

By: Representative Touchstone

To: Judiciary A

HOUSE BILL NO. 808

1 AN ACT TO AMEND SECTION 25-3-9, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE BOARD OF SUPERVISORS OF CERTAIN COUNTIES TO EMPLOY  
3 THE ELECTED COUNTY PROSECUTING ATTORNEY OF SUCH COUNTIES ON A  
4 FULL-TIME BASIS AND TO ESTABLISH THE MAXIMUM COMPENSATION FOR THE  
5 POSITION; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 25-3-9, Mississippi Code of 1972, is  
8 amended as follows:

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

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

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



20 (c) For counties with a total population of more than  
21 fifty thousand (50,000) and not more than one hundred thousand  
22 (100,000), a salary not to exceed Twenty-one Thousand Seven  
23 Hundred Dollars (\$21,700.00).

24 (d) For counties with a total population of more than  
25 thirty-five thousand (35,000) and not more than fifty thousand  
26 (50,000), a salary not to exceed Twenty Thousand Four Hundred  
27 Dollars (\$20,400.00).

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

32 (f) For counties with a total population of more than  
33 fifteen thousand (15,000) and not more than twenty-five thousand  
34 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred  
35 Dollars (\$17,700.00).

36 (g) For counties with a total population of more than  
37 ten thousand (10,000) and not more than fifteen thousand (15,000),  
38 a salary not to exceed Sixteen Thousand One Hundred Dollars  
39 (\$16,100.00).

40 (h) For counties with a total population of more than  
41 six thousand (6,000) and not more than ten thousand (10,000), a  
42 salary not to exceed Fourteen Thousand Five Hundred Dollars  
43 (\$14,500.00).



44           (i) For counties with a total population of six  
45 thousand (6,000) or less, the board of supervisors, in its  
46 discretion, may appoint a county prosecuting attorney, and it may  
47 pay such county prosecuting attorney an annual salary not to  
48 exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00).

49           In all cases of conviction there shall be taxed against the  
50 convicted defendant, as an item of cost, the sum of Three Dollars  
51 (\$3.00), which shall be turned in to the county treasury as a part  
52 of the general county funds; however, the Three Dollars (\$3.00)  
53 shall not be taxed in any case in which it is not the specific  
54 duty of the county attorney to appear and prosecute.

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

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

63           (a) In any county bordering upon the Mississippi River  
64 and having a population of not less than thirty thousand (30,000)  
65 and not more than thirty-five thousand five hundred (35,500)  
66 according to the federal census of 1990, and in counties having a  
67 population of not more than thirty-seven thousand (37,000)  
68 according to the federal census of 1990 in which Interstate



69 Highway 55 and U.S. Highway 98 intersect, the county prosecuting  
70 attorney shall receive a salary equal to the justice court judge  
71 of such county; and in any county wherein is located the state's  
72 oldest state-supported institution of higher learning and wherein  
73 Mississippi State Highways 7 and 6 intersect, the county  
74 prosecuting attorney shall receive an annual salary equal to that  
75 of a member of the board of supervisors of such county.

76           (b) In counties having a population in excess of fifty  
77 thousand (50,000) in the 1960 federal census, wherein is located a  
78 state-supported university and in which U.S. Highways 49 and 11  
79 intersect, the salary of the county prosecuting attorney shall be  
80 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)  
81 per year. The Board of Supervisors of Forrest County,  
82 Mississippi, may, in its discretion, and by agreement with the  
83 county prosecuting attorney, employ the county prosecuting  
84 attorney as a full-time elected official during his/her term of  
85 office, designate additional duties and responsibilities of the  
86 office and pay additional compensation up to, but not in excess  
87 of, ninety percent (90%) of the annual compensation and salary of  
88 the county court judge and the youth court judge of Forrest County  
89 as authorized by law and provide a reasonable office and  
90 reasonable office expenses to the county prosecuting attorney.  
91 The salary authorized by this paragraph (b) for the county  
92 prosecuting attorney shall be the sole and complete salary for  
93 such prosecuting attorney in each county to which this paragraph



94 applies, notwithstanding any other provision of law to the  
95 contrary.

96 (c) In any county wherein is housed the seat of state  
97 government, wherein U.S. Highways 80 and 49 intersect, and having  
98 two (2) judicial districts, the board of supervisors, in its  
99 discretion, may pay the county prosecuting attorney an annual  
100 salary equal to the annual salary of members of the board of  
101 supervisors in the county.

102 (d) In any county which has two (2) judicial districts  
103 and wherein Highway 8 and Highway 15 intersect, having a  
104 population of greater than seventeen thousand (17,000), according  
105 to the 1980 federal decennial census, the board of supervisors  
106 shall pay the county prosecuting attorney a salary equal to that  
107 of a member of the board of supervisors of such county; provided  
108 that if such county prosecuting attorney is paid a sum for the  
109 purpose of defraying office or secretarial expenses, then the  
110 salary prescribed herein shall be reduced by that amount.

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

116 (f) In any county having a population of more than  
117 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45



118 intersect, the salary of the county attorney shall be not less  
119 than Eight Thousand Dollars (\$8,000.00).

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

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

127 (h) In any Class 1 county bordering on the Mississippi  
128 River, lying in whole or in part within a levee district, wherein  
129 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River  
130 and Stales Bayou, the board of supervisors, in its discretion, may  
131 pay an annual salary equal to the annual salary of members of the  
132 board of supervisors in the county. In addition, such county  
133 prosecuting attorney shall receive the sum of One Thousand Dollars  
134 (\$1,000.00) per month for the purpose of defraying secretarial  
135 expenses.

136 (i) In any county bordering on the Gulf of Mexico  
137 having two (2) judicial districts, and wherein U.S. Highways 90  
138 and 49 intersect, the salary of the county prosecuting attorney  
139 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per  
140 year. The Board of Supervisors of Harrison County, Mississippi,  
141 may, in its discretion, and by agreement with the county  
142 prosecuting attorney, employ the county prosecuting attorney and



143 his/her assistant during his/her term of office, and designate  
144 additional duties and responsibilities of the office and pay  
145 additional compensation up to, but not in excess of, ninety  
146 percent (90%) of the annual compensation and salary of the county  
147 court judges of Harrison County as authorized by law and provide  
148 adequate office space and reasonable office expenses to the county  
149 prosecuting attorney and his/her assistant. The salary authorized  
150 by this paragraph (i) for the county prosecuting attorney and  
151 his/her assistant shall be the sole and complete salary paid by  
152 the county for such prosecuting attorney and his/her assistant in  
153 each county to which this paragraph applies, notwithstanding any  
154 other provision of law to the contrary.

155 (j) In any county bordering on the State of Alabama,  
156 having a population in excess of seventy-five thousand (75,000)  
157 according to the 1980 decennial census in which is located an  
158 institution of higher learning and a United States military  
159 installation and which is traversed by an interstate highway, the  
160 salary of the county prosecuting attorney shall not be less than  
161 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of  
162 the annual salary received by a member of the board of supervisors  
163 of that county.

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



168           (1) In any Class 2 county wherein Mississippi Highways  
169 6 and 3 intersect, the salary of the county prosecuting attorney  
170 shall be not less than Twelve Thousand Dollars (\$12,000.00) per  
171 year nor more than the amount of the annual salary received by a  
172 member of the board of supervisors of that county.

173           (m) In any county wherein Interstate Highway 55 and  
174 State Highway 8 intersect, the salary of the county prosecuting  
175 attorney shall be not less than Twelve Thousand Dollars  
176 (\$12,000.00) per year.

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

181           (o) In any county bordering on the Alabama state line,  
182 having a population of greater than fifteen thousand (15,000)  
183 according to the 1970 federal decennial census, wherein U.S.  
184 Highway 45 and Mississippi Highway 18 intersect, the salary of the  
185 county prosecuting attorney shall be not less than Three Thousand  
186 Six Hundred Dollars (\$3,600.00) nor greater than that of a member  
187 of the board of supervisors of such county. All prior acts,  
188 orders and resolutions of the board of supervisors of such county  
189 which authorized the payment of the salary in conformity with the  
190 provisions of this paragraph, whether or not heretofore  
191 specifically authorized by law are hereby ratified, approved and  
192 confirmed.





193           (p) In any county wherein is located a state-supported  
194 institution of higher learning and wherein U.S. Highway 82 and  
195 Mississippi Highway 389 intersect, the board of supervisors, in  
196 its discretion, may pay the county prosecuting attorney an annual  
197 salary equal to the annual salary of members of the board of  
198 supervisors in the county.

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

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

208           (s) In any county having a population of more than  
209 fourteen thousand (14,000) according to the 1970 census and which  
210 county is bordered on the north by the State of Tennessee and on  
211 the east by the State of Alabama and in which U.S. Highway No. 72  
212 and Highway No. 25 intersect, the board of supervisors, in its  
213 discretion, may pay the county prosecuting attorney an annual  
214 salary equal to the annual salary of justice court judges in the  
215 county.

216           (t) (i) The Board of Supervisors of Madison County, in  
217 its discretion, may pay the county prosecuting attorney an annual



218 salary in the amount of Twenty-eight Thousand Dollars  
219 (\$28,000.00), if the county prosecuting attorney is not employed  
220 on a full-time basis.

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

226 (iii) The Board of Supervisors of Madison County,  
227 in its discretion, may employ the elected county prosecuting  
228 attorney on a full-time basis during his or her term of office and  
229 may pay compensation to the full-time prosecuting attorney in an  
230 amount of not more than ninety percent (90%) of the annual  
231 compensation and salary of the county court judges of the county  
232 as authorized by law, and may provide adequate office space and  
233 reasonable office expenses to the county prosecuting attorney.  
234 The salary authorized by this subparagraph (iii) for the county  
235 prosecuting attorney shall be the sole and complete salary paid by  
236 the county for the prosecuting attorney in Madison County,  
237 notwithstanding any other provisions of law to the contrary.

238 (u) In any county having a population in the 1970  
239 census in excess of thirty-five thousand (35,000) and in which  
240 U.S. Highways 49W and 82 intersect, and in which is located a  
241 state penitentiary, the annual salary of a county prosecuting



242 attorney shall be Thirty Thousand Four Hundred Twenty Dollars  
243 (\$30,420.00).

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

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

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



267           (y) In any county bordering on the Alabama state line,  
268 traversed by the Chickasawhay River, and wherein U.S. Highway 45  
269 and U.S. Highway 84 intersect, a salary that shall be equal to the  
270 annual salary of a member of the board of supervisors of such  
271 county. All prior acts, orders and resolutions of the board of  
272 supervisors of such county which authorize the payment of the  
273 salary of the county prosecuting attorney in conformity with the  
274 provisions of this section as it existed immediately prior to  
275 April 12, 1985, are hereby ratified, approved, confirmed and  
276 validated.

277           (z) In any county having a population greater than  
278 sixty-five thousand five hundred eighty (65,580) but less than  
279 sixty-five thousand five hundred ninety (65,590) according to the  
280 1990 federal decennial census, wherein U.S. Highway 45 intersects  
281 with Mississippi Highway 6, an annual salary equal to Thirty  
282 Thousand Dollars (\$30,000.00).

283           (aa) In any county where an institution of higher  
284 learning is located and wherein U.S. Highway 82 and U.S. Highway  
285 45 intersect, the salary of the county prosecuting attorney shall  
286 be not less than that of a member of the board of supervisors in  
287 such county, and the board of supervisors may, in its discretion,  
288 pay such county prosecuting attorney a salary in an amount not to  
289 exceed the amount of the salary of the District Attorney for the  
290 Sixteenth Judicial District of Mississippi.



291 (bb) In any county having a population greater than six  
292 thousand (6,000) according to the federal decennial census and  
293 wherein U.S. Highway 61 and Highway 24 intersect, the board of  
294 supervisors, in its discretion, may pay the county prosecuting  
295 attorney an annual salary equal to the annual salary of members of  
296 the board of supervisors in the county.

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

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

305 (ii) The Board of Supervisors of Rankin County, in  
306 its discretion, may employ the elected county prosecuting attorney  
307 and an assistant on a full-time basis during his or her term of  
308 office and may pay compensation to such full-time prosecuting  
309 attorney in an amount of not more than ninety percent (90%) of the  
310 annual compensation and salary of the county court judges of the  
311 county as authorized by law, and may provide adequate office space  
312 and reasonable office expenses to the county prosecuting attorney  
313 and his/her assistant. The Board of Supervisors of Rankin County,  
314 in its discretion, may also employ a full-time assistant county  
315 prosecuting attorney and may pay such person an annual salary in



316 such amount as determined by the board of supervisors. The salary  
317 authorized by this paragraph (dd)(ii) for the elected county  
318 prosecuting attorney and an assistant shall be the sole and  
319 complete salary paid by the county for the elected prosecuting  
320 attorney and assistant in Rankin County, notwithstanding any other  
321 provisions of law to the contrary.

322 (ee) In any county having a population greater than  
323 eight thousand (8,000) but less than eight thousand two hundred  
324 (8,200) according to the 1990 federal census, and in which U.S.  
325 Highway 61 and Mississippi Highway 4 intersect, the board of  
326 supervisors may, in its discretion, pay the county prosecuting  
327 attorney an amount not to exceed Fourteen Thousand Dollars  
328 (\$14,000.00), in addition to the maximum allowable salary for that  
329 attorney under subsection (1), beginning on April 1, 1997.

330 (ff) In any county having a population greater than  
331 thirty thousand three hundred (30,300) but less than thirty  
332 thousand four hundred (30,400) according to the 1990 federal  
333 census, and in which U.S. Highway 78 and Mississippi Highway 7  
334 intersect, a salary of not less than the annual salary of a member  
335 of the board of supervisors in such county.

336 (gg) In any county having a population greater than  
337 thirteen thousand three hundred (13,300) but less than thirteen  
338 thousand four hundred (13,400) according to the 1990 federal  
339 census, and in which Mississippi Highway 24 and Mississippi  
340 Highway 48 intersect, the board of supervisors may, in its



341 discretion, pay the county prosecuting attorney an additional  
342 amount not to exceed ten percent (10%) of the maximum allowable  
343 salary for that attorney under subsection (1).

344 (hh) In any county having a population greater than  
345 eight thousand three hundred (8,300) but less than eight thousand  
346 four hundred (8,400) according to the 1990 federal census, and in  
347 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of  
348 supervisors may, in its discretion, pay the county prosecuting  
349 attorney an additional amount not to exceed ten percent (10%) of  
350 the maximum allowable salary for that attorney under subsection  
351 (1).

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

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

363 (kk) In any county having a population greater than  
364 twelve thousand four hundred (12,400) but less than twelve  
365 thousand five hundred (12,500) according to the 1990 federal



366 census, and in which U.S. Highway 84 and Mississippi Highway 27  
367 intersect, the board of supervisors may, in its discretion, pay  
368 the county prosecuting attorney an additional amount not to exceed  
369 ten percent (10%) of the maximum allowable salary for that  
370 attorney under subsection (1).

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

379 (mm) In any county on the Mississippi River levee,  
380 having a population greater than forty-one thousand eight hundred  
381 (41,800) but less than forty-one thousand nine hundred (41,900)  
382 according to the 1990 federal census wherein U.S. Highway 61 and  
383 Mississippi Highway 8 intersect, the board of supervisors, in its  
384 discretion, may pay the county prosecuting attorney an annual  
385 salary equal to the annual salary of members of the board of  
386 supervisors in the county. In addition, the board of supervisors,  
387 in its discretion, may pay the county prosecuting attorney the sum  
388 of One Thousand Dollars (\$1,000.00) per month for the purpose of  
389 defraying secretarial expenses.





390 (nn) In any county having a population greater than  
391 twenty-four thousand seven hundred (24,700) and less than  
392 twenty-four thousand nine hundred (24,900) according to the 1990  
393 federal census, wherein Mississippi Highways 15 and 16 intersect,  
394 the board of supervisors, in its discretion, may pay the county  
395 prosecuting attorney an annual salary equal to the annual salary  
396 of members of the board of supervisors in the county.

397 (oo) In any county having a population greater than  
398 thirty-seven thousand (37,000) but less than thirty-eight thousand  
399 (38,000) according to the 1990 federal census, in which is located  
400 a state supported institution of higher learning, and in which  
401 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of  
402 supervisors may, in its discretion, pay the county prosecuting  
403 attorney a salary in an amount not to exceed the amount of the  
404 salary of the District Attorney for the Fourth Judicial District  
405 of Mississippi.

406 (pp) In any county in which U.S. Highway 78 and  
407 Mississippi Highway 15 intersect and which is traversed by the  
408 Tallahatchie River, a salary equal to that of members of the board  
409 of supervisors of the county, which salary shall be in addition to  
410 any sums received for the purpose of defraying office or  
411 secretarial expenses and sums received as youth court prosecutor  
412 fees.

413 (qq) In any county bordering on the State of Tennessee  
414 and the State of Arkansas, wherein Interstate Highway 55 and



415 Mississippi Highway 302 intersect, the board of supervisors, in  
416 its discretion, may pay the county prosecuting attorney an annual  
417 salary equal to the annual salary of justice court judges in the  
418 county.

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

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

428 (tt) In any county in which Interstate Highway 59 and  
429 U.S. Highway 84 intersect, the board of supervisors, in its  
430 discretion, may pay the county prosecuting attorney an annual  
431 salary equal to the annual salary of members of the board of  
432 supervisors in the county.

433 (uu) (i) In any county bordering on the Mississippi  
434 River having a population greater than fifty thousand (50,000)  
435 according to the 1980 federal decennial census and also having a  
436 national military park and national cemetery, the board of  
437 supervisors of the county shall pay an annual salary of  
438 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to  
439 that of a member of the board of supervisors, whichever is



440 greater, if not employed on a full-time basis. In addition, the  
441 county prosecuting attorney shall be paid the sum of One Thousand  
442 Dollars (\$1,000.00) per month for the purpose of defraying  
443 secretarial expenses, if not employed on a full-time basis; or

444 (ii) The board of supervisors of the county  
445 described in subparagraph (i) of this paragraph, in its  
446 discretion, may employ the elected county prosecuting attorney on  
447 a full-time basis during his or her term of office and may pay  
448 compensation to the full-time prosecuting attorney in an amount of  
449 not more than ninety percent (90%) of the annual compensation and  
450 salary of the County Court Judge of Warren County as authorized by  
451 law, and may provide adequate office space and reasonable office  
452 expenses to the county prosecuting attorney. The salary  
453 authorized herein by this subparagraph (ii) for the county  
454 prosecuting attorney shall be the sole and complete salary paid by  
455 the county for the prosecuting attorney in Warren County,  
456 notwithstanding any other provisions of law to the contrary.

457 (vv) In any county having a population in excess of  
458 fifty-five thousand (55,000) and not more than sixty thousand  
459 (60,000) according to the 2010 federal decennial census in which  
460 U.S. Highway 98 and Interstate Highway 59 intersect, the salary of  
461 the county prosecuting attorney shall be not less than Seventeen  
462 Thousand Four Hundred Dollars (\$17,400.00) per year, and the board  
463 of supervisors in its discretion, may, and by agreement with the  
464 county prosecuting attorney, employ the county prosecuting



465 attorney as a full-time elected official during his/her term of  
466 office, designate additional duties and responsibilities of the  
467 office and pay additional compensation up to, but not in excess  
468 of, ninety percent (90%) of the annual compensation and salary of  
469 the county court judge and the youth court judge of the county as  
470 authorized by law and provide a reasonable office and reasonable  
471 office expenses to the county prosecuting attorney. The salary  
472 authorized under this paragraph (vv) for the county prosecuting  
473 attorney shall be the sole and complete salary for such  
474 prosecuting attorney in each county to which this paragraph  
475 applies, notwithstanding any other provision of law to the  
476 contrary.

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

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

486 **SECTION 2.** This act shall take effect and be in force from  
487 and after July 1, 2018.

