

By: Representatives Touchstone, Sykes

To: County Affairs

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1047

1 AN ACT TO AMEND SECTION 19-25-13, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE ANNUAL CLOTHING ALLOWANCE ALLOWED TO EACH
3 PLAINCLOTHES INVESTIGATOR EMPLOYED BY A SHERIFF'S OFFICE FROM
4 \$400.00 TO \$700.00; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 19-25-13, Mississippi Code of 1972, is
7 amended as follows:

8 19-25-13. The sheriff shall, at the July meeting of the
9 board of supervisors, submit a budget of estimated expenses of his
10 or her office for the ensuing fiscal year beginning October 1 in
11 such form as shall be prescribed by the Director of the State
12 Department of Audit. The board shall examine this proposed budget
13 and determine the amount to be expended by the sheriff in the
14 performance of his or her duties for the fiscal year and may
15 increase or reduce * * * that amount as it deems necessary and
16 proper.

17 The budget shall include amounts for compensating the
18 deputies and other employees of the sheriff's office, for
19 insurance providing protection for the sheriff and his or her



20 deputies in case of disability, death and other similar coverage,
21 for travel and transportation expenses of the sheriff and
22 deputies, for feeding prisoners and inmates of the county jail,
23 and for * * * any other expenses * * * that may be incurred in the
24 performance of the duties of the office of sheriff. In addition,
25 the budget shall include amounts for the payment of premiums on
26 bonds and insurance for the sheriff and his or her deputies which,
27 in the opinion of the board of supervisors, are deemed necessary
28 to protect the interests of the county or the sheriff and his or
29 her deputies. * * * The amounts may include official bonds and
30 any bonds required of his or her deputies by the sheriff;
31 liability insurance; insurance against false arrest charges;
32 insurance against false imprisonment charges; theft, fire and
33 other hazards insurance; and hospitalization insurance as provided
34 for in Sections 25-15-101 and 25-15-103. The board may authorize
35 the reimbursement of the sheriff and deputies for the use of
36 privately owned automobiles or other motor vehicles in the
37 performance of official duties at the rate provided by law for
38 state officers and employees, or may authorize the purchase by the
39 sheriff of such motor vehicles and such equipment as may be needed
40 for operation of the sheriff's office, * * * the vehicles and
41 equipment to be owned by the county. In counties * * * that have
42 elected to purchase the motor vehicles and * * * the equipment for
43 the operation of the sheriff's office, if a sheriff or deputy
44 shall be required in the performance of his or her official



45 duties, in the event of an emergency, to use his or her privately
46 owned automobile or other motor vehicle, the board of supervisors
47 may, in its discretion, authorize the reimbursement for * * * that
48 use at the rate per mile provided by law for state officers and
49 employees. This shall not be construed as giving an officer a
50 choice of whether to use his or her own or the county's vehicle,
51 but shall be construed so as not to penalize an officer who must
52 use his or her own vehicle because the county's vehicle was not
53 available.

54 The board of supervisors, in its discretion, may include in
55 its annual budget for the sheriff's office an amount not to exceed
56 One Thousand Dollars (\$1,000.00), which may be expended by the
57 sheriff to provide food, water and beverages for the sheriff, the
58 sheriff's deputies, state, national and local law enforcement
59 officers, emergency personnel, county employees and members of the
60 general public who the sheriff requests to assist him or her and
61 his or her office while in the performance of search and rescue
62 missions, disasters or other emergency operations.

63 The board of supervisors may acquire one or more credit
64 cards * * * that may be used by the sheriff and his or her
65 deputies to pay expenses incurred by them when traveling in or out
66 of state in the performance of their official duties. The
67 chancery clerk or county purchase clerk shall maintain complete
68 records of all credit card numbers and all receipts and other
69 documents relating to the use of * * * those credit cards. The



70 sheriff shall furnish receipts for the use of * * * the credit
71 cards each month to the chancery clerk or purchase clerk who shall
72 submit a written report monthly to the board of supervisors, which
73 report shall include an itemized list of all expenditures and use
74 of the credit cards for the month, and * * * the expenditures may
75 be allowed for payment by the county in the same manner as other
76 items on the claims docket. The issuance of a credit card to a
77 sheriff or his or her deputy under the provisions of this section
78 shall not be construed to authorize * * * the sheriff or deputy
79 sheriff to use * * * the credit card to make any expenditure * * *
80 that is not otherwise authorized by law.

81 The board of supervisors is hereby authorized and empowered,
82 in its discretion, to appropriate and pay a sum not to
83 exceed * * * Seven Hundred Dollars (\$700.00) annually as a
84 clothing allowance to each plainclothes investigator employed by
85 the sheriff's office of * * * that county. The board of
86 supervisors of any county bordering on the Gulf of Mexico and
87 having a population of more than thirty-one thousand seven hundred
88 (31,700) but less than thirty-one thousand eight hundred (31,800)
89 according to the 1990 Federal Census may appropriate and pay a sum
90 not to exceed * * * Seven Hundred Dollars (\$700.00) annually as a
91 clothing allowance to the administrator of the county jail.

92 The board of supervisors shall, at its first meeting of each
93 quarter beginning on October 1, January 1, April 1 and July 1,
94 appropriate a lump sum for the sheriff for the expenses of his or



95 her office during the current quarter. The quarterly
96 appropriation shall be one-fourth (1/4) of the amount approved in
97 the annual budget unless the sheriff requests a different amount.
98 Except in case of emergency, as provided in the county budget law,
99 the appropriation for the quarter beginning in October of the last
100 year of the sheriff's term shall not exceed one-fourth (1/4) of
101 the annual budget.

102 The sheriff shall file a report of all expenses of his or her
103 office incurred during the preceding month with the board of
104 supervisors for approval at its regular monthly meeting in a form
105 to be prescribed by the Director of the State Department of Audit,
106 and upon filing thereof, and approval by the board, the clerk of
107 the board shall issue warrants in payment thereof but not to
108 exceed the budget appropriation for that quarter. Any
109 appropriated funds * * * that are unexpended at the end of the
110 fiscal year shall remain in the county general fund.

111 The budget for the sheriff's office may be revised at any
112 regular meeting by the board of supervisors. Upon recommendation
113 of the sheriff, the board may at any regular meeting make
114 supplemental appropriations to the sheriff's office.

115 Any fees previously required to be paid by a sheriff shall be
116 paid by the board of supervisors by including the estimates
117 therefor in the sheriff's budget. All fees and charges for
118 services heretofore collected by sheriffs shall be collected
119 by * * * the sheriff and paid monthly into the general fund of the



120 concerned county. However, any fees heretofore collected by * * *
121 those sheriffs from the county shall not be paid.

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

