

By: Representative Banks

To: Judiciary A

HOUSE BILL NO. 664

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

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

7 **SECTION 1.** Section 25-31-5, Mississippi Code of 1972, is
8 amended as follows:

9 25-31-5. (1) The following number of full-time legal
10 assistants are authorized in the following circuit court
11 districts:

12 (a) First Circuit Court District..... nine (9)
13 legal assistants.

14 (b) Second Circuit Court District..... ten (10)
15 legal assistants.

16 (c) Third Circuit Court District..... five (5)
17 legal assistants.

18 (d) Fourth Circuit Court District..... six (6)
19 legal assistants.



20 (e) Fifth Circuit Court District..... five (5)
21 legal assistants.
22 (f) Sixth Circuit Court District..... two (2)
23 legal assistants.
24 (g) Seventh Circuit Court District... * * * twelve (12)
25 legal assistants.
26 (h) Eighth Circuit Court District..... three (3)
27 legal assistants.
28 (i) Ninth Circuit Court District..... three (3)
29 legal assistants.
30 (j) Tenth Circuit Court District..... four (4)
31 legal assistants.
32 (k) Eleventh Circuit Court District..... five (5)
33 legal assistants.
34 (l) Twelfth Circuit Court District..... five (5)
35 legal assistants.
36 (m) Thirteenth Circuit Court District..... four (4)
37 legal assistants.
38 (n) Fourteenth Circuit Court District..... five (5)
39 legal assistants.
40 (o) Fifteenth Circuit Court District..... six (6)
41 legal assistants.
42 (p) Sixteenth Circuit Court District five (5)
43 legal assistants.
44 (q) Seventeenth Circuit Court District..... seven (7)



45 legal assistants.

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

47 legal assistants.

48 (s) Nineteenth Circuit Court District..... six (6)

49 legal assistants.

50 (t) Twentieth Circuit Court District..... six (6)

51 legal assistants.

52 (u) Twenty-first Circuit Court District..... three (3)

53 legal assistants.

54 (v) Twenty-second Circuit Court District..... three (3)

55 legal assistants.

56 (2) In addition to any legal assistants authorized pursuant
57 to subsection (1) of this section, the following number of
58 full-time legal assistants are authorized (i) in the following
59 circuit court districts if funds are appropriated by the
60 Legislature to adequately fund the salaries, expenses and fringe
61 benefits of such legal assistants, or (ii) in any of the following
62 circuit court districts in which the board of supervisors of one
63 or more of the counties in a circuit court district adopts a
64 resolution to pay all of the salaries, supplemental pay, expenses
65 and fringe benefits of legal assistants authorized in such
66 district pursuant to this subsection:

67 (a) First Circuit Court District..... two (2)

68 legal assistants.

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



70 legal assistants.
71 (c) Third Circuit Court District..... two (2)
72 legal assistants.
73 (d) Fourth Circuit Court District..... two (2)
74 legal assistants.
75 (e) Fifth Circuit Court District..... two (2)
76 legal assistants.
77 (f) Sixth Circuit Court District..... two (2)
78 legal assistants.
79 (g) Seventh Circuit Court District..... two (2)
80 legal assistants.
81 (h) Eighth Circuit Court District..... two (2)
82 legal assistants.
83 (i) Ninth Circuit Court District..... two (2)
84 legal assistants.
85 (j) Tenth Circuit Court District..... two (2)
86 legal assistants.
87 (k) Eleventh Circuit Court District..... two (2)
88 legal assistants.
89 (l) Twelfth Circuit Court District..... two (2)
90 legal assistants.
91 (m) Thirteenth Circuit Court District..... two (2)
92 legal assistants.
93 (n) Fourteenth Circuit Court District..... two (2)
94 legal assistants.



(o) Fifteenth Circuit Court District..... two (2)
legal assistants.

(p) Sixteenth Circuit Court District..... two (2)
legal assistants.

(q) Seventeenth Circuit Court District..... two (2)
legal assistants.

(r) Eighteenth Circuit Court District..... two (2)
legal assistants.

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

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

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

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

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

(4) The district attorney of any circuit court district may
employ additional legal assistants or criminal investigators, or
both, without regard to any limitation on the number of legal
assistants authorized in this section or criminal investigators



120 authorized by other provisions of law to the extent that the
121 district attorney's office receives funds from any source. Any
122 source shall include, but is not limited to, office generated
123 funds, funds from a county, a combination of counties, a
124 municipality, a combination of municipalities, federal funds,
125 private grants or foundations, or by means of an Interlocal
126 Cooperative Agreement authorized by Section 17-13-1 which may be
127 expended for those positions in an amount sufficient to pay all of
128 the salary, supplemental pay, expenses and fringe benefits of the
129 positions. Such funds may either be paid out of district attorney
130 accounts, transferred by the district attorney to the Department
131 of Finance and Administration or to one or more of the separate
132 counties comprising the circuit court district, and said funds
133 shall be disbursed to such employees in the same manner as
134 state-funded criminal investigators and full-time legal
135 assistants. The district attorney shall report to the board of
136 supervisors of each county comprising the circuit court district
137 the amount and source of the supplemental salary, expenses and
138 fringe benefits, and the board in each county shall spread the
139 same on its minutes. The district attorney shall also report such
140 information to the Department of Finance and Administration which
141 shall make such information available to the Legislative Budget
142 Office.



(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

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

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

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

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

(b) The district attorney of the Seventh Circuit Court District may appoint three (3) additional full-time criminal investigators for a total of four (4) full-time criminal investigators.

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

(5) The full and complete compensation for all public duties rendered by said criminal investigators shall be not more than



Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

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

(7) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 3. This act shall take effect and be in force from and after July 1, 2018.

