 county bordering on the Mississippi
431 River, lying in whole or in part within a levee district, wherein
432 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
433 and Stales Bayou, the board of supervisors, in its discretion, may
434 pay an annual salary equal to the annual salary of members of the
435 board of supervisors in the county. In addition, such county
436 prosecuting attorney shall receive the sum of One Thousand Dollars
437 (\$1,000.00) per month for the purpose of defraying secretarial
438 expenses.

439 (i) In any county bordering on the Gulf of Mexico
440 having two (2) judicial districts, and wherein U.S. Highways 90
441 and 49 intersect, the salary of the county prosecuting attorney
442 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
443 year. The Board of Supervisors of Harrison County, Mississippi,
444 may, in its discretion, and by agreement with the county
445 prosecuting attorney, employ the county prosecuting attorney and
446 his/her assistant during his/her term of office, and designate
447 additional duties and responsibilities of the office and pay



448 additional compensation up to, but not in excess of, ninety
449 percent (90%) of the annual compensation and salary of the county
450 court judges of Harrison County as authorized by law and provide
451 adequate office space and reasonable office expenses to the county
452 prosecuting attorney and his/her assistant. The salary authorized
453 by this paragraph (i) for the county prosecuting attorney and
454 his/her assistant shall be the sole and complete salary paid by
455 the county for such prosecuting attorney and his/her assistant in
456 each county to which this paragraph applies, notwithstanding any
457 other provision of law to the contrary.

458 (j) In any county bordering on the State of Alabama,
459 having a population in excess of seventy-five thousand (75,000)
460 according to the 1980 decennial census in which is located an
461 institution of higher learning and a United States military
462 installation and which is traversed by an interstate highway, the
463 salary of the county prosecuting attorney shall not be less than
464 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
465 the annual salary received by a member of the board of supervisors
466 of that county.

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

471 (l) In any Class 2 county wherein Mississippi Highways
472 6 and 3 intersect, the salary of the county prosecuting attorney



473 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
474 year nor more than the amount of the annual salary received by a
475 member of the board of supervisors of that county.

476 (m) In any county wherein Interstate Highway 55 and
477 State Highway 8 intersect, the salary of the county prosecuting
478 attorney shall be not less than Twelve Thousand Dollars
479 (\$12,000.00) per year.

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

484 (o) In any county bordering on the Alabama state line,
485 having a population of greater than fifteen thousand (15,000)
486 according to the 1970 federal decennial census, wherein U.S.
487 Highway 45 and Mississippi Highway 18 intersect, the salary of the
488 county prosecuting attorney shall be not less than Three Thousand
489 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
490 of the board of supervisors of such county. All prior acts,
491 orders and resolutions of the board of supervisors of such county
492 which authorized the payment of the salary in conformity with the
493 provisions of this paragraph, whether or not heretofore
494 specifically authorized by law are hereby ratified, approved and
495 confirmed.

496 (p) In any county wherein is located a state-supported
497 institution of higher learning and wherein U.S. Highway 82 and



498 Mississippi Highway 389 intersect, the board of supervisors, in
499 its discretion, may pay the county prosecuting attorney an annual
500 salary equal to the annual salary of members of the board of
501 supervisors in the county.

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

506 (r) In any county traversed by the Natchez Trace
507 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
508 intersect, the board of supervisors, in its discretion, may pay
509 the county prosecuting attorney an annual salary equal to the
510 annual salary of justice court judges in the county.

511 (s) In any county having a population of more than
512 fourteen thousand (14,000) according to the 1970 census and which
513 county is bordered on the north by the State of Tennessee and on
514 the east by the State of Alabama and in which U.S. Highway No. 72
515 and Highway No. 25 intersect, the board of supervisors, in its
516 discretion, may pay the county prosecuting attorney an annual
517 salary equal to the annual salary of justice court judges in the
518 county.

519 (t) (i) The Board of Supervisors of Madison County, in
520 its discretion, may pay the county prosecuting attorney an annual
521 salary in the amount of Twenty-eight Thousand Dollars



522 (\$28,000.00), if the county prosecuting attorney is not employed
523 on a full-time basis.

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

529 (iii) The Board of Supervisors of Madison County,
530 in its discretion, may employ the elected county prosecuting
531 attorney on a full-time basis during his or her term of office and
532 may pay compensation to the full-time prosecuting attorney in an
533 amount of not more than ninety percent (90%) of the annual
534 compensation and salary of the county court judges of the county
535 as authorized by law, and may provide adequate office space and
536 reasonable office expenses to the county prosecuting attorney.
537 The salary authorized by this subparagraph (iii) for the county
538 prosecuting attorney shall be the sole and complete salary paid by
539 the county for the prosecuting attorney in Madison County,
540 notwithstanding any other provisions of law to the contrary.

541 (u) In any county having a population in the 1970
542 census in excess of thirty-five thousand (35,000) and in which
543 U.S. Highways 49W and 82 intersect, and in which is located a
544 state penitentiary, the annual salary of a county prosecuting
545 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
546 (\$30,420.00).



547 (v) In any county wherein Mississippi Highway 50
548 intersects U.S. Highway 45-Alternate, and having a population
549 greater than twenty thousand (20,000) according to the 1980
550 federal decennial census, a salary equal to that of a member of
551 the board of supervisors of such county; provided that if such
552 county prosecuting attorney is paid a sum for the purpose of
553 defraying office or secretarial expenses, then the salary
554 prescribed herein shall be reduced by that amount.

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

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

570 (y) In any county bordering on the Alabama state line,
571 traversed by the Chickasawhay River, and wherein U.S. Highway 45



572 and U.S. Highway 84 intersect, a salary that shall be equal to the
573 annual salary of a member of the board of supervisors of such
574 county. All prior acts, orders and resolutions of the board of
575 supervisors of such county which authorize the payment of the
576 salary of the county prosecuting attorney in conformity with the
577 provisions of this section as it existed immediately prior to
578 April 12, 1985, are hereby ratified, approved, confirmed and
579 validated.

580 (z) In any county having a population greater than
581 sixty-five thousand five hundred eighty (65,580) but less than
582 sixty-five thousand five hundred ninety (65,590) according to the
583 1990 federal decennial census, wherein U.S. Highway 45 intersects
584 with Mississippi Highway 6, an annual salary equal to Thirty
585 Thousand Dollars (\$30,000.00).

586 (aa) In any county where an institution of higher
587 learning is located and wherein U.S. Highway 82 and U.S. Highway
588 45 intersect, the salary of the county prosecuting attorney shall
589 be not less than that of a member of the board of supervisors in
590 such county, and the board of supervisors may, in its discretion,
591 pay such county prosecuting attorney a salary in an amount not to
592 exceed the amount of the salary of the District Attorney for the
593 Sixteenth Judicial District of Mississippi.

594 (bb) In any county having a population greater than six
595 thousand (6,000) according to the federal decennial census and
596 wherein U.S. Highway 61 and Highway 24 intersect, the board of



597 supervisors, in its discretion, may pay the county prosecuting
598 attorney an annual salary equal to the annual salary of members of
599 the board of supervisors in the county.

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

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

608 (ii) The Board of Supervisors of Rankin County, in
609 its discretion, may employ the elected county prosecuting attorney
610 and an assistant on a full-time basis during his or her term of
611 office and may pay compensation to such full-time prosecuting
612 attorney in an amount of not more than ninety percent (90%) of the
613 annual compensation and salary of the county court judges of the
614 county as authorized by law, and may provide adequate office space
615 and reasonable office expenses to the county prosecuting attorney
616 and his/her assistant. The Board of Supervisors of Rankin County,
617 in its discretion, may also employ a full-time assistant county
618 prosecuting attorney and may pay such person an annual salary in
619 such amount as determined by the board of supervisors. The salary
620 authorized by this paragraph (dd)(ii) for the elected county
621 prosecuting attorney and an assistant shall be the sole and



622 complete salary paid by the county for the elected prosecuting
623 attorney and assistant in Rankin County, notwithstanding any other
624 provisions of law to the contrary.

625 (ee) In any county having a population greater than
626 eight thousand (8,000) but less than eight thousand two hundred
627 (8,200) according to the 1990 federal census, and in which U.S.
628 Highway 61 and Mississippi Highway 4 intersect, the board of
629 supervisors may, in its discretion, pay the county prosecuting
630 attorney an amount not to exceed Fourteen Thousand Dollars
631 (\$14,000.00), in addition to the maximum allowable salary for that
632 attorney under subsection (1), beginning on April 1, 1997.

633 (ff) In any county having a population greater than
634 thirty thousand three hundred (30,300) but less than thirty
635 thousand four hundred (30,400) according to the 1990 federal
636 census, and in which U.S. Highway 78 and Mississippi Highway 7
637 intersect, a salary of not less than the annual salary of a member
638 of the board of supervisors in such county.

639 (gg) In any county having a population greater than
640 thirteen thousand three hundred (13,300) but less than thirteen
641 thousand four hundred (13,400) according to the 1990 federal
642 census, and in which Mississippi Highway 24 and Mississippi
643 Highway 48 intersect, the board of supervisors may, in its
644 discretion, pay the county prosecuting attorney an additional
645 amount not to exceed ten percent (10%) of the maximum allowable
646 salary for that attorney under subsection (1).



647 (hh) In any county having a population greater than
648 eight thousand three hundred (8,300) but less than eight thousand
649 four hundred (8,400) according to the 1990 federal census, and in
650 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
651 supervisors may, in its discretion, pay the county prosecuting
652 attorney an additional amount not to exceed ten percent (10%) of
653 the maximum allowable salary for that attorney under subsection
654 (1).

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

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

666 (kk) In any county having a population greater than
667 twelve thousand four hundred (12,400) but less than twelve
668 thousand five hundred (12,500) according to the 1990 federal
669 census, and in which U.S. Highway 84 and Mississippi Highway 27
670 intersect, the board of supervisors may, in its discretion, pay
671 the county prosecuting attorney an additional amount not to exceed



672 ten percent (10%) of the maximum allowable salary for that
673 attorney under subsection (1).

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

682 (mm) In any county on the Mississippi River levee,
683 having a population greater than forty-one thousand eight hundred
684 (41,800) but less than forty-one thousand nine hundred (41,900)
685 according to the 1990 federal census wherein U.S. Highway 61 and
686 Mississippi Highway 8 intersect, the board of supervisors, in its
687 discretion, may pay the county prosecuting attorney an annual
688 salary equal to the annual salary of members of the board of
689 supervisors in the county. In addition, the board of supervisors,
690 in its discretion, may pay the county prosecuting attorney the sum
691 of One Thousand Dollars (\$1,000.00) per month for the purpose of
692 defraying secretarial expenses.

693 (nn) In any county having a population greater than
694 twenty-four thousand seven hundred (24,700) and less than
695 twenty-four thousand nine hundred (24,900) according to the 1990
696 federal census, wherein Mississippi Highways 15 and 16 intersect,



697 the board of supervisors, in its discretion, may pay the county
698 prosecuting attorney an annual salary equal to the annual salary
699 of members of the board of supervisors in the county.

700 (oo) In any county having a population greater than
701 thirty-seven thousand (37,000) but less than thirty-eight thousand
702 (38,000) according to the 1990 federal census, in which is located
703 a state supported institution of higher learning, and in which
704 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
705 supervisors may, in its discretion, pay the county prosecuting
706 attorney a salary in an amount not to exceed the amount of the
707 salary of the District Attorney for the Fourth Judicial District
708 of Mississippi.

709 (pp) In any county in which U.S. Highway 78 and
710 Mississippi Highway 15 intersect and which is traversed by the
711 Tallahatchie River, a salary equal to that of members of the board
712 of supervisors of the county, which salary shall be in addition to
713 any sums received for the purpose of defraying office or
714 secretarial expenses and sums received as youth court prosecutor
715 fees.

716 (qq) In any county bordering on the State of Tennessee
717 and the State of Arkansas, wherein Interstate Highway 55 and
718 Mississippi Highway 302 intersect, the board of supervisors, in
719 its discretion, may pay the county prosecuting attorney an annual
720 salary equal to the annual salary of justice court judges in the
721 county.



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

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

731 (tt) In any county in which Interstate Highway 59 and
732 U.S. Highway 84 intersect, the board of supervisors, in its
733 discretion, may pay the county prosecuting attorney an annual
734 salary equal to the annual salary of members of the board of
735 supervisors in the county.

736 (uu) (i) In any county bordering on the Mississippi
737 River having a population greater than fifty thousand (50,000)
738 according to the 1980 federal decennial census and also having a
739 national military park and national cemetery, the board of
740 supervisors of the county shall pay an annual salary of
741 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
742 that of a member of the board of supervisors, whichever is
743 greater, if not employed on a full-time basis. In addition, the
744 county prosecuting attorney shall be paid the sum of One Thousand
745 Dollars (\$1,000.00) per month for the purpose of defraying
746 secretarial expenses, if not employed on a full-time basis; or



747 (ii) The board of supervisors of the county
748 described in subparagraph (i) of this paragraph, in its
749 discretion, may employ the elected county prosecuting attorney on
750 a full-time basis during his or her term of office and may pay
751 compensation to the full-time prosecuting attorney in an amount of
752 not more than ninety percent (90%) of the annual compensation and
753 salary of the County Court Judge of Warren County as authorized by
754 law, and may provide adequate office space and reasonable office
755 expenses to the county prosecuting attorney. The salary
756 authorized herein by this subparagraph (ii) for the county
757 prosecuting attorney shall be the sole and complete salary paid by
758 the county for the prosecuting attorney in Warren County,
759 notwithstanding any other provisions of law to the contrary.

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

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

769 **SECTION 9.** Section 25-3-13, Mississippi Code of 1972, is
770 brought forward as follows:



771 25-3-13. (1) The salaries of the members of the boards of
772 supervisors of the various counties are fixed as full compensation
773 for their services.

774 The annual salary of each member of the board of supervisors
775 shall be based upon the total assessed valuation of his respective
776 county for the preceding taxable year in the following categories
777 and for the following amounts:

778 (a) For counties having a total assessed valuation of
779 less than Thirty Million Dollars (\$30,000,000.00), a salary of
780 Twenty-nine Thousand Dollars (\$29,000.00);

781 (b) For counties having a total assessed valuation of
782 at least Thirty Million Dollars (\$30,000,000.00), but less than
783 Fifty Million Dollars (\$50,000,000.00), a salary of Thirty-two
784 Thousand Three Hundred Dollars (\$32,300.00);

785 (c) For counties having a total assessed valuation of
786 at least Fifty Million Dollars (\$50,000,000.00), but less than
787 Seventy-five Million Dollars (\$75,000,000.00), a salary of
788 Thirty-three Thousand Seven Hundred Dollars (\$33,700.00);

789 (d) For counties having a total assessed valuation of
790 at least Seventy-five Million Dollars (\$75,000,000.00), but less
791 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
792 salary of Thirty-four Thousand Seven Hundred Dollars (\$34,700.00);

793 (e) For counties having a total assessed valuation of
794 at least One Hundred Twenty-five Million Dollars
795 (\$125,000,000.00), but less than Three Hundred Million Dollars



796 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars
797 (\$40,400.00);

798 (f) For counties having a total assessed valuation of
799 at least Three Hundred Million Dollars (\$300,000,000.00), but less
800 than One Billion Dollars (\$1,000,000,000.00), a salary of
801 Forty-four Thousand Seven Hundred Dollars (\$44,700.00);

802 (g) For counties having a total assessed valuation of
803 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion
804 Dollars (\$2,000,000,000.00), a salary of Forty-five Thousand Seven
805 Hundred Dollars (\$45,700.00);

806 (h) For counties having a total assessed valuation of
807 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
808 Forty-six Thousand Seven Hundred Dollars (\$46,700.00).

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

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

816 **SECTION 10.** Section 25-3-19, Mississippi Code of 1972, is
817 brought forward as follows:

818 25-3-19. The chancery clerks, as county auditors, shall
819 receive compensation for their services as such the annual amount
820 of Five Thousand Three Hundred Dollars (\$5,300.00), payable in



821 equal monthly installments out of the county treasury; however,
822 the board of supervisors, by resolution duly adopted and entered
823 on its minutes, may provide that such salaries shall be paid
824 semimonthly on the first and fifteenth day of each month. If a
825 pay date falls on a weekend or legal holiday, salary payments
826 shall be made on the workday immediately preceding the weekend or
827 legal holiday.

828 **SECTION 11.** Section 25-3-25, Mississippi Code of 1972, is
829 brought forward as follows:

830 25-3-25. (1) Except as otherwise provided in subsections
831 (2) through (9), the salaries of sheriffs of the various counties
832 are fixed as full compensation for their services.

833 The annual salary for each sheriff shall be based upon the
834 total population of his county according to the latest federal
835 decennial census in the following categories and for the following
836 amounts; however, no sheriff shall be paid less than the salary
837 authorized under this section to be paid the sheriff based upon
838 the population of the county according to the most recent federal
839 decennial census:

840 (a) For counties with a total population of more than
841 one hundred thousand (100,000), a salary of Ninety-nine Thousand
842 Dollars (\$99,000.00).

843 (b) For counties with a total population of more than
844 forty-five thousand (45,000) and not more than one hundred



845 thousand (100,000), a salary of Ninety Thousand Dollars
846 (\$90,000.00).

847 (c) For counties with a total population of more than
848 thirty-four thousand (34,000) and not more than forty-five
849 thousand (45,000), a salary of Eighty-five Thousand Dollars
850 (\$85,000.00).

851 (d) For counties with a total population of more than
852 fifteen thousand (15,000) and not more than thirty-four thousand
853 (34,000), a salary of Eighty Thousand Dollars (\$80,000.00).

854 (e) For counties with a total population of not more
855 than fifteen thousand (15,000), a salary of Seventy-five Thousand
856 Dollars (\$75,000.00).

857 (2) In addition to the salary provided for in subsection (1)
858 of this section, the Board of Supervisors of Leflore County, in
859 its discretion, may pay an annual supplement to the sheriff of the
860 county in an amount not to exceed Ten Thousand Dollars
861 (\$10,000.00). The Legislature finds and declares that the annual
862 supplement authorized by this subsection is justified in such
863 county for the following reasons:

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

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

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



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

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

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

879 (g) The increased activity of the Child Support
880 Division of the Department of Human Services in enforcing in the
881 courts parental obligations has imposed additional duties on the
882 sheriff; and

883 (h) The dispatchers of the enhanced E-911 system in
884 place in Leflore County have been placed under the direction and
885 control of the sheriff.

886 (3) In addition to the salary provided for in subsection (1)
887 of this section, the Board of Supervisors of Rankin County, in its
888 discretion, may pay an annual supplement to the sheriff of the
889 county in an amount not to exceed Ten Thousand Dollars
890 (\$10,000.00). The Legislature finds and declares that the annual
891 supplement authorized by this subsection is justified in such
892 county for the following reasons:



893 (a) The Mississippi Department of Corrections operates
894 and maintains the Central Mississippi Correctional Facility within
895 the county;

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

898 (c) Hudspeth Regional Center, a facility maintained for
899 the care and treatment of persons with an intellectual disability,
900 is located within the county;

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

903 (e) The State Fire Academy is operated and maintained
904 within the county;

905 (f) The Pearl River Valley Water Supply District,
906 ordinarily known as the "Reservoir District," is located within
907 the county;

908 (g) The Jackson International Airport is located within
909 the county;

910 (h) The patrolling of the state properties located
911 within the county has imposed additional duties on the sheriff;
912 and

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



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

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

927 (6) In addition to the salary provided for in subsection (1)
928 of this section, the Board of Supervisors of Hinds County shall
929 pay an annual supplement to the sheriff of the county in an amount
930 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature
931 finds and declares that the annual supplement authorized by this
932 subsection is justified in such county for the following reasons:

933 (a) Hinds County has the greatest population of any
934 county, two hundred fifty-four thousand four hundred forty-one
935 (254,441) by the 1990 census, being almost one hundred thousand
936 (100,000) more than the next most populous county;

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

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



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

944 (e) There are four (4) resident circuit judges, four
945 (4) resident chancery judges, and three (3) resident county judges
946 in Hinds County, the most of any county, with the sheriff acting
947 as chief executive officer and provider of bailiff services for
948 all;

949 (f) The main offices for the clerk and most of the
950 judges and magistrates for the United States District Court for
951 the Southern District of Mississippi are located within the
952 county;

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

955 (h) The University of Mississippi Medical Center,
956 combining the medical school, dental school, nursing school and
957 hospital, is located within the county;

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

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

962 (k) Hinds County has the largest criminal population in
963 the state, such that the Hinds County Sheriff's Department
964 operates the largest county jail system in the state, housing
965 almost one thousand (1,000) inmates in three (3) separate
966 detention facilities;



967 (1) The Hinds County Sheriff's Department handles more
968 mental and drug and alcohol commitment cases than any other
969 sheriff's department in the state;

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

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

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

979 (7) In addition to the salary provided for in subsection (1)
980 of this section, the Board of Supervisors of Wilkinson County, in
981 its discretion, may pay an annual supplement to the sheriff of the
982 county in an amount not to exceed Ten Thousand Dollars
983 (\$10,000.00). The Legislature finds and declares that the annual
984 supplement authorized by this subsection is justified in such
985 county because the Mississippi Department of Corrections contracts
986 for the private incarceration of state inmates at a private
987 correctional facility within the county.

988 (8) In addition to the salary provided for in subsection (1)
989 of this section, the Board of Supervisors of Marshall County, in
990 its discretion, may pay an annual supplement to the sheriff of the
991 county in an amount not to exceed Ten Thousand Dollars



992 (\$10,000.00). The Legislature finds and declares that the annual
993 supplement authorized by this subsection is justified in such
994 county because the Mississippi Department of Corrections contracts
995 for the private incarceration of state inmates at a private
996 correctional facility within the county.

997 (9) In addition to the salary provided in subsection (1) of
998 this section, the Board of Supervisors of Greene County, in its
999 discretion, may pay an annual supplement to the sheriff of the
1000 county in an amount not to exceed Ten Thousand Dollars
1001 (\$10,000.00). The Legislature finds and declares that the annual
1002 supplement authorized by this subsection is justified in such
1003 county for the following reasons:

1004 (a) The Mississippi Department of Corrections operates
1005 and maintains the South Mississippi Correctional Facility within
1006 the county;

1007 (b) In 1996, additional facilities to house another one
1008 thousand four hundred sixteen (1,416) male offenders were
1009 constructed at the South Mississippi Correctional Facility within
1010 the county; and

1011 (c) The patrolling of the state properties located
1012 within the county has imposed additional duties on the sheriff
1013 justifying additional compensation.

1014 (10) In addition to the salary provided in subsection (1) of
1015 this section, the board of supervisors of any county, in its
1016 discretion, may pay an annual supplement to the sheriff of the



1017 county in an amount not to exceed Ten Thousand Dollars
1018 (\$10,000.00). The amount of the supplement shall be spread on the
1019 minutes of the board. The annual supplement authorized in this
1020 subsection shall not be in addition to the annual supplements
1021 authorized in subsections (2) through (9).

1022 (11) (a) The salaries provided in this section shall be
1023 payable monthly on the first day of each calendar month by
1024 chancery clerk's warrant drawn on the general fund of the county;
1025 however, the board of supervisors, by resolution duly adopted and
1026 entered on its minutes, may provide that such salaries shall be
1027 paid semimonthly on the first and fifteenth day of each month. If
1028 a pay date falls on a weekend or legal holiday, salary payments
1029 shall be made on the workday immediately preceding the weekend or
1030 legal holiday.

1031 (b) At least Ten Dollars (\$10.00) from each fee
1032 collected and deposited into the county's general fund under the
1033 provisions of paragraphs (a), (c) and (g) of subsection (1) of
1034 Section 25-7-19 shall be used for the sheriffs' salaries
1035 authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount
1036 was authorized during the 2007 Regular Session in Chapter 331,
1037 Laws of 2007, for the purpose of providing additional monies to
1038 the counties for sheriffs' salaries.

1039 (12) (a) All sheriffs, each year, shall attend twenty (20)
1040 hours of continuing education courses in law enforcement. Such
1041 courses shall be approved by the Mississippi Board on Law



1042 Enforcement Officers Standards and Training. Such education
1043 courses may be provided by an accredited law enforcement academy
1044 or by the Mississippi Sheriffs' Association.

1045 (b) The Mississippi Board on Law Enforcement Officers
1046 Standards and Training shall reimburse each county for the
1047 expenses incurred by sheriffs and deputy sheriffs for attendance
1048 at any approved training programs as required by this subsection.

1049 **SECTION 12.** Section 25-3-31, Mississippi Code of 1972, is
1050 brought forward as follows:

1051 25-3-31. The annual salaries of the following elected state
1052 and district officers are fixed as follows:

1053	Governor.....	\$122,160.00
1054	Attorney General.....	108,960.00
1055	Secretary of State.....	90,000.00
1056	Commissioner of Insurance.....	90,000.00
1057	State Treasurer.....	90,000.00
1058	State Auditor of Public Accounts.....	90,000.00
1059	Commissioner of Agriculture and Commerce.....	90,000.00
1060	Transportation Commissioners.....	78,000.00
1061	Public Service Commissioners.....	78,000.00

1062 If the person serving as Governor on December 31, 2003, is
1063 reelected to the Office of Governor for the term beginning in the
1064 year 2004, he may choose not to receive the salary increase
1065 authorized by this section, but to receive, instead, an annual
1066 salary of One Hundred One Thousand Eight Hundred Dollars



1067 (\$101,800.00) during his new term of office by filing a written
1068 request with the Department of Finance and Administration.

1069 **SECTION 13.** Section 25-3-35, Mississippi Code of 1972, is
1070 brought forward as follows:

1071 25-3-35. (1) The annual salaries of the following judges
1072 are fixed as follows:

1073 **From and after January 1, 2013, through December 31, 2013:**

1074 Chief Justice of the Supreme Court.....\$126,292.50
1075 Presiding Justices of the Supreme Court, each..... 123,600.75
1076 Associate Justices of the Supreme Court, each..... 122,460.00

1077 **From and after January 1, 2014, through December 31, 2014:**

1078 Chief Justice of the Supreme Court.....\$137,195.00
1079 Presiding Justices of the Supreme Court, each..... 134,011.50
1080 Associate Justices of the Supreme Court, each..... 132,390.00

1081 **From and after January 1, 2015, through December 31, 2015:**

1082 Chief Justice of the Supreme Court.....\$148,097.50
1083 Presiding Justices of the Supreme Court, each..... 144,422.25
1084 Associate Justices of the Supreme Court, each..... 142,320.00

1085 **From and after January 1, 2016:**

1086 Chief Justice of the Supreme Court.....\$159,000.00
1087 Presiding Justices of the Supreme Court, each..... 154,833.00
1088 Associate Justices of the Supreme Court, each..... 152,250.00

1089 There are imposed upon the Supreme Court justices the extra duties
1090 of taking all necessary action to promote judicial education in
1091 schools, drug courts, electronic filing and case management



1092 systems as developed by the Administrative Office of Courts, or
1093 such other additional duties as may be assigned by the Chief
1094 Justice of the Supreme Court. For such extra services each
1095 justice, from and after January 1, 2013, shall receive a sum
1096 sufficient to aggregate, per annum, the salaries set forth in this
1097 subsection (1).

1098 The fixed salaries in this subsection (1) shall be paid from
1099 the State General Fund and from the Judicial System Operation Fund
1100 created under Section 9-21-45. No less than: One Hundred Fifteen
1101 Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief
1102 Justice's salary in this subsection (1), One Hundred Thirteen
1103 Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of
1104 a presiding justice in this subsection (1), and One Hundred Twelve
1105 Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary
1106 of an associate justice in this subsection (1) shall be paid from
1107 general fund monies; in addition, the Legislature shall
1108 appropriate annually from the Judicial System Operation Fund a sum
1109 sufficient to increase the salary of the Chief Justice, a
1110 presiding justice and an associate justice to the levels set forth
1111 in this subsection (1).

1112 The fixed salaries as specified in this subsection (1) shall
1113 be the exclusive and total compensation which can be reported to
1114 the Public Employees' Retirement System for retirement purposes;
1115 however, any judge in office on December 31, 2003, may continue to



1116 report his expense allowance as part of his compensation for
1117 retirement purposes.

1118 (2) The annual salaries of the judges of the Court of
1119 Appeals of Mississippi are fixed as follows:

1120 **From and after January 1, 2013, through December 31, 2013:**

1121 Chief Judge of the Court of Appeals.....\$117,992.00
1122 Associate Judges of the Court of Appeals, each.... 114,994.25

1123 **From and after January 1, 2014, through December 31, 2014:**

1124 Chief Judge of the Court of Appeals.....\$127,854.00
1125 Associate Judges of the Court of Appeals, each.... 124,938.50

1126 **From and after January 1, 2015, through December 31, 2015:**

1127 Chief Judge of the Court of Appeals.....\$137,716.00
1128 Associate Judges of the Court of Appeals, each.... 134,882.75

1129 **From and after January 1, 2016:**

1130 Chief Judge of the Court of Appeals.....\$147,578.00
1131 Associate Judges of the Court of Appeals, each.... 144,827.00

1132 From and after January 1, 2013, each judge shall receive a
1133 sum sufficient to aggregate, per annum, the salaries set forth in
1134 this subsection (2).

1135 The fixed salaries in this subsection (2) shall be paid from
1136 the State General Fund and from the Judicial System Operation Fund
1137 created under Section 9-21-45. No less than One Hundred Eight
1138 Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief
1139 Judge's salary in this subsection (2) shall be paid from general
1140 fund monies; in addition, the Legislature shall appropriate



1141 annually from the Judicial System Operation Fund a sum sufficient
1142 to increase the Chief Judge's salary to the level set forth in
1143 this subsection (2). No less than One Hundred Five Thousand Fifty
1144 Dollars (\$105,050.00) of the salary of an associate judge in this
1145 subsection (2) shall be paid from general fund monies; in
1146 addition, the Legislature shall appropriate annually from the
1147 Judicial System Operation Fund a sum sufficient to increase the
1148 salary of an associate judge to the level set forth in this
1149 subsection (2).

1150 The fixed salaries as specified in this subsection (2) shall
1151 be the exclusive and total compensation which can be reported to
1152 the Public Employees' Retirement System for retirement purposes;
1153 however, any judge in office on December 31, 2003, may continue to
1154 report his expense allowance as part of his compensation for
1155 retirement purposes.

1156 (3) The annual salaries of the chancery and circuit court
1157 judges are fixed as follows:

1158	From and after January 1, 2013, through December 31, 2013:	
1159	Chancery Judges, each.....	\$112,127.50
1160	Circuit Judges, each.....	112,127.50
1161	From and after January 1, 2014, through December 31, 2014:	
1162	Chancery Judges, each.....	\$120,085.00
1163	Circuit Judges, each.....	120,085.00
1164	From and after January 1, 2015, through December 31, 2015:	
1165	Chancery Judges, each.....	\$128,042.50



1166 Circuit Judges, each..... 128,042.50

1167 **From and after January 1, 2016:**

1168 Chancery Judges, each.....\$136,000.00

1169 Circuit Judges, each..... 136,000.00

1170 In addition to their present official duties, the circuit and
1171 chancery judges shall take necessary action to promote judicial
1172 education in schools, drug courts, electronic filing and case
1173 management systems as developed by the Administrative Office of
1174 Courts, or such other additional duties as may be assigned by the
1175 Chief Justice of the Supreme Court. For such extra services each
1176 judge, from and after January 1, 2013, shall receive a sum
1177 sufficient to aggregate, per annum, the salaries set forth in this
1178 subsection (3).

1179 The fixed salaries in this subsection (3) shall be paid from
1180 the State General Fund and from the Judicial System Operation Fund
1181 created under Section 9-21-45. No less than One Hundred Four
1182 Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary
1183 of a chancery or circuit Judge in this subsection (3) shall be
1184 paid from general fund monies; in addition, the Legislature shall
1185 appropriate annually from the Judicial System Operation Fund a sum
1186 sufficient to increase the salary of a chancery or circuit judge
1187 to the levels set forth in this subsection (3).

1188 (4) From and after January 1, 2019, and every four (4) years
1189 thereafter, the annual salaries of the judges in subsections (1),
1190 (2) and (3) shall be fixed at the level of compensation



1191 recommended by the State Personnel Board according to the board's
1192 most recent report on judicial salaries, as required under Section
1193 25-9-115, to the extent that sufficient funds are available. The
1194 annual salaries fixed in accordance with this subsection (4) shall
1195 not become effective until the commencement of the next
1196 immediately succeeding term of office.

1197 (5) The Supreme Court shall prepare a payroll for chancery
1198 judges and circuit judges and submit such payroll to the
1199 Department of Finance and Administration.

1200 (6) The annual salary of the full-time district attorneys
1201 shall be:

1202 **From and after January 1, 2013, through December 31, 2013:**

1203 One Hundred Three Thousand Three Hundred Twenty-two Dollars
1204 (\$103,322.00).

1205 **From and after January 1, 2014, through December 31, 2014:**

1206 One Hundred Ten Thousand Eight Hundred Forty-eight Dollars
1207 (\$110,848.00).

1208 **From and after January 1, 2015, through December 31, 2015:**

1209 One Hundred Eighteen Thousand Three Hundred Seventy-four
1210 Dollars (\$118,374.00).

1211 **From and after January 1, 2016:**

1212 One Hundred Twenty-five Thousand Nine Hundred Dollars
1213 (\$125,900.00).

1214 (7) The annual salary of the full-time legal assistants
1215 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor



1216 more than eighty percent (80%) of the salary of the district
1217 attorney for legal assistants who have been licensed to practice
1218 law for five (5) years or less; eighty-five percent (85%) of the
1219 salary of the district attorney for legal assistants who have been
1220 licensed to practice law for at least five (5) years but less than
1221 fifteen (15) years; and ninety percent (90%) of the salary of the
1222 district attorney for legal assistants who have been licensed to
1223 practice law for at least fifteen (15) years or more.

1224 **SECTION 14.** Section 25-3-36, Mississippi Code of 1972, is
1225 brought forward as follows:

1226 25-3-36. (1) Until October 1, 2008, every justice court
1227 judge shall receive as full compensation for his or her services,
1228 and in lieu of any and all other fees, costs or compensation
1229 heretofore authorized for such justice court judge, an annual
1230 salary based upon the population of his or her county according to
1231 the latest federal decennial census; however, no justice court
1232 judge shall be paid less than the salary authorized under this
1233 section to be paid the justice court judge based upon the
1234 population of the county according to the 1980 federal decennial
1235 census. The amount of which salary shall be determined as
1236 follows:

1237 (a) In counties with a population of more than two
1238 hundred thousand (200,000), a salary of Fifty-five Thousand Five
1239 Hundred Fifty-nine Dollars (\$55,559.00).



1240 (b) In counties with a population of more than one
1241 hundred fifty thousand (150,000) but not more than two hundred
1242 thousand (200,000), a salary of Fifty-one Thousand Five Dollars
1243 (\$51,005.00).

1244 (c) In counties with a population of more than
1245 seventy-five thousand (75,000) but not more than one hundred fifty
1246 thousand (150,000), a salary of Forty-six Thousand Four Hundred
1247 Fifty-one Dollars (\$46,451.00).

1248 (d) In counties with a population of more than
1249 forty-nine thousand (49,000) but not more than seventy-five
1250 thousand (75,000), a salary of Forty Thousand Seventy-five Dollars
1251 (\$40,075.00).

1252 (e) In counties with a population of more than
1253 thirty-four thousand (34,000) but not more than forty-nine
1254 thousand (49,000), a salary of Thirty-four Thousand Six Hundred
1255 Ten Dollars (\$34,610.00).

1256 (f) In counties with a population of more than
1257 twenty-four thousand five hundred (24,500) but not more than
1258 thirty-four thousand (34,000), a salary of Thirty-two Thousand
1259 Seven Hundred Eighty-nine Dollars (\$32,789.00).

1260 (g) In counties with a population of more than
1261 twenty-one thousand (21,000) but not more than twenty-four
1262 thousand five hundred (24,500), a salary of Twenty-nine Thousand
1263 One Hundred Forty-six Dollars (\$29,146.00).



1264 (h) In counties with a population of more than sixteen
1265 thousand five hundred (16,500) but not more than twenty-one
1266 thousand (21,000), a salary of Twenty-five Thousand Five Hundred
1267 Two Dollars (\$25,502.00).

1268 (i) In counties with a population of more than twelve
1269 thousand (12,000) but not more than sixteen thousand five hundred
1270 (16,500), a salary of Twenty-one Thousand Eight Hundred Fifty-nine
1271 Dollars (\$21,859.00).

1272 (j) In counties with a population of more than eight
1273 thousand (8,000) but not more than twelve thousand (12,000), a
1274 salary of Eighteen Thousand Dollars (\$18,000.00).

1275 (k) In counties with a population of eight thousand
1276 (8,000) or less, a salary of Fourteen Thousand Four Hundred
1277 Dollars (\$14,400.00).

1278 The board of supervisors of any county having two (2)
1279 judicial districts and two (2) justice court judges for the county
1280 shall pay each justice court judge an amount equal to that
1281 provided in this subsection for judges in the next higher
1282 population category per year, if the justice court judge maintains
1283 regular office hours and is personally present in the office they
1284 maintain for at least thirty (30) hours per week.

1285 In any county having a population greater than eight thousand
1286 (8,000) but less than eight thousand five hundred (8,500)
1287 according to the 1990 federal decennial census and in which U.S.
1288 Highway 61 and Mississippi Highway 4 intersect, the board of



1289 supervisors, in its discretion, may pay such justice court judges
1290 an additional amount not to exceed the sum of Eleven Thousand Five
1291 Hundred Fifty Dollars (\$11,550.00) per year, payable beginning
1292 April 1, 1997.

1293 In any county having a population greater than ten thousand
1294 (10,000) but less than ten thousand five hundred (10,500)
1295 according to the 1990 federal decennial census and in which
1296 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
1297 board of supervisors, in its discretion, may pay such justice
1298 court judges an additional amount not to exceed One Thousand Four
1299 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning
1300 April 1, 1997.

1301 In any county having a population greater than twenty-four
1302 thousand seven hundred (24,700) and less than twenty-four thousand
1303 nine hundred (24,900), according to the 1990 federal census,
1304 wherein Mississippi Highways 15 and 16 intersect, the board of
1305 supervisors shall pay such justice court judge an additional
1306 amount equal to Two Thousand Five Hundred Dollars (\$2,500.00) per
1307 year.

1308 (2) From and after October 1, 2008, every justice court
1309 judge shall receive as full compensation for his or her services,
1310 and in lieu of any and all other fees, costs or compensation
1311 heretofore authorized for such justice court judge, an annual
1312 salary in an amount that is the greater of the following:



1313 (a) The amount paid to a member of the board of
1314 supervisors in the same county in which the justice court judge
1315 presides; or

1316 (b) One hundred three percent (103%) of the salary
1317 authorized under this section as of September 30, 2008, for a
1318 justice court judge in that county.

1319 If supervisors of a county receive a salary increase, justice
1320 court judges whose salary is determined under this paragraph shall
1321 be paid an amount reflecting a commensurate increase.

1322 (3) Notwithstanding the provisions of subsection (1) of this
1323 section, in the event that the number of justice court judges
1324 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
1325 the provisions of Section 9-11-2(4), the aggregate of the salaries
1326 paid to the justice court judges of such a county shall not exceed
1327 the amount sufficient to pay the number of justice court judges
1328 authorized pursuant to Section 9-11-2(1), and such amount shall be
1329 equally divided among those justice court judges continuing to
1330 hold office under the provisions of Section 9-11-2(4).

1331 (4) From and after January 1, 1984, all fees, costs, fines
1332 and penalties charged and collected in the justice court shall be
1333 paid to the clerk of the justice court for deposit, along with
1334 monies from cash bonds and other monies which have been forfeited
1335 in criminal cases, into the general fund of the county as provided
1336 in Section 9-11-19; and the clerk of the board of supervisors
1337 shall be authorized and empowered, upon approval by the board of



1338 supervisors, to make disbursements and withdrawals from the
1339 general fund of the county in order to pay any reasonable and
1340 necessary expenses incurred in complying with this section,
1341 including payment of the salaries of justice court judges as
1342 provided by subsection (1) of this section. The provisions of
1343 this subsection shall not, except as to cash bonds and other
1344 monies which have been forfeited in criminal cases, apply to
1345 monies required to be deposited in the justice court clerk
1346 clearing account as provided in Section 9-11-18, Mississippi Code
1347 of 1972.

1348 (5) The salaries provided for in this section shall be
1349 payable monthly by warrant drawn by the clerk of the board of
1350 supervisors on the general fund of the county; however, the board
1351 of supervisors, by resolution duly adopted and entered on its
1352 minutes, may provide that such salaries shall be paid semimonthly
1353 on the first and fifteenth day of each month. If a pay date falls
1354 on a weekend or legal holiday, salary payments shall be made on
1355 the workday immediately preceding the weekend or legal holiday.

1356 (6) Provided, that the salary of any justice court judge
1357 shall not be reduced during his term of office as a result of a
1358 population change following a federal decennial census.

1359 (7) Any justice court judge who is unable to attend and hold
1360 court by reason of being under suspension by the Commission on
1361 Judicial Performance or the Mississippi Supreme Court shall not
1362 receive a salary while under such suspension.



1363 **SECTION 15.** Section 25-3-41, Mississippi Code of 1972, is
1364 brought forward as follows:

1365 25-3-41. (1) Subject to the provisions of subsection (10)
1366 of this section, when any officer or employee of the State of
1367 Mississippi, or any department, agency or institution thereof,
1368 after first being duly authorized, is required to travel in the
1369 performance of his official duties, the officer or employee shall
1370 receive as expenses for each mile actually and necessarily
1371 traveled, when the travel is done by a privately owned automobile
1372 or other privately owned motor vehicle, the mileage reimbursement
1373 rate allowable to federal employees for the use of a privately
1374 owned vehicle while on official travel.

1375 (2) When any officer or employee of any county or
1376 municipality, or of any agency, board or commission thereof, after
1377 first being duly authorized, is required to travel in the
1378 performance of his official duties, the officer or employee shall
1379 receive as expenses Twenty Cents (20¢) for each mile actually and
1380 necessarily traveled, when the travel is done by a privately owned
1381 motor vehicle; provided, however, that the governing authorities
1382 of a county or municipality may, in their discretion, authorize an
1383 increase in the mileage reimbursement of officers and employees of
1384 the county or municipality, or of any agency, board or commission
1385 thereof, in an amount not to exceed the mileage reimbursement rate
1386 authorized for officers and employees of the State of Mississippi
1387 in subsection (1) of this section.



1388 (3) Where two (2) or more officers or employees travel in
1389 one (1) privately owned motor vehicle, only one (1) travel expense
1390 allowance at the authorized rate per mile shall be allowed for any
1391 one (1) trip. When the travel is done by means of a public
1392 carrier or other means not involving a privately owned motor
1393 vehicle, then the officer or employee shall receive as travel
1394 expense the actual fare or other expenses incurred in such travel.

1395 (4) In addition to the foregoing, a public officer or
1396 employee shall be reimbursed for other actual expenses such as
1397 meals, lodging and other necessary expenses incurred in the course
1398 of the travel, subject to limitations placed on meals for
1399 intrastate and interstate official travel by the Department of
1400 Finance and Administration, provided, that the Legislative Budget
1401 Office shall place any limitations for expenditures made on
1402 matters under the jurisdiction of the Legislature. The Department
1403 of Finance and Administration shall set a maximum daily
1404 expenditure annually for such meals and shall notify officers and
1405 employees of changes to these allowances immediately upon approval
1406 of the changes. Travel by airline shall be at the tourist rate
1407 unless that space was unavailable. The officer or employee shall
1408 certify that tourist accommodations were not available if travel
1409 is performed in first class airline accommodations. Itemized
1410 expense accounts shall be submitted by those officers or employees
1411 in such number as the department, agency or institution may
1412 require; but in any case one (1) copy shall be furnished by state



1413 departments, agencies or institutions to the Department of Finance
1414 and Administration for preaudit or postaudit. The Department of
1415 Finance and Administration shall promulgate and adopt reasonable
1416 rules and regulations which it deems necessary and requisite to
1417 effectuate economies for all expenses authorized and paid pursuant
1418 to this section. Requisitions shall be made on the State Fiscal
1419 Officer who shall issue his warrant on the State Treasurer.
1420 Provided, however, that the provisions of this section shall not
1421 include agencies financed entirely by federal funds and audited by
1422 federal auditors.

1423 (5) Any officer or employee of a county or municipality, or
1424 any department, board or commission thereof, who is required to
1425 travel in the performance of his official duties, may receive
1426 funds before the travel, in the discretion of the administrative
1427 head of the county or municipal department, board or commission
1428 involved, for the purpose of paying necessary expenses incurred
1429 during the travel. Upon return from the travel, the officer or
1430 employee shall provide receipts of transportation, lodging, meals,
1431 fees and any other expenses incurred during the travel. Any
1432 portion of the funds advanced which is not expended during the
1433 travel shall be returned by the officer or employee. The
1434 Department of Audit shall adopt rules and regulations regarding
1435 advance payment of travel expenses and submission of receipts to
1436 ensure proper control and strict accountability for those payments
1437 and expenses.



1438 (6) No state or federal funds received from any source by
1439 any arm or agency of the state shall be expended in traveling
1440 outside of the continental limits of the United States until the
1441 governing body or head of the agency makes a finding and
1442 determination that the travel would be extremely beneficial to the
1443 state agency and obtains a written concurrence thereof from the
1444 Governor, or his designee, and the Department of Finance and
1445 Administration. However, employees of state institutions of
1446 higher learning may expend funds for travel outside of the
1447 continental limits of the United States upon a written finding by
1448 the president or head of the institution that the travel would be
1449 extremely beneficial to the institution.

1450 (7) Where any officer or employee of the State of
1451 Mississippi, or any department, agency or institution thereof, or
1452 of any county or municipality, or of any agency, board or
1453 commission thereof, is authorized to receive travel reimbursement
1454 under any other provision of law, the reimbursement may be paid
1455 under the provisions of this section or the other section, but not
1456 under both.

1457 (8) When the Governor, Lieutenant Governor or Speaker of the
1458 House of Representatives appoints a person to a board, commission
1459 or other position that requires confirmation by the Senate, the
1460 person may receive reimbursement for mileage and other actual
1461 expenses incurred in the performance of official duties before the



1462 appointment is confirmed by the Senate, as reimbursement for those
1463 expenses is authorized under this section.

1464 (9) (a) The Department of Finance and Administration may
1465 contract with one or more commercial travel agencies, after
1466 receiving competitive bids or proposals therefor, for that travel
1467 agency or agencies to provide necessary travel services for state
1468 officers and employees. Municipal and county officers and
1469 municipal and county employees may also participate in the state
1470 travel agency contract and utilize these travel services for
1471 official municipal or county travel. However, the administrative
1472 head of each state institution of higher learning may, in his
1473 discretion, contract with a commercial travel agency to provide
1474 necessary travel services for all academic officials and staff of
1475 the university in lieu of participation in the state travel agency
1476 contract. Any such decision by a university to contract with a
1477 separate travel agency shall be approved by the Board of Trustees
1478 of State Institutions of Higher Learning and the Executive
1479 Director of the Department of Finance and Administration.

1480 (b) Before executing a contract with one or more travel
1481 agencies, the Department of Finance and Administration shall
1482 advertise for competitive bids or proposals once a week for two

1483 (2) consecutive weeks in a regular newspaper having a general
1484 circulation throughout the State of Mississippi. If the
1485 department determines that it should not contract with any of the
1486 bidders initially submitting proposals, the department may reject



1487 all those bids, advertise as provided in this paragraph and
1488 receive new proposals before executing the contract or contracts.
1489 The contract or contracts may be for a period not greater than
1490 three (3) years, with an option for the travel agency or agencies
1491 to renew the contract or contracts on a one-year basis on the same
1492 terms as the original contract or contracts, for a maximum of two
1493 (2) renewals. After the travel agency or agencies have renewed
1494 the contract twice or have declined to renew the contract for the
1495 maximum number of times, the Department of Finance and
1496 Administration shall advertise for bids in the manner required by
1497 this paragraph and execute a new contract or contracts.

1498 (c) Whenever any state officer or employee travels in
1499 the performance of his official duties by airline or other public
1500 carrier, he may have his travel arrangements handled by that
1501 travel agency or agencies. The amount paid for airline
1502 transportation for any state officer or employee, whether the
1503 travel was arranged by that travel agency or agencies or was
1504 arranged otherwise, shall not exceed the amount specified in the
1505 state contract established by the Department of Finance and
1506 Administration, Office of Purchasing and Travel, unless prior
1507 approval is obtained from the office.

1508 (10) (a) For purposes of this subsection, the term "state
1509 agency" means any agency that is subject to oversight by the
1510 Bureau of Fleet Management of the Department of Finance and
1511 Administration under Section 25-1-77.



1512 (b) Each state agency shall use a trip optimizer type
1513 system developed and administered by the Department of Finance and
1514 Administration in computing the optimum method and cost for travel
1515 by state officers and employees using a motor vehicle where the
1516 travel will exceed one hundred (100) miles per day and the officer
1517 or employee is not driving a state-owned or state-leased vehicle
1518 that has been dedicated or assigned to the officer or employee.

1519 (c) The provisions of this subsection shall be used to
1520 determine the most cost-effective method of travel by motor
1521 vehicles, whether those vehicles are owned by the state agency,
1522 leased by the state agency, or owned by the officer or employee,
1523 and shall be applicable for purposes of determining the maximum
1524 authorized amount of any travel reimbursement for officers and
1525 employees of those agencies related to vehicle usage.

1526 (d) The maximum authorized amount of travel
1527 reimbursement related to motor vehicle usage shall be the lowest
1528 cost option as determined by the trip optimizer type system. All
1529 travel claims submitted for reimbursement shall include the
1530 results of the trip optimizer type system indicating the lowest
1531 cost option for travel by the state officer or employee.

1532 (e) In providing a calculation of rates, the trip
1533 optimizer type system shall account for the distance that an
1534 officer or employee must travel to pick up a rental or state fleet
1535 vehicle, and shall account for the long-term rate discounts
1536 offered through the state purchasing contract for vehicle rentals.



1537 (f) This subsection shall not apply to travel by state
1538 officials in motor vehicles driven by the official or in vehicles
1539 used for the transport of the official. The exemption in this
1540 paragraph (f) applies only to the state official and not to the
1541 staff or other employees of the state official. As used in this
1542 paragraph (f), "state official" means statewide elected officials
1543 and the elected members of the Public Service Commission.

1544 **SECTION 16.** Section 25-3-43, Mississippi Code of 1972, is
1545 brought forward as follows:

1546 25-3-43. (1) When any chancery judge, county judge or
1547 circuit judge shall be required to travel in the performance of
1548 his official duties, such judge shall receive as expenses of such
1549 travel the mileage allowance and a reimbursement for other actual
1550 and necessary expenses incurred in such travel as provided for
1551 public officers and employees in Section 25-3-41, Mississippi Code
1552 of 1972. This shall be the entire travel allowances or travel
1553 expenses received by such judges.

1554 (2) Chancery judges and circuit judges shall direct requests
1555 for reimbursement for the travel expenses authorized pursuant to
1556 this section to the Supreme Court and the Supreme Court shall
1557 submit such requests to the Department of Finance and
1558 Administration.

1559 (3) The Supreme Court shall have the power to adopt rules
1560 and regulations regarding the administration of travel expenses
1561 authorized pursuant to this section.



1562 (4) In any county in which is located a State Penitentiary,
1563 the board of supervisors, in order to compensate the justice court
1564 judges who are required to travel to the State Penitentiary, is
1565 authorized to reimburse justice court judges' mileage in the
1566 amount authorized by Section 25-3-41, but not to exceed One
1567 Hundred Dollars (\$100.00) per month, such monies to be paid from
1568 the general county fund of such county.

1569 (5) In addition to the regular salary provided by Section
1570 25-3-35 and the mileage reimbursement provided by Section 25-3-41,
1571 each Supreme Court Justice and each judge of the Court of Appeals
1572 shall receive an expense allowance as specified in this
1573 subsection. The expense allowance shall be equal to the maximum
1574 daily expense rate allowable to employees of the federal
1575 government for travel in the high rate geographical area of
1576 Jackson, Mississippi, as may be established by federal
1577 regulations, per day, for each day while actually attending to
1578 judicial duties in Jackson, Mississippi, not to exceed twenty (20)
1579 days per month.

1580 **SECTION 17.** Section 25-3-69, Mississippi Code of 1972, is
1581 brought forward as follows:

1582 25-3-69. Unless otherwise provided by law, all officers and
1583 employees of state agencies, boards, commissions, departments and
1584 institutions authorized by law to receive per diem compensation
1585 for each day or fraction thereof occupied with the discharge of
1586 official duties shall be entitled to Forty Dollars (\$40.00) per



1587 diem compensation. When the Governor, Lieutenant Governor or
1588 Speaker of the House of Representatives appoints a person to a
1589 board, commission or other position that requires confirmation by
1590 the Senate, the person may receive per diem compensation for the
1591 performance of official duties before such appointment is
1592 confirmed by the Senate, as such per diem compensation is
1593 authorized under this section.

1594 **SECTION 18.** This act shall take effect and be in force from
1595 and after its passage.

