

By: Representative Barton

To: Appropriations

HOUSE BILL NO. 759

1 AN ACT TO INCREASE THE COMPENSATION PAID TO CERTAIN COUNTY
2 OFFICIALS; TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO
3 REVISE THE SALARIES OF THE MEMBERS OF THE BOARDS OF SUPERVISORS;
4 TO AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE
5 LIMIT ON THE COMPENSATION FOR CHANCERY CLERKS AND CIRCUIT CLERKS;
6 TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO REVISE THE
7 FILING FEES CHARGED BY CHANCERY CLERKS FOR THE RECORDING OF
8 DOCUMENTS; TO BRING FORWARD SECTION 25-60-5, MISSISSIPPI CODE OF
9 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTIONS
10 41-61-59 AND 41-61-75, MISSISSIPPI CODE OF 1972, TO REVISE THE
11 COMPENSATION PAID TO THE COUNTY MEDICAL EXAMINERS, DEPUTY MEDICAL
12 EXAMINERS AND DEPUTY MEDICAL EXAMINER INVESTIGATORS; TO AMEND
13 SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO INCREASE THE PER
14 DIEM PAID TO ELECTION COMMISSIONERS FOR THE PERFORMANCE OF THEIR
15 DUTIES IN THE CONDUCT OF AN ELECTION OR IN THE PERFORMANCE OF
16 THEIR DUTIES IN REVISING THE REGISTRATION BOOKS AND POLLBOOKS; TO
17 AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO REVISE THE
18 SALARIES OF COUNTY ASSESSORS OR TAX COLLECTORS, OR BOTH IF THE
19 OFFICE OF ASSESSOR HAS BEEN COMBINED WITH THE OFFICE OF TAX
20 COLLECTOR; TO BRING FORWARD SECTION 25-3-7, MISSISSIPPI CODE OF
21 1972, WHICH PROVIDES A CAP ON THE SALARIES OF TAX ASSESSORS, FOR
22 THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-7-27,
23 MISSISSIPPI CODE OF 1972, TO REVISE THE FEES CHARGED BY MARSHALS
24 AND CONSTABLES; TO AMEND SECTION 25-7-19, MISSISSIPPI CODE OF
25 1972, TO REVISE THE FEES CHARGED BY SHERIFFS OF THE VARIOUS
26 COUNTIES; TO AMEND SECTION 23-15-225, MISSISSIPPI CODE OF 1972, TO
27 REVISE THE COMPENSATION PAID TO REGISTRARS; TO AMEND SECTION
28 25-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE FEE CHARGED BY
29 CIRCUIT COURT CLERKS FOR EACH DAY'S ATTENDANCE UPON THE CIRCUIT
30 COURT TERM; AND FOR RELATED PURPOSES.

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



32 **SECTION 1.** Section 25-3-13, Mississippi Code of 1972, is
33 amended as follows:

34 25-3-13. (1) The salaries of the members of the boards of
35 supervisors of the various counties are fixed as full compensation
36 for their services.

37 The annual salary of each member of the board of supervisors
38 shall be based upon the total assessed valuation of his or her
39 respective county for the preceding taxable year in the following
40 categories and for the following amounts:

41 * * *

42 (* * *a) For counties having a total assessed
43 valuation of at least * * * Twenty-five Million Dollars
44 (\$25,000,000.00), but less than Fifty Million Dollars
45 (\$50,000,000.00), a salary of * * * Thirty-nine Thousand Dollars
46 (\$39,000.00);

47 (* * *b) For counties having a total assessed
48 valuation of at least Fifty Million Dollars (\$50,000,000.00), but
49 less than * * * One Hundred Million Dollars (\$100,000,000.00), a
50 salary of * * * Forty-three Thousand Seven Hundred Dollars
51 (\$43,700.00);

52 * * *

53 (* * *c) For counties having a total assessed
54 valuation of at least * * * One Hundred Million Dollars
55 (\$100,000,000.00), but less than * * * Two Hundred Million Dollars



56 (\$200,000,000.00), a salary of * * * Forty-four Thousand Seven
57 Hundred Dollars (\$44,700.00);

58 (* * *d) For counties having a total assessed
59 valuation of at least * * * Two Hundred Million Dollars
60 (\$200,000,000.00), but less than * * * Four Hundred Million
61 Dollars (\$400,000,000.00), a salary of * * * Fifty Thousand Four
62 Hundred Dollars (\$50,400.00);

63 (* * *e) For counties having a total assessed
64 valuation of * * * at least Four Hundred Million Dollars
65 (\$400,000,000.00), but less than * * * Eight Hundred Million
66 Dollars (\$800,000,000.00), a salary of * * * Fifty-four Thousand
67 Seven Hundred Dollars (\$54,700.00);

68 (* * *f) For counties having a total assessed
69 valuation of * * * Eight Hundred Million Dollars (\$800,000,000.00)
70 or more, a salary of * * * Fifty-six Thousand Seven Hundred
71 Dollars (\$56,700.00).

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

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

79 **SECTION 2.** Section 9-1-43, Mississippi Code of 1972, is
80 amended as follows:



81 9-1-43. (1) After making deductions for employer
82 contributions paid by the chancery or circuit clerk to the Public
83 Employees' Retirement System under Sections 25-11-106.1 and
84 25-11-123(f) (4), employee salaries and related salary expenses,
85 and expenses allowed as deductions by Schedule C of the Internal
86 Revenue Code, no office of the chancery clerk or circuit clerk of
87 any county in the state shall receive fees as compensation for the
88 chancery clerk's or circuit clerk's services in excess of * * *
89 Ninety-nine Thousand Dollars (\$99,000.00). All such fees received
90 by the office of chancery or circuit clerks that are in excess of
91 the salary limitation shall be deposited by such clerk into the
92 county general fund on or before April 15 for the preceding
93 calendar year. If the chancery clerk or circuit clerk serves less
94 than one (1) year, then he or she shall not receive as
95 compensation any fees in excess of that portion of the salary
96 limitation that can be attributed to his or her time in office on
97 a pro rata basis. Upon leaving office, income earned by any clerk
98 in his or her last full year of office but not received until
99 after his or her last full year of office shall not be included in
100 determining the salary limitation of the successor clerk. There
101 shall be exempted from the provisions of this subsection any
102 monies or commissions from private or governmental sources which:
103 (a) are to be held by the chancery or circuit clerk in a trust or
104 custodial capacity as prescribed in subsections (4) and (5); or
105 (b) are received as compensation for services performed upon order



106 of a court or board of supervisors which are not required of the
107 chancery clerk or circuit clerk by statute.

108 (2) It shall be unlawful for any chancery clerk or circuit
109 clerk to use fees in excess of * * * Ninety-nine Thousand Dollars
110 (\$99,000.00), to pay the salaries or actual or necessary expenses
111 of employees who are related to such clerk by blood or marriage
112 within the first degree of kinship according to the civil law
113 method of computing kinship as provided in Sections 1-3-71 and
114 1-3-73. However, the prohibition of this subsection shall not
115 apply to any individual who was an employee of the clerk's
116 office * * * before the date his or her relative was elected as
117 chancery or circuit clerk. The spouse and/or any children of the
118 chancery clerk or circuit clerk employed in the office of the
119 chancery clerk may be paid a salary; however, the combined annual
120 salaries of the clerk, spouse and any child of the clerk may not
121 exceed an amount equal to the salary limitation.

122 (3) The chancery clerk and the circuit clerk shall be liable
123 on their official bond for the proper deposit and accounting of
124 all monies received by his or her office. The State Auditor shall
125 promulgate uniform accounting methods for the accounting of all
126 sources of income by the offices of the chancery and circuit
127 clerk.

128 (4) There is created in the county depository of each county
129 a clearing account to be designated as the "chancery court clerk
130 clearing account," into which shall be deposited: (a) all such



131 monies as the clerk of the chancery court shall receive from any
132 person complying with any writ of garnishment, attachment,
133 execution or other like process authorized by law for the
134 enforcement of child support, spousal support or any other
135 judgment; (b) any portion of any fees required by law to be
136 collected in civil cases which are to pay for the service of
137 process or writs in another county; and (c) any other money as
138 shall be deposited with the court which by its nature is not, at
139 the time of its deposit, public monies, but which is to be held by
140 the court in a trust or custodial capacity in a case or proceeding
141 before the court. The clerk of the chancery court shall account
142 for all monies deposited in and disbursed from such account and
143 shall be authorized and empowered to draw and issue checks on such
144 account at such times, in such amounts and to such persons as
145 shall be proper and in accordance with law.

146 The following monies paid to the chancery clerk shall be
147 subject to the salary limitation prescribed under subsection (1):
148 (a) all fees required by law to be collected for the filing,
149 recording or abstracting of any bill, petition, pleading or decree
150 in any civil case in chancery; (b) all fees collected for land
151 recordings, charters, notary bonds, certification of decrees and
152 copies of any documents; (c) all land redemption and mineral
153 documentary stamp commissions; and (d) any other monies or
154 commissions from private or governmental sources for statutory
155 functions which are not to be held by the court in a trust



156 capacity. Such fees as shall exceed the salary limitations shall
157 be maintained in a bank account in the county depository and
158 accounted for separately from those monies paid into the chancery
159 court clerk clearing account.

160 (5) There is created in the county depository in each county
161 a clearing account to be designated as the "circuit court clerk
162 civil clearing account," into which shall be deposited: (a) all
163 such monies and fees as the clerk of the circuit court shall
164 receive from any person complying with any writ of garnishment,
165 attachment, execution or any other like process authorized by law
166 for the enforcement of a judgment; (b) any portion of any fees
167 required by law or court order to be collected in civil cases;
168 (c) all fees collected for the issuance of marriage licenses; and
169 (d) any other money as shall be deposited with the court which by
170 its nature is not, at the time of its deposit, public monies but
171 which is to be held by the court in a trust or custodial capacity
172 in a case or proceeding before the court.

173 There is created in the county depository in each county a
174 clearing account to be designated as the "circuit court clerk
175 criminal clearing account," into which shall be deposited: (a)
176 all such monies as are received in criminal cases in the circuit
177 court pursuant to any order requiring payment as restitution to
178 the victims of criminal offenses; (b) any portion of any fees and
179 fines required by law or court order to be collected in criminal
180 cases; and (c) all cash bonds as shall be deposited with the



181 court. The clerk of the circuit court shall account for all
182 monies deposited in and disbursed from such account and shall be
183 authorized and empowered to draw and issue checks on such account,
184 at such times, in such amounts and to such persons as shall be
185 proper and in accordance with law; however, such monies as are
186 forfeited in criminal cases shall be paid by the clerk of the
187 circuit court to the clerk of the board of supervisors for deposit
188 in the general fund of the county.

189 The following monies paid to the circuit clerk shall be
190 subject to the salary limitation prescribed under subsection (1):
191 (a) all fees required by law to be collected for the filing,
192 recording or abstracting of any bill, petition, pleading or decree
193 in any civil action in circuit court; (b) copies of any documents;
194 and (c) any other monies or commissions from private or
195 governmental sources for statutory functions which are not to be
196 held by the court in a trust capacity.

197 (6) The chancery clerk and the circuit clerk shall establish
198 and maintain a cash journal for recording cash receipts from
199 private or government sources for furnishing copies of any papers
200 of record or on file, or for rendering services as a notary
201 public, or other fees wherein the total fee for the transaction is
202 Ten Dollars (\$10.00) or less. The cash journal entry shall
203 include the date, amount and type of transaction, and the clerk
204 shall not be required to issue a receipt to the person receiving
205 such services. The State Auditor shall not take exception to the



206 furnishing of copies or the rendering of services as a notary by
207 any clerk free of charge.

208 In any county having two (2) judicial districts, whenever the
209 chancery clerk serves as deputy to the circuit clerk in one (1)
210 judicial district and the circuit clerk serves as deputy to the
211 chancery clerk in the other judicial district, the chancery clerk
212 may maintain a cash journal, separate from the cash journal
213 maintained for chancery clerk receipts, for recording the cash
214 receipts paid to him or her as deputy circuit clerk, and the
215 circuit clerk may maintain a cash journal, separate from the cash
216 journal maintained for circuit clerk receipts, for recording the
217 cash receipts paid to him or her as deputy chancery clerk. The
218 cash receipts collected by the chancery clerk in his or her
219 capacity as deputy circuit clerk and the cash receipts collected
220 by the circuit clerk in his or her capacity as deputy chancery
221 clerk shall be subject to the salary limitation prescribed under
222 subsection (1).

223 (7) Any clerk who knowingly shall fail to deposit funds or
224 otherwise violate the provisions of this section shall be guilty
225 of a misdemeanor in office and, upon conviction thereof, shall be
226 fined in an amount not to exceed double the amount that he or she
227 failed to deposit, or imprisoned for not to exceed six (6) months
228 in the county jail, or be punished by both such fine and
229 imprisonment.



230 **SECTION 3.** Section 25-7-9, Mississippi Code of 1972, is
231 amended as follows:

232 25-7-9. (1) The clerks of the chancery courts shall charge
233 the following fees:

234 (a) * * * Certifying copies of filed documents, for
235 each complete document.....\$ 1.00

236 (b) * * * Recording each deed, will, lease, amendment,
237 subordination, lien, release, cancellation, order, decree, oath,
238 etc., per book and page listed where applicable, each deed of
239 trust, or any other document for the first * * * five (5) pages
240\$ * * * 20.00

241 Each additional page.....\$ 1.00

242 * * *

243 (* * * c) (i) Recording oil and gas leases,
244 cancellations, etc., including indexing in general indices; for
245 the first fifteen (15) pages.....\$ 18.00

246 Each additional page.....\$ 1.00

247 (ii) Sectional index entries per section or
248 subdivision lot.....\$ 1.00

249 (iii) Recording each oil and gas assignment
250 per assignee.....\$ 18.00

251 (* * * d) (i) Furnishing copies of any papers of
252 record or on file:

253 If performed by the clerk or his or her employee,
254 per page.....\$.50



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

257 (ii) Entering marginal notations on
258 documents of record.....\$ 1.00

259 (* * *e) For each day's attendance on the board of
260 supervisors, for himself or herself and one (1) deputy,
261 each.....\$ 20.00

262 (* * *f) For other services as clerk of the board of
263 supervisors an allowance shall be made to him or her (payable
264 semiannually at the July and January meetings) out of the county
265 treasury, an annual sum not exceeding.....\$3,000.00

266 (* * *g) For each day's attendance on the chancery
267 court, to be approved by the chancellor:

268 For the first chancellor sitting only, clerk and
269 two (2) deputies, each.....\$ * * * 85.00

270 For the second chancellor sitting,
271 clerk only.....\$ * * * 85.00

272 Provided that the fees herein prescribed shall be the total
273 remuneration for the clerk and his or her deputies for attending
274 chancery court.

275 (* * *h) On order of the court, clerks and not more
276 than two (2) deputies may be allowed five (5) extra days for each
277 term of court for attendance upon the court to get up records.

278 (* * *i) For public service not otherwise specifically
279 provided for, the chancery court may by order allow the clerk to



280 be paid by the county on the order of the board of supervisors, an
281 annual sum not exceeding.....\$5,000.00

282 (* * *j) For each civil filing, to be deposited into
283 the Civil Legal Assistance Fund.....\$ 5.00

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

289 (2) The following * * * fee shall be a total fee for all
290 services performed by the clerk with respect to * * * any civil
291 case filed that includes, but is not limited to, divorce,
292 alteration of birth or marriage certificate, removal of minority,
293 guardianship or conservatorship, estate of deceased, adoption,
294 land dispute injunction, settlement of small claim, contempt,
295 modification, partition suit, or commitment which shall be payable
296 upon filing and shall accrue to the chancery clerk at the time of
297 filing. The clerk or his or her successor in office shall perform
298 all duties set forth without additional compensation or fee to
299 wit:

300\$85.00

301 * * *

302 (3) For every civil case filed:

303 (a) An additional fee to be deposited to the credit of
304 the Comprehensive Electronic Court Systems Fund established



305 in Section 9-21-14.....\$10.00

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

309 (4) Cost of process shall be borne by the issuing party.
310 Additionally, should the attorney or person filing the pleadings
311 desire the clerk to pay the cost to the sheriff for serving
312 process on one (1) person or more, or to pay the cost of
313 publication, the clerk shall demand the actual charges therefor,
314 at the time of filing.

315 **SECTION 4.** Section 25-60-5, Mississippi Code of 1972, is
316 brought forward as follows:

317 25-60-5. (1) Except as provided in subsection (2) of this
318 section, any county or municipal official or employee who accepts
319 documents for filing as public records shall, in addition to any
320 other fee provided elsewhere by law, collect a fee of One Dollar
321 (\$1.00) for each document so filed. In municipalities and
322 counties that collect Three Hundred Dollars (\$300.00) or more per
323 month from the filing fee, the official or employee collecting the
324 fee shall, on or before the last day of each month, deposit the
325 avails of Fifty Cents (50¢) of the fee into the general fund of
326 the county or municipality, as appropriate, and remit the
327 remainder to the State Treasurer who shall deposit it to the
328 credit of a statewide local government records management fund
329 which is hereby created in the State Treasury. In municipalities



330 and counties that collect less than Three Hundred Dollars
331 (\$300.00) per month from the filing fee, the avails of Fifty Cents
332 (50¢) of the fee shall be remitted to the State Treasurer on a
333 quarterly basis for deposit as provided in the previous sentence.
334 Any monies remaining in the fund at the end of a fiscal year shall
335 not lapse into the General Fund of the State Treasury. Counties
336 and municipalities shall expend monies derived from the fee
337 hereinabove imposed solely to support proper management of their
338 official records in accordance with records management standards
339 established by the Department of Archives and History. Monies in
340 the Local Government Records Management Fund shall be expended by
341 the Department of Archives and History, pursuant to legislative
342 appropriation, to support the Local Government Records Office of
343 the department and to support a local records management grant
344 program as funds permit.

345 (2) The fee provided in subsection (1) of this section shall
346 not be collected in any county until the board of supervisors, by
347 resolution spread upon its minutes, determines that it will
348 collect the fee.

349 (3) Each municipality and participating county may collect
350 the filing fee provided for in this section on filings in any
351 court subject to their respective jurisdiction.

352 **SECTION 5.** Section 41-61-59, Mississippi Code of 1972, is
353 amended as follows:



354 41-61-59. (1) A person's death that affects the public
355 interest as specified in subsection (2) of this section shall be
356 promptly reported to the medical examiner by the physician in
357 attendance, any hospital employee, any law enforcement officer
358 having knowledge of the death, the embalmer or other funeral home
359 employee, any emergency medical technician, any relative or any
360 other person present. The appropriate medical examiner shall
361 notify the municipal or state law enforcement agency or sheriff
362 and take charge of the body. When the medical examiner has
363 received notification under Section 41-39-15(6) that the deceased
364 is medically suitable to be an organ and/or tissue donor, the
365 medical examiner's authority over the body shall be subject to the
366 provisions of Section 41-39-15(6). The appropriate medical
367 examiner shall notify the Mississippi Bureau of Narcotics within
368 twenty-four (24) hours of receipt of the body in cases of death as
369 described in subsection (2)(m) or (n) of this section.

370 (2) A death affecting the public interest includes, but is
371 not limited to, any of the following:

372 (a) Violent death, including homicidal, suicidal or
373 accidental death.

374 (b) Death caused by thermal, chemical, electrical or
375 radiation injury.

376 (c) Death caused by criminal abortion, including
377 self-induced abortion, or abortion related to or by sexual abuse.



378 (d) Death related to disease thought to be virulent or
379 contagious that may constitute a public hazard.

380 (e) Death that has occurred unexpectedly or from an
381 unexplained cause.

382 (f) Death of a person confined in a prison, jail or
383 correctional institution.

384 (g) Death of a person where a physician was not in
385 attendance within thirty-six (36) hours preceding death, or in
386 prediagnosed terminal or bedfast cases, within thirty (30) days
387 preceding death.

388 (h) Death of a person where the body is not claimed by
389 a relative or a friend.

390 (i) Death of a person where the identity of the
391 deceased is unknown.

392 (j) Death of a child under the age of two (2) years
393 where death results from an unknown cause or where the
394 circumstances surrounding the death indicate that sudden infant
395 death syndrome may be the cause of death.

396 (k) Where a body is brought into this state for
397 disposal and there is reason to believe either that the death was
398 not investigated properly or that there is not an adequate
399 certificate of death.

400 (l) Where a person is presented to a hospital emergency
401 room unconscious and/or unresponsive, with cardiopulmonary
402 resuscitative measures being performed, and dies within



403 twenty-four (24) hours of admission without regaining
404 consciousness or responsiveness, unless a physician was in
405 attendance within thirty-six (36) hours preceding presentation to
406 the hospital, or in cases in which the decedent had a prediagnosed
407 terminal or bedfast condition, unless a physician was in
408 attendance within thirty (30) days preceding presentation to the
409 hospital.

410 (m) Death that is caused by drug overdose or which is
411 believed to be caused by drug overdose.

412 (n) When a stillborn fetus is delivered and the cause
413 of the demise is medically believed to be from the use by the
414 mother of any controlled substance as defined in Section
415 41-29-105.

416 (3) The State Medical Examiner is empowered to investigate
417 deaths, under the authority hereinafter conferred, in any and all
418 political subdivisions of the state. The county medical examiners
419 and county medical examiner investigators, while appointed for a
420 specific county, may serve other counties on a regular basis with
421 written authorization by the State Medical Examiner, or may serve
422 other counties on an as-needed basis upon the request of the
423 ranking officer of the investigating law enforcement agency. If a
424 death affecting the public interest takes place in a county other
425 than the one where injuries or other substantial causal factors
426 leading to the death have occurred, jurisdiction for investigation
427 of the death may be transferred, by mutual agreement of the



428 respective medical examiners of the counties involved, to the
429 county where the injuries or other substantial causal factors
430 occurred, and the costs of autopsy or other studies necessary to
431 the further investigation of the death shall be borne by the
432 county assuming jurisdiction.

433 (4) The chief county medical examiner or chief county
434 medical examiner investigator may receive from the county in which
435 he or she serves a salary of * * * One Thousand Two Hundred Fifty
436 Dollars (\$1,250.00) per month, in addition to the fees specified
437 in Sections 41-61-69 and 41-61-75, provided that no county shall
438 pay the chief county medical examiner or chief county medical
439 examiner investigator less than * * * Three Hundred Dollars
440 (\$300.00) per month as a salary, in addition to other compensation
441 provided by law. In any county having one or more deputy medical
442 examiners or deputy medical examiner investigators, each deputy
443 may receive from the county in which he or she serves, in the
444 discretion of the board of supervisors, a salary of not more than
445 Nine Hundred Dollars (\$900.00) per month, in addition to the fees
446 specified in Sections 41-61-69 and 41-61-75; however, no county
447 shall pay the deputy medical examiners or deputy medical examiner
448 investigators less than Three Hundred Dollars (\$300.00) per month
449 as a salary in addition to other compensation provided by law.
450 For this salary the chief shall assure twenty-four-hour daily and
451 readily available death investigators for the county, and shall
452 maintain copies of all medical examiner death investigations for



453 the county for at least the previous five (5) years. He or she
454 shall coordinate his or her office and duties and cooperate with
455 the State Medical Examiner, and the State Medical Examiner shall
456 cooperate with him or her.

457 **SECTION 6.** Section 41-61-75, Mississippi Code of 1972, is
458 amended as follows:

459 41-61-75. (1) For each investigation with the preparation
460 and submission of the required reports, the following fees shall
461 be billed to and paid by the county for which the service is
462 provided:

463 (a) A medical examiner or his or her deputy shall
464 receive * * * One Hundred Seventy-five Dollars (\$175.00) for each
465 completed report of investigation of death, plus the examiner's
466 actual expenses. In addition to that fee, in cases where the
467 cause of death was sudden infant death syndrome (SIDS) and the
468 medical examiner provides a SIDS Death Scene Investigation report,
469 the medical examiner shall receive for completing that report an
470 additional Fifty Dollars (\$50.00), or an additional One Hundred
471 Dollars (\$100.00) if the medical examiner has received advanced
472 training in child death investigations and presents to the county
473 a certificate of completion of that advanced training. The State
474 Medical Examiner shall develop and prescribe a uniform format and
475 list of matters to be contained in SIDS/Child Death Scene
476 Investigation reports, which shall be used by all county medical
477 examiners and county medical examiner investigators in the state.



478 (b) The pathologist performing autopsies as provided in
479 Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00)
480 per completed autopsy, plus mileage expenses to and from the site
481 of the autopsy, and shall be reimbursed for any out-of-pocket
482 expenses for third-party testing, not to exceed One Hundred
483 Dollars (\$100.00) per autopsy.

484 (2) Any medical examiner, physician or pathologist who is
485 subpoenaed for appearance and testimony before a grand jury,
486 courtroom trial or deposition shall be entitled to an expert
487 witness hourly fee to be set by the court and mileage expenses to
488 and from the site of the testimony, and such amount shall be paid
489 by the jurisdiction or party issuing the subpoena.

490 (3) This section shall stand repealed on July 1, 2020.

491 **SECTION 7.** Section 23-15-153, Mississippi Code of 1972, is
492 amended as follows:

493 23-15-153. (1) At least during the following times, the
494 election commissioners shall meet at the office of the registrar
495 or the office of the election commissioners to carefully revise
496 the county voter roll as electronically maintained by the
497 Statewide Elections Management System and remove from the roll the
498 names of all voters who have requested to be purged from the voter
499 roll, died, received an adjudication of non compos mentis, been
500 convicted of a disenfranchising crime, or otherwise become
501 disqualified as electors for any cause, and shall register the



502 names of all persons who have duly applied to be registered but
503 have been illegally denied registration:

504 (a) On the Tuesday after the second Monday in January
505 1987 and every following year;

506 (b) On the first Tuesday in the month immediately
507 preceding the first primary election for members of Congress in
508 the years when members of Congress are elected;

509 (c) On the first Monday in the month immediately
510 preceding the first primary election for state, state district
511 legislative, county and county district offices in the years in
512 which those offices are elected; and

513 (d) On the second Monday of September preceding the
514 general election or regular special election day in years in which
515 a general election is not conducted.

516 Except for the names of those voters who are duly qualified
517 to vote in the election, no name shall be permitted to remain in
518 the Statewide Elections Management System; however, no name shall
519 be purged from the Statewide Elections Management System based on
520 a change in the residence of an elector except in accordance with
521 procedures provided for by the National Voter Registration Act of
522 1993. Except as otherwise provided by Section 23-15-573, no
523 person shall vote at any election whose name is not in the county
524 voter roll electronically maintained by the Statewide Elections
525 Management System.



526 (2) Except as provided in this section, and subject to the
527 following annual limitations, the election commissioners shall be
528 entitled to receive a per diem in the amount of * * * One Hundred
529 Dollars (\$100.00), to be paid from the county general fund, for
530 every day or period of no less than five (5) hours accumulated
531 over two (2) or more days actually employed in the performance of
532 their duties in the conduct of an election or actually employed in
533 the performance of their duties for the necessary time spent in
534 the revision of the county voter roll as electronically maintained
535 by the Statewide Elections Management System as required in
536 subsection (1) of this section:

537 (a) In counties having less than fifteen thousand
538 (15,000) residents according to the latest federal decennial
539 census, not more than fifty (50) days per year, with no more than
540 fifteen (15) additional days allowed for the conduct of each
541 election in excess of one (1) occurring in any calendar year;

542 (b) In counties having fifteen thousand (15,000)
543 residents according to the latest federal decennial census but
544 less than thirty thousand (30,000) residents according to the
545 latest federal decennial census, not more than seventy-five (75)
546 days per year, with no more than twenty-five (25) additional days
547 allowed for the conduct of each election in excess of one (1)
548 occurring in any calendar year;

549 (c) In counties having thirty thousand (30,000)
550 residents according to the latest federal decennial census but



551 less than seventy thousand (70,000) residents according to the
552 latest federal decennial census, not more than one hundred (100)
553 days per year, with no more than thirty-five (35) additional days
554 allowed for the conduct of each election in excess of one (1)
555 occurring in any calendar year;

556 (d) In counties having seventy thousand (70,000)
557 residents according to the latest federal decennial census but
558 less than ninety thousand (90,000) residents according to the
559 latest federal decennial census, not more than one hundred
560 twenty-five (125) days per year, with no more than forty-five (45)
561 additional days allowed for the conduct of each election in excess
562 of one (1) occurring in any calendar year;

563 (e) In counties having ninety thousand (90,000)
564 residents according to the latest federal decennial census but
565 less than one hundred seventy thousand (170,000) residents
566 according to the latest federal decennial census, not more than
567 one hundred fifty (150) days per year, with no more than
568 fifty-five (55) additional days allowed for the conduct of each
569 election in excess of one (1) occurring in any calendar year;

570 (f) In counties having one hundred seventy thousand
571 (170,000) residents according to the latest federal decennial
572 census but less than two hundred thousand (200,000) residents
573 according to the latest federal decennial census, not more than
574 one hundred seventy-five (175) days per year, with no more than



575 sixty-five (65) additional days allowed for the conduct of each
576 election in excess of one (1) occurring in any calendar year;

577 (g) In counties having two hundred thousand (200,000)
578 residents according to the latest federal decennial census but
579 less than two hundred twenty-five thousand (225,000) residents
580 according to the latest federal decennial census, not more than
581 one hundred ninety (190) days per year, with no more than
582 seventy-five (75) additional days allowed for the conduct of each
583 election in excess of one (1) occurring in any calendar year;

584 (h) In counties having two hundred twenty-five thousand
585 (225,000) residents according to the latest federal decennial
586 census but less than two hundred fifty thousand (250,000)
587 residents according to the latest federal decennial census, not
588 more than two hundred fifteen (215) days per year, with no more
589 than eighty-five (85) additional days allowed for the conduct of
590 each election in excess of one (1) occurring in any calendar year;

591 (i) In counties having two hundred fifty thousand
592 (250,000) residents according to the latest federal decennial
593 census but less than two hundred seventy-five thousand (275,000)
594 residents according to the latest federal decennial census, not
595 more than two hundred thirty (230) days per year, with no more
596 than ninety-five (95) additional days allowed for the conduct of
597 each election in excess of one (1) occurring in any calendar year;

598 (j) In counties having two hundred seventy-five
599 thousand (275,000) residents according to the latest federal



600 decennial census or more, not more than two hundred forty (240)
601 days per year, with no more than one hundred five (105) additional
602 days allowed for the conduct of each election in excess of one (1)
603 occurring in any calendar year.

604 (3) In addition to the number of days authorized in
605 subsection (2) of this section, the board of supervisors of a
606 county may authorize, in its discretion, the election
607 commissioners to receive a per diem in the amount provided for in
608 subsection (2) of this section, to be paid from the county general
609 fund, for every day or period of no less than five (5) hours
610 accumulated over two (2) or more days actually employed in the
611 performance of their duties in the conduct of an election or
612 actually employed in the performance of their duties for the
613 necessary time spent in the revision of the county voter roll as
614 electronically maintained by the Statewide Elections Management
615 System as required in subsection (1) of this section, for not to
616 exceed five (5) days.

617 (4) (a) The election commissioners shall be entitled to
618 receive a per diem in the amount of * * * One Hundred Dollars
619 (\$100.00), to be paid from the county general fund, not to exceed
620 ten (10) days for every day or period of no less than five (5)
621 hours accumulated over two (2) or more days actually employed in
622 the performance of their duties for the necessary time spent in
623 the revision of the county voter roll as electronically maintained
624 by the Statewide Elections Management System before any special



625 election. For purposes of this paragraph, the regular special
626 election day shall not be considered a special election. The
627 annual limitations set forth in subsection (2) of this section
628 shall not apply to this paragraph.

629 (b) The election commissioners shall be entitled to
630 receive a per diem in the amount of One Hundred Fifty Dollars
631 (\$150.00), to be paid from the county general fund, for the
632 performance of their duties on the day of any general or special
633 election, or runoff election following either a general or special
634 election. The annual limitations set forth in subsection (2) of
635 this section shall apply to this paragraph.

636 (5) The election commissioners shall be entitled to receive
637 a per diem in the amount of * * * One Hundred Dollars (\$100.00),
638 to be paid from the county general fund, not to exceed fourteen
639 (14) days for every day or period of no less than five (5) hours
640 accumulated over two (2) or more days actually employed in the
641 performance of their duties for the necessary time spent in the
642 revision of the county voter roll as electronically maintained by
643 the Statewide Elections Management System and in the conduct of a
644 runoff election following either a general or special election.

645 (6) The election commissioners shall be entitled to receive
646 only one (1) per diem payment for those days when the election
647 commissioners discharge more than one (1) duty or responsibility
648 on the same day.



649 (7) In preparation for a municipal primary, runoff, general
650 or special election, the county registrar shall generate and
651 distribute the master voter roll and pollbooks from the Statewide
652 Elections Management System for the municipality located within
653 the county. The municipality shall pay the county registrar for
654 the actual cost of preparing and printing the municipal master
655 voter roll pollbooks. A municipality may secure "read only"
656 access to the Statewide Elections Management System and print its
657 own pollbooks using this information.

658 (8) County election commissioners who perform the duties of
659 an executive committee with regard to the conduct of a primary
660 election under a written agreement authorized by law to be entered
661 into with an executive committee shall receive per diem as
662 provided for in subsection (2) of this section. The days that
663 county election commissioners are employed in the conduct of a
664 primary election shall be treated the same as days county election
665 commissioners are employed in the conduct of other elections.

666 (9) In addition to any per diem authorized by this section,
667 any election commissioner shall be entitled to the mileage
668 reimbursement rate allowable to federal employees for the use of a
669 privately owned vehicle while on official travel on election day.

670 (10) Every election commissioner shall sign personally a
671 certification setting forth the number of hours actually worked in
672 the performance of the commissioner's official duties and for
673 which the commissioner seeks compensation. The certification must



674 be on a form as prescribed in this subsection. The commissioner's
675 signature is, as a matter of law, made under the commissioner's
676 oath of office and under penalties of perjury.

677 The certification form shall be as follows:

678 **COUNTY ELECTION COMMISSIONER**

679 **PER DIEM CLAIM FORM**

680 NAME: _____ COUNTY: _____

681 ADDRESS: _____ DISTRICT: _____

682 CITY: _____ ZIP: _____

683		PURPOSE	APPLICABLE	ACTUAL	PER DIEM		
684	DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
685	WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

686 _____
687 _____
688 _____

689 TOTAL NUMBER OF PER DIEM DAYS EARNED

690 EXCLUDING ELECTION DAYS _____

691 PER DIEM RATE PER DAY EARNED X \$ * * *

692 100.00

693 TOTAL NUMBER PER DIEM DAYS EARNED

694 FOR ELECTION DAYS _____

695 PER DIEM RATE PER DAY EARNED X \$150.00

696 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

697 I understand that I am signing this document under my oath as
698 an election commissioner and under penalties of perjury.



699 I understand that I am requesting payment from taxpayer funds
700 and that I have an obligation to be specific and truthful as to
701 the amount of hours worked and the compensation I am requesting.

702 Signed this the _____ day of _____, ____.

703 _____

704 Commissioner's Signature

705 When properly completed and signed, the certification must be
706 filed with the clerk of the county board of supervisors before any
707 payment may be made. The certification will be a public record
708 available for inspection and reproduction immediately upon the
709 oral or written request of any person.

710 Any person may contest the accuracy of the certification in
711 any respect by notifying the chair of the commission, any member
712 of the board of supervisors or the clerk of the board of
713 supervisors of the contest at any time before or after payment is
714 made. If the contest is made before payment is made, no payment
715 shall be made as to the contested certificate until the contest is
716 finally disposed of. The person filing the contest shall be
717 entitled to a full hearing, and the clerk of the board of
718 supervisors shall issue subpoenas upon request of the contestor
719 compelling the attendance of witnesses and production of documents
720 and things. The contestor shall have the right to appeal de novo
721 to the circuit court of the involved county, which appeal must be
722 perfected within thirty (30) days from a final decision of the



723 commission, the clerk of the board of supervisors or the board of
724 supervisors, as the case may be.

725 Any contestor who successfully contests any certification
726 will be awarded all expenses incident to his or her contest,
727 together with reasonable attorney's fees, which will be awarded
728 upon petition to the chancery court of the involved county upon
729 final disposition of the contest before the election commission,
730 board of supervisors, clerk of the board of supervisors, or, in
731 case of an appeal, final disposition by the court. The
732 commissioner against whom the contest is decided shall be liable
733 for the payment of the expenses and attorney's fees, and the
734 county shall be jointly and severally liable for same.

735 (11) Any election commissioner who has not received a
736 certificate issued by the Secretary of State pursuant to Section
737 23-15-211 indicating that the election commissioner has received
738 the required elections seminar instruction and that the election
739 commissioner is fully qualified to conduct an election, shall not
740 receive any compensation authorized by this section or Section
741 23-15-239.

742 **SECTION 8.** Section 25-3-3, Mississippi Code of 1972, is
743 amended as follows:

744 25-3-3. (1) The term "total assessed valuation" as used in
745 this section only refers to the ad valorem assessment for the
746 county and, in addition, in counties where oil or gas is produced,
747 the actual value of oil at the point of production, as certified



748 to the counties by the * * * Department of Revenue under the
749 provisions of Sections 27-25-501 through 27-25-525, and the actual
750 value of gas as certified by the * * * Department of Revenue under
751 the provisions of Sections 27-25-701 through 27-25-723.

752 (2) The salary of assessors and collectors of the various
753 counties is fixed as full compensation for their services as
754 county assessors or tax collectors, or both if the office of
755 assessor has been combined with the office of tax collector. The
756 annual salary of each assessor or tax collector, or both if the
757 offices have been combined, shall be based upon the total assessed
758 valuation of his respective county for the preceding taxable year
759 in the following categories and for the following amounts:

760 (a) For counties having a total assessed valuation of
761 Three Billion Dollars (\$3,000,000,000.00) or more, a salary of
762 Seventy-six Thousand Two Hundred Fifty Dollars (\$76,250.00);

763 (* * * b) For counties having a total assessed
764 valuation of at least Two Billion Dollars
765 (\$2,000,000,000.00) * * * but less than Three Billion Dollars
766 (\$3,000,000,000.00), a salary of * * * Seventy-three Thousand Five
767 Hundred Dollars (\$73,500.00);

768 (* * * c) For counties having a total assessed
769 valuation of at least One Billion Dollars (\$1,000,000,000.00) but
770 less than Two Billion Dollars (\$2,000,000,000.00), a salary
771 of * * * Seventy Thousand Seven Hundred Fifty Dollars
772 (\$70,750.00);



773 (* * *d) For counties having a total assessed
774 valuation of at least Five Hundred Million Dollars
775 (\$500,000,000.00) but less than One Billion Dollars
776 (\$1,000,000,000.00), a salary of * * * Sixty-seven Thousand Two
777 Hundred Fifty Dollars (\$67,250.00);

778 (* * *e) For counties having a total assessed
779 valuation of at least Two Hundred Fifty Million Dollars
780 (\$250,000,000.00) but less than Five Hundred Million Dollars
781 (\$500,000,000.00), a salary of * * * Sixty-four Thousand Two
782 Hundred Fifty Dollars (\$64,250.00);

783 (* * *f) For counties having a total assessed
784 valuation of at least One Hundred Fifty Million Dollars
785 (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars
786 (\$250,000,000.00), a salary of * * * Sixty-two Thousand Dollars
787 (\$62,000.00);

788 (* * *g) For counties having a total assessed
789 valuation of at least Seventy-five Million Dollars
790 (\$75,000,000.00) but less than One Hundred Fifty Million Dollars
791 (\$150,000,000.00), a salary of * * * Sixty Thousand Two Hundred
792 Fifty Dollars (\$60,250.00);

793 (* * *h) * * * For counties having a total assessed
794 valuation of less than * * * Seventy-five Million Dollars
795 (\$75,000,000.00), a salary of * * * Fifty-five Thousand Seven
796 Hundred Fifty Dollars (\$55,750.00).



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

801 (4) The annual salary established for assessors and tax
802 collectors shall not be reduced as a result of a reduction in
803 total assessed valuation. The salaries shall be increased as a
804 result of an increase in total assessed valuation.

805 (5) In addition to all other compensation paid to assessors
806 and tax collectors in counties having two (2) judicial districts,
807 the board of supervisors shall pay such assessors and tax
808 collectors an additional Three Thousand Five Hundred Dollars
809 (\$3,500.00) per year. In addition to all other compensation paid
810 to assessors or tax collectors, in counties maintaining two (2)
811 full-time offices, the board of supervisors shall pay the assessor
812 or tax collector an additional Three Thousand Five Hundred Dollars
813 (\$3,500.00) per year.

814 (6) In addition to all other compensation paid to assessors
815 and tax collectors, the board of supervisors of a county shall
816 allow for such assessor or tax collector, or both, to be paid
817 additional compensation when there is a contract between the
818 county and one or more municipalities providing that the assessor
819 or tax collector, or both, shall assess or collect taxes, or both,
820 for the municipality or municipalities; and such assessor or tax
821 collector, or both, shall be authorized to receive such additional



822 compensation from the county and/or the municipality or
823 municipalities in any amount allowed by the county and/or the
824 municipality or municipalities for performing those services.

825 (7) When any tax assessor holds a valid certificate of
826 educational recognition from the International Association of
827 Assessing Officers or is a licensed appraiser under Section
828 73-34-1 et seq., he or she shall receive an additional One
829 Thousand Five Hundred Dollars (\$1,500.00) annually beginning the
830 next fiscal year after completion. When any tax assessor is a
831 licensed state certified Residential Appraiser (RA) or licensed
832 state certified Timberland Appraiser (TA) under Section 73-34-1 et
833 seq., or when any tax assessor holds a valid designation from the
834 International Association of Assessing Officers as a Cadastral
835 Mapping Specialist (CMS) or Personal Property Specialist (PPS) or
836 Residential Evaluation Specialist (RES), he or she shall receive
837 an additional Six Thousand Five Hundred Dollars (\$6,500.00)
838 annually beginning the next fiscal year after completion. When
839 any tax assessor holds the valid designation of Certified
840 Assessment Evaluator (CAE) from the International Association of
841 Assessing Officers or is a state certified General Real Estate
842 Appraiser (GA) under Section 73-34-1 et seq., he or she shall
843 receive an additional Eight Thousand Five Hundred Dollars
844 (\$8,500.00) annually beginning the next fiscal year after
845 completion.



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

850 (9) The salaries provided for in this section shall be
851 payable monthly on the first day of each calendar month by
852 chancery clerk's warrant drawn on the general fund of the county;
853 however, the board of supervisors, by resolution duly adopted and
854 entered on its minutes, may provide that such salaries shall be
855 paid semimonthly on the first and fifteenth day of each month. If
856 a pay date falls on a weekend or legal holiday, salary payments
857 shall be made on the workday immediately preceding the weekend or
858 legal holiday.

859 **SECTION 9.** Section 25-3-7, Mississippi Code of 1972, is
860 brought forward as follows:

861 25-3-7. From the State Treasury shall be paid up to
862 one-fourth (1/4) of the salary of each county assessor, but in no
863 instance shall the payment exceed the figure paid for the fiscal
864 year of 1970-1971 to the assessor, whether or not the offices of
865 assessor and tax collector are combined.

866 **SECTION 10.** Section 25-7-27, Mississippi Code of 1972, is
867 amended as follows:

868 25-7-27. (1) Marshals and constables shall charge the
869 following fees:



870 (a) (i) * * * In all civil and criminal cases, * * *
871 for each service of process, summons, warrant, writ or other
872 notice.....\$ * * * 45.00

873 * * *

874 (* * *ii) In all cases where there is more than
875 one (1) defendant residing at the same household, for service on
876 each additional defendant.....\$ 5.00

877 (iii) For service of each process of every kind
878 and nature issued from outside the county where it is to be
879 served, the fees provided in subparagraphs (i) and (ii) of this
880 paragraph, as applicable, shall be assessed.

881 (iv) When a complaining party has provided
882 erroneous information to the clerk of the court relating to the
883 service of process on the defendant or defendants and process
884 cannot be served after diligent search and inquiry on the oath of
885 the marshal or constable, as the case may be, who was charged with
886 serving the process, the * * * fees provided in subparagraphs (i)
887 and (ii) of this paragraph, as applicable, shall be
888 assessed * * *.

889 (v) When * * * process has been attempted in one
890 (1) county but the defendant is not found, and process must be
891 served on that defendant in another county, the clerk shall notify
892 the complaining party that an additional fee or fees must be paid
893 before the process can be delivered to the other county.



894 (b) After final judgment has been enrolled, further
895 proceedings involving levy of execution on judgments, and
896 attachment and garnishment proceedings shall be a new suit for
897 which the marshal or constable shall be entitled to the following
898 fee.....\$ * * * 45.00

899 (c) For conveying a person charged with a crime to
900 jail, mileage reimbursement in an amount not to exceed the rate
901 established under Section 25-3-41(2).

902 To be paid out of the county treasury on the allowance of the
903 board of supervisors, when the state fails in the prosecution, or
904 the person is convicted but is not able to pay the costs.

905 (d) For other service, the same fees allowed sheriffs
906 for similar services.

907 (e) For service as a bailiff in any court in a civil
908 case, to be paid by the county on allowance of the court on
909 issuance of a warrant therefor, an amount equal to the * * *
910 amount provided under Section * * * 19-25-31 for each day, or part
911 thereof, for which he or she serves as bailiff when the court is
912 in session.

913 (f) For serving all warrants and other process and
914 attending all trials in state cases in which the state fails in
915 the prosecution, to be paid out of the county treasury on the
916 allowance of the board of supervisors without itemization,
917 subject, however, to the condition that the marshal or constable
918 must not have overcharged in the collection of fees for costs,



919 contrary to the provisions of this section, annually
920\$ * * * 2,500.00

921 (2) Marshals and constables shall be paid all uncollected
922 fees levied under subsection (1) of this section in full from the
923 first proceeds received by the court from the guilty party or from
924 any other source of payment in connection with the case.

925 (3) In addition to the fees authorized to be paid to a
926 constable under subsection (1) of this section, a constable may
927 receive payments for collecting delinquent criminal fines in
928 justice court pursuant to the provisions of Section 19-3-41(3).

929 **SECTION 11.** Section 25-7-19, Mississippi Code of 1972, is
930 amended as follows:

931 25-7-19. (1) The sheriffs of the various counties of the
932 State of Mississippi shall charge the following fees:

933 (a) A uniform total fee in all criminal and civil cases
934 for the service or attempted service of any process, summons,
935 warrant, writ or other notice as may be required by law or the
936 court, each.....\$ * * * 45.00

937 (b) In all cases where there is more than one (1)
938 defendant residing at the same household, service on each
939 additional defendant.....\$ 5.00

940 (c) After final judgment has been enrolled, notice of
941 further proceedings involving levy of execution on judgments, and
942 attachment and garnishment proceedings, shall be deemed a new suit



943 and the sheriff shall be entitled to the following
944 fee.....\$ * * * 45.00

945 (d) Taking bonds of every kind (for purposes of this
946 fee multiple bonds for criminal charges arising out of a single
947 incident or transaction shall be considered a single
948 bond).....\$25.00

949 (e) Attendance in habeas corpus proceeding in vacation,
950 eminent domain court and commitment cases.....\$25.00

951 (f) On all money made by virtue of any decree,
952 execution or attachment, or other process, the following
953 commissions, to wit:

954 On the first One Hundred Dollars (\$100.00), five
955 percent (5%),

956 On the second One Hundred Dollars (\$100.00), four
957 percent (4%),

958 On all sums over Two Hundred Dollars (\$200.00),
959 three percent (3%).

960 (g) For all service of all process of every kind and
961 nature issued from without the county wherein it is to be served,
962 a fee of.....\$ * * * 45.00

963 In civil cases, all process sent out of the county, where
964 issued to another county for service, shall be accompanied by a
965 fee of * * * Forty-five Dollars (\$45.00) to pay the sheriff's fee
966 for his or her execution of such process unless the clerk or
967 justice shall endorse on the process that the party at whose



968 instance it issued had filed an affidavit of inability to pay
969 costs thereof. All fees sent and unearned, and the whole of it,
970 shall be unearned if the writ be not legally and properly executed
971 and returned, and shall be remitted by the sheriff with the writ
972 at his or her own expense.

973 (2) (a) The sheriff shall keep a complete account of every
974 fee of every nature, commission or charge collected by him or her,
975 and shall file an itemized statement thereof monthly, under oath,
976 with the clerk of the board of supervisors of his or her county
977 who shall preserve same as a part of the records of his or her
978 office, and he or she shall make a remittance to the clerk of the
979 board of supervisors of his or her county on or before the
980 fifteenth of each month for deposit into the general fund of the
981 county of all * * * the fees, commissions and charges collected
982 during the preceding month. A fee for attempted service of
983 process is unearned absent two (2) documented actual attempts to
984 serve the process.

985 (b) At least Ten Dollars (\$10.00) from each fee
986 collected and deposited into the county's general fund under the
987 provisions of paragraphs (a), (c) and (g) of subsection (1) of
988 this section shall be used for the sheriffs' salaries authorized
989 in Section 25-3-25, as such Ten Dollar (\$10.00) amount was
990 authorized during the 2007 Regular Session in Chapter 331, Laws of
991 2007, for the purpose of providing additional monies to the
992 counties for sheriffs' salaries.



993 (3) Any sheriff who shall knowingly fail to collect any fee
994 established by law which was in fact collectible by him or her or
995 having collected the fee shall fail to keep account of such fee or
996 fail to deposit the fee with the clerk of the board of supervisors
997 as provided by subsection (2), or such other person or office
998 entitled thereto, shall be guilty of a misdemeanor in office and,
999 upon conviction therefor, shall be fined in an amount not to
1000 exceed double the amount he or she failed to collect or pay over,
1001 or imprisoned for not to exceed six (6) months in the county jail,
1002 or be punished by both such fine and imprisonment.

1003 This provision shall in no way lessen the sheriff's civil
1004 liability on his or her bond, but shall be an additional penalty
1005 for misfeasance or nonfeasance in office.

1006 **SECTION 12.** Section 23-15-225, Mississippi Code of 1972, is
1007 amended as follows:

1008 23-15-225. (1) The registrar shall be entitled to such
1009 compensation, payable monthly out of the county treasury, which
1010 the board of supervisors of the county shall allow on an annual
1011 basis in the following amounts:

1012 (a) For counties with a total population of more than
1013 two hundred thousand (200,000), an amount not to exceed * * *
1014 Thirty-two Thousand Five Hundred Ninety-one Dollars (\$32,591.00),
1015 but not less than * * * Ten Thousand Twenty-eight Dollars
1016 (\$10,028.00).



1017 (b) For counties with a total population of more than
1018 one hundred thousand (100,000) and not more than two hundred
1019 thousand (200,000), an amount not to exceed * * * Twenty-seven
1020 Thousand Five Hundred Seventy-seven Dollars (\$27,577.00), but not
1021 less than * * * Ten Thousand Twenty-eight Dollars (\$10,028.00).

1022 (c) For counties with a total population of more than
1023 fifty thousand (50,000) and not more than one hundred thousand
1024 (100,000), an amount not to exceed * * * Twenty-five Thousand
1025 Seventy Dollars (\$25,070.00), but not less than * * * Ten Thousand
1026 Twenty-eight Dollars (\$10,028.00).

1027 (d) For counties with a total population of more than
1028 thirty-five thousand (35,000) and not more than fifty thousand
1029 (50,000), an amount not to exceed * * * Twenty-two Thousand Five
1030 Hundred Sixty-three Dollars (\$22,563.00), but not less than * * *
1031 Ten Thousand Twenty-eight Dollars (\$10,028.00).

1032 (e) For counties with a total population of more than
1033 twenty-five thousand (25,000) and not more than thirty-five
1034 thousand (35,000), an amount not to exceed * * * Twenty Thousand
1035 Fifty-six Dollars (\$20,056.00), but not less than * * * Ten
1036 Thousand Twenty-eight Dollars (\$10,028.00).

1037 (f) For counties with a total population of more than
1038 fifteen thousand (15,000) and not more than twenty-five thousand
1039 (25,000), an amount not to exceed * * * Seventeen Thousand Five
1040 Hundred Forty-nine Dollars (\$17,549.00), but not less than * * *
1041 Ten Thousand Twenty-eight Dollars (\$10,028.00).



1042 (g) For counties with a total population of more than
1043 ten thousand (10,000) and not more than fifteen thousand (15,000),
1044 an amount not to exceed * * * Fifteen Thousand Forty-two Dollars
1045 (\$15,042.00), but not less than * * * Eight Thousand Seven Hundred
1046 Seventy-four Dollars (\$8,774.00).

1047 (h) For counties with a total population of more than
1048 six thousand (6,000) and not more than ten thousand (10,000), an
1049 amount not to exceed * * * Twelve Thousand Five Hundred
1050 Thirty-five Dollars (\$12,535.00), but not less than * * * Eight
1051 Thousand Seven Hundred Seventy-four Dollars (\$8,774.00).

1052 (i) For counties with a total population of not more
1053 than six thousand (6,000), an amount not to exceed * * * Ten
1054 Thousand Twenty-eight Dollars (\$10,028.00) but not less than * * *
1055 Six Thousand Eight Hundred Ninety-four Dollars (\$6,894.00).

1056 (j) For counties having two (2) judicial districts, the
1057 board of supervisors of the county may allow, in addition to the
1058 sums prescribed herein, in its discretion, an amount not to exceed
1059 Eleven Thousand Five Hundred Dollars (\$11,500.00).

1060 (2) In the event of a reregistration within such county, or
1061 a redistricting that necessitates the hiring of additional deputy
1062 registrars, the board of supervisors, in its discretion, may by
1063 contract compensate the county registrar amounts in addition to
1064 the sums prescribed herein.

1065 (3) As compensation for their services in assisting the
1066 county election commissioners in performance of their duties in



1067 the revision of the voter roll as electronically maintained by the
1068 Statewide Elections Management System and in assisting the
1069 election commissioners, executive committees or boards of
1070 supervisors in connection with any election, the registrar shall
1071 receive the same daily per diem and limitation on meeting days as
1072 provided for the board of election commissioners as set out in
1073 Sections 23-15-153 and 23-15-227 to be paid from the general fund
1074 of the county.

1075 (4) In any case where an amount has been allowed by the
1076 board of supervisors pursuant to this section, such amount shall
1077 not be reduced or terminated during the term for which the
1078 registrar was elected.

1079 (5) The circuit clerk shall, in addition to any other
1080 compensation provided for by law, be entitled to receive as
1081 compensation from the board of supervisors the amount of Two
1082 Thousand Five Hundred Dollars (\$2,500.00) per year. This payment
1083 shall be for the performance of his or her duties in regard to the
1084 conduct of elections and the performance of his or her other
1085 duties.

1086 (6) The municipal clerk shall, in addition to any other
1087 compensation for performance of duties, be eligible to receive as
1088 compensation from the municipality's governing authorities a
1089 reasonable amount of additional compensation for reimbursement of
1090 costs and for additional duties associated with mail-in
1091 registration of voters.



1092 (7) The board of supervisors shall not allow any additional
1093 compensation authorized under this section for services as county
1094 registrar to any circuit clerk who is receiving fees as
1095 compensation for his or her services equal to the limitation on
1096 compensation prescribed in Section 9-1-43.

1097 **SECTION 13.** Section 25-7-13, Mississippi Code of 1972, is
1098 amended as follows:

1099 25-7-13. (1) The clerks of the circuit court shall charge
1100 the following fees:

1101 (a) Docketing, filing, marking and registering each
1102 complaint, petition and indictment.....\$ 85.00

1103 The fee set forth in this paragraph shall be the total fee
1104 for all services performed by the clerk up to and including entry
1105 of judgment with respect to each complaint, petition or
1106 indictment, including all answers, claims, orders, continuances
1107 and other papers filed therein, issuing each writ, summons,
1108 subpoena or other such instruments, swearing witnesses, taking and
1109 recording bonds and pleas, and recording judgments, orders, fiats
1110 and certificates; the fee shall be payable upon filing and shall
1111 accrue to the clerk at the time of collection. The clerk or his
1112 or her successor in office shall perform all duties set forth
1113 above without additional compensation or fee.

1114 (b) Docketing and filing each motion to renew judgment,
1115 notice of renewal of judgment, suggestion for a writ of
1116 garnishment, suggestion for a writ of execution and judgment



1117 debtor actions and issuing all process, filing and recording
1118 orders or other papers and swearing
1119 witnesses.....\$ 35.00

1120 (c) For every civil case filed, an additional fee to be
1121 deposited to the credit of the Comprehensive Electronic Court
1122 Systems Fund established in Section 9-21-14.....\$ 10.00

1123 (d) For every civil case filed, an additional fee to be
1124 deposited to the credit of the Judicial System Operation Fund
1125 established in Section 9-21-45.....\$ 40.00

1126 (2) Except as provided in subsection (1) of this section,
1127 the clerks of the circuit court shall charge the following fees:

1128 (a) Filing and marking each order or other paper and
1129 recording and indexing same.....\$ 2.00

1130 (b) Issuing each writ, summons, subpoena, citation,
1131 capias and other such instruments.....\$ 1.00

1132 (c) Administering an oath and taking bond.....\$ 2.00

1133 (d) Certifying copies of filed documents, for each
1134 complete document.....\$ 1.00

1135 (e) Recording orders, fiats, licenses, certificates,
1136 oaths and bonds:

1137 First page.....\$ 2.00

1138 Each additional page.....\$ 1.00

1139 (f) Furnishing copies of any papers of record or on
1140 file and entering marginal notations on documents of record:

1141 If performed by the clerk or his employee,



1142 per page.....\$ 1.00

1143 If performed by any other person, per page.....\$.25

1144 (g) Judgment roll entry.....\$ 5.00

1145 (h) Taxing cost and certificate.....\$ 1.00

1146 (i) For taking and recording application for marriage

1147 license, for filing and recording consent of parents when required

1148 by law, for filing and recording medical certificate, filing and

1149 recording proof of age, recording and issuing license, recording

1150 and filing returns.....\$ 20.00

1151 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee

1152 collected for a marriage license in the Victims of Domestic

1153 Violence Fund established in Section 93-21-117, on a monthly

1154 basis.

1155 (j) For certified copy of marriage license and search

1156 of record, the same fee charged by the Bureau of Vital Statistics

1157 of the State Board of Health.

1158 (k) For public service not particularly provided for,

1159 the circuit court may allow the clerk, per annum, to be paid by

1160 the county on presentation of the circuit court's order, the

1161 following amount.....\$5,000.00

1162 However, in the counties having two (2) judicial districts,

1163 such above allowance shall be made for each judicial district.

1164 (l) For drawing jurors and issuing venire, to be paid

1165 by the county.....\$ 5.00



1166 (m) For each day's attendance upon the circuit court
1167 term, for himself or herself and necessary deputies allowed by the
1168 court, each to be paid by the county.....\$ * * * 75.00

1169 (n) Summons, each juror to be paid by the county upon
1170 the allowance of the court.....\$ 1.00

1171 (o) For issuing each grand jury subpoena, to be paid by
1172 the county on allowance by the court, not to exceed Twenty-five
1173 Dollars (\$25.00) in any one (1) term of court.....\$ 1.00

1174 (p) For each civil filing, to be deposited into the
1175 Civil Legal Assistance Fund.....\$ 5.00

1176 (3) On order of the court, clerks and deputies may be
1177 allowed five (5) extra days for attendance upon the court to get
1178 up records.

1179 (4) The clerk's fees in state cases where the state fails in
1180 the prosecution, or in cases of felony where the defendant is
1181 convicted and the cost cannot be made out of his estate, in an
1182 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)
1183 year, shall be paid out of the county treasury on approval of the
1184 circuit court, and the allowance thereof by the board of
1185 supervisors of the county. In counties having two (2) judicial
1186 districts, such allowance shall be made in each judicial district;
1187 however, the maximum thereof shall not exceed Eight Hundred
1188 Dollars (\$800.00). Clerks in the circuit court, in cases where
1189 appeals are taken in criminal cases and no appeal bond is filed,
1190 shall be allowed by the board of supervisors of the county after



1191 approval of their accounts by the circuit court, in addition to
1192 the above fees, for making such transcript the rate of Two Dollars
1193 (\$2.00) per page.

1194 (5) The clerk of the circuit court may retain as his
1195 commission on all money coming into his hands, by law or order of
1196 the court, a sum to be fixed by the court not exceeding one-half
1197 of one percent (1/2 of 1%) on all such sums.

1198 (6) For making final records required by law, including, but
1199 not limited to, circuit and county court minutes, and furnishing
1200 transcripts of records, the circuit clerk shall charge Two Dollars
1201 (\$2.00) per page. The same fees shall be allowed to all officers
1202 for making and certifying copies of records or papers which they
1203 are authorized to copy and certify.

1204 (7) The circuit clerk shall prepare an itemized statement of
1205 fees for services performed, cost incurred, or for furnishing
1206 copies of any papers of record or on file, and shall submit the
1207 statement to the parties or, if represented, to their attorneys
1208 within sixty (60) days. A bill for same shall accompany the
1209 statement.

1210 **SECTION 14.** This act shall take effect and be in force from
1211 and after January 1, 2020.

