

By: Representatives Touchstone, Sykes

To: County Affairs

HOUSE BILL NO. 1047
(As Sent to Governor)

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; AND FOR
4 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 office for the ensuing fiscal year beginning October 1 in such
11 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 duties for the fiscal year and may increase or
15 reduce * * * that amount as it deems necessary and proper.

16 The budget shall include amounts for compensating the
17 deputies and other employees of the sheriff's office, for
18 insurance providing protection for the sheriff and his deputies in
19 case of disability, death and other similar coverage, for travel



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



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

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

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



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

79 The board of supervisors is hereby authorized and empowered,
80 in its discretion, to appropriate and pay a sum not to
81 exceed * * * One Thousand Dollars (\$1,000.00) annually as a
82 clothing allowance to each plainclothes investigator employed by
83 the sheriff's office of * * * that county. The board of
84 supervisors of any county bordering on the Gulf of Mexico and
85 having a population of more than thirty-one thousand seven hundred
86 (31,700) but less than thirty-one thousand eight hundred (31,800)
87 according to the 1990 Federal Census may appropriate and pay a sum
88 not to exceed * * * One Thousand Dollars (\$1,000.00) annually as a
89 clothing allowance to the administrator of the county jail.

90 The board of supervisors shall, at its first meeting of each
91 quarter beginning on October 1, January 1, April 1 and July 1,
92 appropriate a lump sum for the sheriff for the expenses of his
93 office during the current quarter. The quarterly appropriation
94 shall be one-fourth (1/4) of the amount approved in the annual



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

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

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

113 Any fees previously required to be paid by a sheriff shall be
114 paid by the board of supervisors by including the estimates
115 therefor in the sheriff's budget. All fees and charges for
116 services heretofore collected by sheriffs shall be collected
117 by * * * the sheriff and paid monthly into the general fund of the
118 concerned county. However, any fees heretofore collected by * * *
119 those sheriffs from the county shall not be paid.



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

