

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2827**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

29           **SECTION 1.** Section 9-1-43, Mississippi Code of 1972, is  
30 amended as follows:  
31           9-1-43. (1) After making deductions for employer  
32 contributions paid by the chancery or circuit clerk to the Public  
33 Employees' Retirement System under Sections 25-11-106.1 and  
34 25-11-123(f) (4), employee salaries and related salary expenses,  
35 and expenses allowed as deductions by Schedule C of the Internal  
36 Revenue Code, no office of the chancery clerk or circuit clerk of  
37 any county in the state shall receive fees as compensation for the  
38 chancery clerk's or circuit clerk's services in excess



39 of \* \* \*~~Ninety Thousand Dollars (\$90,000.00)~~ Ninety-nine Thousand  
40 One Dollars (\$99,001.00). All such fees received by the office of  
41 chancery or circuit clerks that are in excess of the salary  
42 limitation shall be deposited by such clerk into the county  
43 general fund on or before April 15 for the preceding calendar  
44 year. If the chancery clerk or circuit clerk serves less than one  
45 (1) year, then he shall not receive as compensation any fees in  
46 excess of that portion of the salary limitation that can be  
47 attributed to his time in office on a pro rata basis. Upon  
48 leaving office, income earned by any clerk in his last full year  
49 of office but not received until after his last full year of  
50 office shall not be included in determining the salary limitation  
51 of the successor clerk. There shall be exempted from the  
52 provisions of this subsection any monies or commissions from  
53 private or governmental sources which: (a) are to be held by the  
54 chancery or circuit clerk in a trust or custodial capacity as  
55 prescribed in subsections (4) and (5); or (b) are received as  
56 compensation for services performed upon order of a court or board  
57 of supervisors which are not required of the chancery clerk or  
58 circuit clerk by statute.

59 (2) It shall be unlawful for any chancery clerk or circuit  
60 clerk to use fees in excess of \* \* \*~~Ninety Thousand Dollars~~  
61 ~~(\$90,000.00)~~ Ninety-nine Thousand One Dollars (\$99,001.00), to pay  
62 the salaries or actual or necessary expenses of employees who are  
63 related to such clerk by blood or marriage within the first degree



64 of kinship according to the civil law method of computing kinship  
65 as provided in Sections 1-3-71 and 1-3-73. However, the  
66 prohibition of this subsection shall not apply to any individual  
67 who was an employee of the clerk's office prior to the date his or  
68 her relative was elected as chancery or circuit clerk. The spouse  
69 and/or any children of the chancery clerk or circuit clerk  
70 employed in the office of the chancery clerk may be paid a salary;  
71 however, the combined annual salaries of the clerk, spouse and any  
72 child of the clerk may not exceed an amount equal to the salary  
73 limitation.

74 (3) The chancery clerk and the circuit clerk shall be liable  
75 on their official bond for the proper deposit and accounting of  
76 all monies received by his office. The State Auditor shall  
77 promulgate uniform accounting methods for the accounting of all  
78 sources of income by the offices of the chancery and circuit  
79 clerk.

80 (4) There is created in the county depository of each county  
81 a clearing account to be designated as the "chancery court clerk  
82 clearing account," into which shall be deposited: (a) all such  
83 monies as the clerk of the chancery court shall receive from any  
84 person complying with any writ of garnishment, attachment,  
85 execution or other like process authorized by law for the  
86 enforcement of child support, spousal support or any other  
87 judgment; (b) any portion of any fees required by law to be  
88 collected in civil cases which are to pay for the service of



89 process or writs in another county; and (c) any other money as  
90 shall be deposited with the court which by its nature is not, at  
91 the time of its deposit, public monies, but which is to be held by  
92 the court in a trust or custodial capacity in a case or proceeding  
93 before the court. The clerk of the chancery court shall account  
94 for all monies deposited in and disbursed from such account and  
95 shall be authorized and empowered to draw and issue checks on such  
96 account at such times, in such amounts and to such persons as  
97 shall be proper and in accordance with law.

98 The following monies paid to the chancery clerk shall be  
99 subject to the salary limitation prescribed under subsection (1):

100 (a) all fees required by law to be collected for the filing,  
101 recording or abstracting of any bill, petition, pleading or decree  
102 in any civil case in chancery; (b) all fees collected for land  
103 recordings, charters, notary bonds, certification of decrees and  
104 copies of any documents; (c) all land redemption and mineral  
105 documentary stamp commissions; and (d) any other monies or  
106 commissions from private or governmental sources for statutory  
107 functions which are not to be held by the court in a trust  
108 capacity. Such fees as shall exceed the salary limitations shall  
109 be maintained in a bank account in the county depository and  
110 accounted for separately from those monies paid into the chancery  
111 court clerk clearing account.

112 (5) There is created in the county depository in each county  
113 a clearing account to be designated as the "circuit court clerk



114 civil clearing account," into which shall be deposited: (a) all  
115 such monies and fees as the clerk of the circuit court shall  
116 receive from any person complying with any writ of garnishment,  
117 attachment, execution or any other like process authorized by law  
118 for the enforcement of a judgment; (b) any portion of any fees  
119 required by law or court order to be collected in civil cases;  
120 (c) all fees collected for the issuance of marriage licenses; and  
121 (d) any other money as shall be deposited with the court which by  
122 its nature is not, at the time of its deposit, public monies but  
123 which is to be held by the court in a trust or custodial capacity  
124 in a case or proceeding before the court.

125       There is created in the county depository in each county a  
126 clearing account to be designated as the "circuit court clerk  
127 criminal clearing account," into which shall be deposited: (a)  
128 all such monies as are received in criminal cases in the circuit  
129 court pursuant to any order requiring payment as restitution to  
130 the victims of criminal offenses; (b) any portion of any fees and  
131 fines required by law or court order to be collected in criminal  
132 cases; and (c) all cash bonds as shall be deposited with the  
133 court. The clerk of the circuit court shall account for all  
134 monies deposited in and disbursed from such account and shall be  
135 authorized and empowered to draw and issue checks on such account,  
136 at such times, in such amounts and to such persons as shall be  
137 proper and in accordance with law; however, such monies as are  
138 forfeited in criminal cases shall be paid by the clerk of the



139 circuit court to the clerk of the board of supervisors for deposit  
140 in the general fund of the county.

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

149 (6) The chancery clerk and the circuit clerk shall establish  
150 and maintain a cash journal for recording cash receipts from  
151 private or government sources for furnishing copies of any papers  
152 of record or on file, or for rendering services as a notary  
153 public, or other fees wherein the total fee for the transaction is  
154 Ten Dollars (\$10.00) or less. The cash journal entry shall  
155 include the date, amount and type of transaction, and the clerk  
156 shall not be required to issue a receipt to the person receiving  
157 such services. The State Auditor shall not take exception to the  
158 furnishing of copies or the rendering of services as a notary by  
159 any clerk free of charge.

160 In any county having two (2) judicial districts, whenever the  
161 chancery clerk serves as deputy to the circuit clerk in one (1)  
162 judicial district and the circuit clerk serves as deputy to the  
163 chancery clerk in the other judicial district, the chancery clerk



164 may maintain a cash journal, separate from the cash journal  
165 maintained for chancery clerk receipts, for recording the cash  
166 receipts paid to him as deputy circuit clerk, and the circuit  
167 clerk may maintain a cash journal, separate from the cash journal  
168 maintained for circuit clerk receipts, for recording the cash  
169 receipts paid to him as deputy chancery clerk. The cash receipts  
170 collected by the chancery clerk in his capacity as deputy circuit  
171 clerk and the cash receipts collected by the circuit clerk in his  
172 capacity as deputy chancery clerk shall be subject to the salary  
173 limitation prescribed under subsection (1).

174 (7) Any clerk who knowingly shall fail to deposit funds or  
175 otherwise violate the provisions of this section shall be guilty  
176 of a misdemeanor in office and, upon conviction thereof, shall be  
177 fined in an amount not to exceed double the amount that he failed  
178 to deposit, or imprisoned for not to exceed six (6) months in the  
179 county jail, or be punished by both such fine and imprisonment.

180 **SECTION 2.** Section 23-15-225, Mississippi Code of 1972, is  
181 amended as follows:

182 23-15-225. (1) The registrar shall be entitled to such  
183 compensation, payable monthly out of the county treasury, which  
184 the board of supervisors of the county shall allow on an annual  
185 basis in the following amounts:

186 (a) For counties with a total population of more than  
187 two hundred thousand (200,000), an amount not to  
188 exceed \* \* \*~~Twenty-nine Thousand Nine Hundred Dollars (\$29,900.00)~~



189 Thirty-two Thousand Five Hundred Ninety-one Dollars (\$32,591.00),  
190 but not less than \* \* \*~~Nine Thousand Two Hundred Dollars~~  
191 ~~(\$9,200.00)~~ Ten Thousand Twenty-eight Dollars (\$10,028.00).

192 (b) For counties with a total population of more than  
193 one hundred thousand (100,000) and not more than two hundred  
194 thousand (200,000), an amount not to exceed \* \* \*~~Twenty-five~~  
195 ~~Thousand Three Hundred Dollars (\$25,300.00)~~ Twenty-seven Thousand  
196 Five Hundred Seventy-seven Dollars (\$27,577.00), but not less  
197 than \* \* \*~~Nine Thousand Two Hundred Dollars (\$9,200.00)~~ Ten  
198 Thousand Twenty-eight Dollars (\$10,028.00).

199 (c) For counties with a total population of more than  
200 fifty thousand (50,000) and not more than one hundred thousand  
201 (100,000), an amount not to exceed \* \* \*~~Twenty-three Thousand~~  
202 ~~Dollars (\$23,000.00)~~ Twenty-five Thousand Seventy Dollars  
203 (\$25,070.00), but not less than \* \* \*~~Nine Thousand Two Hundred~~  
204 ~~Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight Dollars  
205 (\$10,028.00).

206 (d) For counties with a total population of more than  
207 thirty-five thousand (35,000) and not more than fifty thousand  
208 (50,000), an amount not to exceed \* \* \*~~Twenty Thousand Seven~~  
209 ~~Hundred Dollars (\$20,700.00)~~ Twenty-two Thousand Five Hundred  
210 Sixty-three Dollars (\$22,563.00), but not less than \* \* \*~~Nine~~  
211 ~~Thousand Two Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight  
212 Dollars (\$10,028.00).





213 (e) For counties with a total population of more than  
214 twenty-five thousand (25,000) and not more than thirty-five  
215 thousand (35,000), an amount not to exceed \* \* \*~~Eighteen Thousand~~  
216 ~~Four Hundred Dollars (\$18,400.00)~~ Twenty Thousand Fifty-six  
217 Dollars (\$20,056.00), but not less than \* \* \*~~Nine Thousand Two~~  
218 ~~Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight Dollars  
219 (\$10,028.00).

220 (f) For counties with a total population of more than  
221 fifteen thousand (15,000) and not more than twenty-five thousand  
222 (25,000), an amount not to exceed \* \* \*~~Sixteen Thousand One~~  
223 ~~Hundred Dollars (\$16,100.00)~~ Seventeen Thousand Five Hundred  
224 Forty-nine Dollars (\$17,549.00), but not less than \* \* \*~~Nine~~  
225 ~~Thousand Two Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight  
226 Dollars (\$10,028.00).

227 (g) For counties with a total population of more than  
228 ten thousand (10,000) and not more than fifteen thousand (15,000),  
229 an amount not to exceed \* \* \*~~Thirteen Thousand Eight Hundred~~  
230 ~~Dollars (\$13,800.00)~~ Fifteen Thousand Forty-two Dollars  
231 (\$15,042.00), but not less than \* \* \*~~Eight Thousand Fifty Dollars~~  
232 ~~(\$8,050.00)~~ Eight Thousand Seven Hundred Seventy-four Dollars  
233 (\$8,774.00).

234 (h) For counties with a total population of more than  
235 six thousand (6,000) and not more than ten thousand (10,000), an  
236 amount not to exceed \* \* \*~~Eleven Thousand Five Hundred Dollars~~  
237 ~~(\$11,500.00)~~ Twelve Thousand Five Hundred Thirty-five Dollars



238 (\$12,535.00), but not less than \* \* \*~~Eight Thousand Fifty Dollars~~  
239 ~~(\$8,050.00)~~ Eight Thousand Seven Hundred Seventy-four Dollars  
240 (\$8,774.00).

241 (i) For counties with a total population of not more  
242 than six thousand (6,000), an amount not to exceed \* \* \*~~Nine~~  
243 ~~Thousand Two Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight  
244 Dollars (\$10,028.00) but not less than \* \* \*~~Six Thousand Three~~  
245 ~~Hundred Twenty-five Dollars (\$6,325.00)~~ Six Thousand Eight Hundred  
246 Ninety-four Dollars (\$6,894.00).

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

251 (2) In the event of a reregistration within such county, or  
252 a redistricting that necessitates the hiring of additional deputy  
253 registrars, the board of supervisors, in its discretion, may by  
254 contract compensate the county registrar amounts in addition to  
255 the sums prescribed herein.

256 (3) As compensation for their services in assisting the  
257 county election commissioners in performance of their duties in  
258 the revision of the voter roll as electronically maintained by the  
259 Statewide Elections Management System and in assisting the  
260 election commissioners, executive committees or boards of  
261 supervisors in connection with any election, the registrar shall  
262 receive the same daily per diem and limitation on meeting days as



263 provided for the board of election commissioners as set out in  
264 Sections 23-15-153 and 23-15-227 to be paid from the general fund  
265 of the county.

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

270 (5) The circuit clerk shall, in addition to any other  
271 compensation provided for by law, be entitled to receive as  
272 compensation from the board of supervisors the amount of Two  
273 Thousand Five Hundred Dollars (\$2,500.00) per year. This payment  
274 shall be for the performance of his or her duties in regard to the  
275 conduct of elections and the performance of his or her other  
276 duties.

277 (6) The municipal clerk shall, in addition to any other  
278 compensation for performance of duties, be eligible to receive as  
279 compensation from the municipality's governing authorities a  
280 reasonable amount of additional compensation for reimbursement of  
281 costs and for additional duties associated with mail-in  
282 registration of voters.

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



288           **SECTION 3.** Section 25-3-3, Mississippi Code of 1972, is  
289 amended as follows:

290           25-3-3. (1) The term "total assessed valuation" as used in  
291 this section only refers to the ad valorem assessment for the  
292 county and, in addition, in counties where oil or gas is produced,  
293 the actual value of oil at the point of production, as certified  
294 to the counties by the \* \* \*~~State Tax Commission~~ Department of  
295 Revenue under the provisions of Sections 27-25-501 through  
296 27-25-525, and the actual value of gas as certified by  
297 the \* \* \*~~State Tax Commission~~ Department of Revenue under the  
298 provisions of Sections 27-25-701 through 27-25-723.

299           (2) The salary of assessors and collectors of the various  
300 counties is fixed as full compensation for their services as  
301 county assessors or tax collectors, or both if the office of  
302 assessor has been combined with the office of tax collector. The  
303 annual salary of each assessor or tax collector, or both if the  
304 offices have been combined, shall be based upon the total assessed  
305 valuation of his respective county for the preceding taxable year  
306 in the following categories and for the following amounts:

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

310           ( \* \* \*~~a~~b) For counties having a total assessed  
311 valuation of at least Two Billion Dollars  
312 (\$2,000,000,000.00) \* \* \*~~or more~~ but less than Three Billion



313 Dollars (\$3,000,000,000.00), a salary of \* \* \*~~Sixty-four Thousand~~  
314 ~~Dollars \$64,000.00~~ Seventy-three Thousand Five Hundred Dollars  
315 (\$73,500.00);

316 ( \* \* \*bc) For counties having a total assessed  
317 valuation of at least One Billion Dollars (\$1,000,000,000.00) but  
318 less than Two Billion Dollars (\$2,000,000,000.00), a salary  
319 of \* \* \* ~~Sixty-one Thousand Five Hundred Dollars (\$61,500.00~~  
320 Seventy Thousand Seven Hundred Fifty Dollars (\$70,750.00);

321 ( \* \* \*ed) For counties having a total assessed  
322 valuation of at least Five Hundred Million Dollars  
323 (\$500,000,000.00) but less than One Billion Dollars  
324 (\$1,000,000,000.00), a salary of \* \* \* ~~Fifty-eight Thousand Five~~  
325 ~~Hundred Dollars (\$58,500.00)~~ Sixty-seven Thousand Two Hundred  
326 Fifty Dollars (\$67,250.00);

327 ( \* \* \*de) For counties having a total assessed  
328 valuation of at least Two Hundred Fifty Million Dollars  
329 (\$250,000,000.00) but less than Five Hundred Million Dollars  
330 (\$500,000,000.00), a salary of \* \* \* ~~Fifty-six Thousand~~  
331 ~~Dollars (\$56,000.00)~~ Sixty-four Thousand Two Hundred Fifty Dollars  
332 (\$64,250.00);

333 ( \* \* \*ef) For counties having a total assessed  
334 valuation of at least One Hundred Fifty Million Dollars  
335 (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars  
336 (\$250,000,000.00), a salary of \* \* \* ~~Fifty-four Thousand Dollars~~  
337 ~~(\$54,000.00)~~ Sixty-two Thousand Dollars (\$62,000.00);



338 ( \* \* \* ~~fg~~) For counties having a total assessed  
339 valuation of at least Seventy-five Million Dollars  
340 (\$75,000,000.00) but less than One Hundred Fifty Million Dollars  
341 (\$150,000,000.00), a salary of \* \* \* ~~Fifty-two Thousand Five~~  
342 ~~Hundred Dollars (\$52,500.00)~~ Sixty Thousand Two Hundred Fifty  
343 Dollars (\$60,250.00);

344 \* \* \* ~~\_\_\_\_\_ (g) For counties having a total assessed valuation~~  
345 ~~of at least Thirty-five Million Dollars (\$35,000,000.00) but less~~  
346 ~~than Seventy-five Million Dollars (\$75,000,000.00), a salary of~~  
347 ~~Forty-eight Thousand Five Hundred Dollars (\$48,500.00)~~;

348 (h) For counties having a total assessed valuation of  
349 less than \* \* \* ~~Thirty-five Million Dollars (\$35,000,000.00)~~  
350 Seventy-five Million Dollars (\$75,000,000.00), a salary  
351 of \* \* \* ~~Forty-one Thousand Five Hundred Dollars (41,500.00)~~  
352 Fifty-five Thousand Seven Hundred Fifty Dollars (\$55,750.00).

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

357 (4) The annual salary established for assessors and tax  
358 collectors shall not be reduced as a result of a reduction in  
359 total assessed valuation. The salaries shall be increased as a  
360 result of an increase in total assessed valuation.

361 (5) In addition to all other compensation paid to assessors  
362 and tax collectors in counties having two (2) judicial districts,



363 the board of supervisors shall pay such assessors and tax  
364 collectors an additional Three Thousand Five Hundred Dollars  
365 (\$3,500.00) per year. In addition to all other compensation paid  
366 to assessors or tax collectors, in counties maintaining two (2)  
367 full-time offices, the board of supervisors shall pay the assessor  
368 or tax collector an additional Three Thousand Five Hundred Dollars  
369 (\$3,500.00) per year.

370 (6) In addition to all other compensation paid to assessors  
371 and tax collectors, the board of supervisors of a county shall  
372 allow for such assessor or tax collector, or both, to be paid  
373 additional compensation when there is a contract between the  
374 county and one or more municipalities providing that the assessor  
375 or tax collector, or both, shall assess or collect taxes, or both,  
376 for the municipality or municipalities; and such assessor or tax  
377 collector, or both, shall be authorized to receive such additional  
378 compensation from the county and/or the municipality or  
379 municipalities in any amount allowed by the county and/or the  
380 municipality or municipalities for performing those services.

381 (7) When any tax assessor holds a valid certificate of  
382 educational recognition from the International Association of  
383 Assessing Officers or is a licensed appraiser under Section  
384 73-34-1 et seq., he shall receive an additional One Thousand Five  
385 Hundred Dollars (\$1,500.00) annually beginning the next fiscal  
386 year after completion. When any tax assessor is a licensed state  
387 certified Residential Appraiser (RA) or licensed state certified



388 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when  
389 any tax assessor holds a valid designation from the International  
390 Association of Assessing Officers as a Cadastral Mapping  
391 Specialist (CMS) or Personal Property Specialist (PPS) or  
392 Residential Evaluation Specialist (RES), he shall receive an  
393 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually  
394 beginning the next fiscal year after completion. When any tax  
395 assessor holds the valid designation of Certified Assessment  
396 Evaluator (CAE) from the International Association of Assessing  
397 Officers or is a state certified General Real Estate Appraiser  
398 (GA) under Section 73-34-1 et seq., he shall receive an additional  
399 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning  
400 the next fiscal year after completion.

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

405 (9) The salaries provided for in this section shall be  
406 payable monthly on the first day of each calendar month by  
407 chancery clerk's warrant drawn on the general fund of the county;  
408 however, the board of supervisors, by resolution duly adopted and  
409 entered on its minutes, may provide that such salaries shall be  
410 paid semimonthly on the first and fifteenth day of each month. If  
411 a pay date falls on a weekend or legal holiday, salary payments





412 shall be made on the workday immediately preceding the weekend or  
413 legal holiday.

414 **SECTION 4.** Section 25-3-7, Mississippi Code of 1972, is  
415 brought forward as follows:

416 25-3-7. From the State Treasury shall be paid up to  
417 one-fourth (1/4) of the salary of each county assessor, but in no  
418 instance shall the payment exceed the figure paid for the fiscal  
419 year of 1970-1971 to the assessor, whether or not the offices of  
420 assessor and tax collector are combined.

421 **SECTION 5.** Section 25-3-13, Mississippi Code of 1972, is  
422 amended as follows:

423 25-3-13. (1) The salaries of the members of the boards of  
424 supervisors of the various counties are fixed as full compensation  
425 for their services.

426 The annual salary of each member of the board of supervisors  
427 shall be based upon the total assessed valuation of his respective  
428 county for the preceding taxable year in the following categories  
429 and for the following amounts:

430 (a) For counties having a total assessed valuation of  
431 less than Thirty Million Dollars (\$30,000,000.00), a salary  
432 of \* \* \* ~~Twenty-nine Thousand Dollars (\$29,000.00)~~ Thirty-nine  
433 Thousand Dollars (\$39,000.00);

434 (b) For counties having a total assessed valuation of  
435 at least Thirty Million Dollars (\$30,000,000.00), but less than  
436 Fifty Million Dollars (\$50,000,000.00), a salary of \* \* \*



437 ~~Thirty-two Thousand Three Hundred Dollars (\$32,300.00)~~ Forty-two  
438 Thousand Three Hundred Dollars (\$42,300.00);

439 (c) For counties having a total assessed valuation of  
440 at least Fifty Million Dollars (\$50,000,000.00), but less than  
441 Seventy-five Million Dollars (\$75,000,000.00), a salary of \* \* \*  
442 ~~Thirty-three Thousand Seven Hundred Dollars (\$33,700.00)~~  
443 Forty-three Thousand Seven Hundred Dollars (\$43,700.00);

444 (d) For counties having a total assessed valuation of  
445 at least Seventy-five Million Dollars (\$75,000,000.00), but less  
446 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a  
447 salary of \* \* \* ~~Thirty-four Thousand Seven Hundred Dollars~~  
448 ~~(\$34,700.00)~~ Forty-four Thousand Seven Hundred Dollars  
449 (\$44,700.00);

450 (e) For counties having a total assessed valuation of  
451 at least One Hundred Twenty-five Million Dollars  
452 (\$125,000,000.00), but less than Three Hundred Million Dollars  
453 (\$300,000,000.00), a salary of \* \* \* ~~Forty Thousand Four Hundred~~  
454 ~~Dollars (\$40,400.00)~~ Fifty Thousand Four Hundred Dollars  
455 (\$50,400.00);

456 (f) For counties having a total assessed valuation of  
457 at least Three Hundred Million Dollars (\$300,000,000.00), but less  
458 than One Billion Dollars (\$1,000,000,000.00), a salary of \* \* \*  
459 ~~Forty-four Thousand Seven Hundred Dollars (\$44,700.00)~~ Fifty-four  
460 Thousand Seven Hundred Dollars (\$54,700.00);



461 (g) For counties having a total assessed valuation of  
462 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion  
463 Dollars (\$2,000,000,000.00), a salary of \* \* \* ~~Forty-five Thousand~~  
464 ~~Seven Hundred Dollars (\$45,700.00)~~ Fifty-five Thousand Seven  
465 Hundred Dollars (\$55,700.00);

466 (h) For counties having a total assessed valuation of  
467 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of \* \* \*  
468 ~~Forty-six Thousand Seven Hundred Dollars (\$46,700.00)~~ Fifty-six  
469 Thousand Seven Hundred Dollars (\$56,700.00).

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

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

477 **SECTION 6.** Section 25-7-9, Mississippi Code of 1972, is  
478 amended as follows:

479 25-7-9. (1) The clerks of the chancery courts shall charge  
480 the following fees:

481 (a) For the act of certifying copies of filed  
482 documents, for each complete document.....\$ 1.00

483 (b) \* \* \* ~~(i)~~ Recording each deed, will, lease,  
484 amendment, subordination, lien, release, cancellation, order,  
485 decree, oath, etc., per book and page listed where



486 applicable \* \* \*~~r~~, each deed of trust, or any other document, for  
487 the first \* \* \*~~fifteen (15)~~ five (5) pages....\$ \* \* \*~~10.00~~ 25.00  
488                   Each additional page.....\$ 1.00  
489 \* \* \*~~(ii)~~ ~~Sectional index entries per section or subdivision~~  
490 ~~lot.....\$ 1.00~~  
491 ~~----- (c) Recording each deed of trust, for the first~~  
492 ~~fifteen (15) pages.....\$ 15.00~~  
493 .....Each additional  
494 page.....\$ 1.00  
495 Sectional index entries per section or subdivision  
496 lot.....\$ 1.00  
497                   ( \* \* \*~~d~~c) (i) Recording oil and gas leases,  
498 cancellations, etc., including indexing in general indices; for  
499 the first fifteen (15) pages.....\$ 18.00  
500                   Each additional page.....\$ 1.00  
501                   (ii) Sectional index entries per section or  
502 subdivision lot.....\$ 1.00  
503                   (iii) Recording each oil and gas assignment  
504 per assignee per each book and page listed.....\$ 18.00  
505                   ( \* \* \*~~e~~d) (i) Furnishing copies of any papers of  
506 record or on file:  
507                   If performed by the clerk or his employee,  
508 per page.....\$ .50  
509                   If performed by any other person,  
510 per page.....\$ .25



511 (ii) Entering marginal notations on  
512 documents of record.....\$ 1.00

513 ( \* \* \*fe) For each day's attendance on the board of  
514 supervisors, for himself and one (1) deputy, each.....\$ 20.00

515 ( \* \* \*gf) For other services as clerk of the board of  
516 supervisors an allowance shall be made to him (payable  
517 semiannually at the July and January meetings) out of the county  
518 treasury, an annual sum not exceeding.....\$3,000.00

519 ( \* \* \*hg) For each day's attendance on the chancery  
520 court, to be approved by the chancellor:

521 For the first chancellor sitting only, clerk and  
522 two (2) deputies, each.....\$ \* \* \*~~50.00~~ 85.00

523 For the second chancellor sitting,  
524 clerk only.....\$ \* \* \*~~50.00~~ 85.00

525 Provided that the fees herein prescribed shall be the total  
526 remuneration for the clerk and his deputies for attending chancery  
527 court.

528 ( \* \* \*ih) On order of the court, clerks and not more  
529 than two (2) deputies may be allowed five (5) extra days for each  
530 term of court for attendance upon the court to get up records.

531 ( \* \* \*ji) For public service not otherwise  
532 specifically provided for, the chancery court may by order allow  
533 the clerk to be paid by the county on the order of the board of  
534 supervisors, an annual sum not exceeding.....\$5,000.00



535 ( \* \* \*~~kj~~) For each civil filing, to be deposited into  
536 the Civil Legal Assistance Fund.....\$ 5.00

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

542 (2) The following \* \* \*~~fees~~ fee shall be a total fee for all  
543 services performed by the clerk with respect to \* \* \*~~a complaint~~  
544 any civil case filed that includes, but is not limited to,  
545 divorce, alteration of birth or marriage certificate, removal of  
546 minority, guardianship or conservatorship, estate of deceased,  
547 adoption, land dispute injunction, settlement of small claim,  
548 contempt, modification, partition suit, or commitment, which shall  
549 be payable upon filing and shall accrue to the chancery clerk at  
550 the time of filing. The clerk or his successor in office shall  
551 perform all duties set forth without additional compensation or  
552 fee \* \* \*.....~~to wit(a)~~

553	<del>Divorce to be contested</del>	<del>\$75.00</del>	<del>(b) Divorce uncontested</del>	<del>\$30.00</del>
554	<del>(c) Alteration of birth or marriage certificate</del>	<del>..</del>	<del>\$25.00</del>	
555	<del>(d) Removal of minority</del>	<del>.....</del>	<del>\$25.00</del>	
556	<del>(e) Guardianship or conservatorship</del>	<del>.....</del>	<del>\$75.00</del>	
557	<del>(f) Estate of deceased, intestate</del>	<del>.....</del>	<del>\$75.00</del>	
558	<del>(g) Estate of deceased, testate</del>	<del>.....</del>	<del>\$75.00</del>	
559	<del>(h) Adoption</del>	<del>.....</del>	<del>\$75.00</del>	



560	<del>(i) Land dispute.....</del>	<del>\$75.00</del>
561	<del>(j) Injunction.....</del>	<del>\$75.00</del>
562	<del>(k) Settlement of small claim.....</del>	<del>\$30.00</del>
563	<del>(l) Contempt in child support.....</del>	<del>\$75.00</del>
564	<del>(m) Partition suit.....</del>	<del>\$75.00</del>
565	<del>(n) Any cross-complaint.....</del>	<del>\$25.00</del>
566	<del>(o) Commitment</del>	<del>\$75.00</del> \$ 85.00

567 (3) For every civil case filed:

568 (a) An additional fee to be deposited to the credit of  
569 the Comprehensive Electronic Court Systems Fund established in  
570 Section 9-21-14.....\$ 10.00

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

574 (4) Cost of process shall be borne by the issuing party.  
575 Additionally, should the attorney or person filing the pleadings  
576 desire the clerk to pay the cost to the sheriff for serving  
577 process on one (1) person or more, or to pay the cost of  
578 publication, the clerk shall demand the actual charges therefor,  
579 at the time of filing.

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

582 25-7-13. (1) The clerks of the circuit court shall charge  
583 the following fees:



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

586 The fee set forth in this paragraph shall be the total fee  
587 for all services performed by the clerk up to and including entry  
588 of judgment with respect to each complaint, petition or  
589 indictment, including all answers, claims, orders, continuances  
590 and other papers filed therein, issuing each writ, summons,  
591 subpoena or other such instruments, swearing witnesses, taking and  
592 recording bonds and pleas, and recording judgments, orders, fiats  
593 and certificates; the fee shall be payable upon filing and shall  
594 accrue to the clerk at the time of collection. The clerk or his  
595 successor in office shall perform all duties set forth above  
596 without additional compensation or fee.

597 (b) Docketing and filing each motion to renew judgment,  
598 notice of renewal of judgment, suggestion for a writ of  
599 garnishment, suggestion for a writ of execution and judgment  
600 debtor actions and issuing all process, filing and recording  
601 orders or other papers and swearing witnesses.....\$ 35.00

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

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





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

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

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

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

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

617           (e) Recording orders, fiats, licenses, certificates,  
618 oaths and bonds:

619                 First page.....\$     2.00

620                 Each additional page.....\$     1.00

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

623                 If performed by the clerk or his employee,  
624 per page.....\$     1.00

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

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

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

628           (i) For taking and recording application for marriage  
629 license, for filing and recording consent of parents when required  
630 by law, for filing and recording medical certificate, filing and  
631 recording proof of age, recording and issuing license, recording  
632 and filing returns.....\$     20.00



633           The clerk shall deposit Fourteen Dollars (\$14.00) of each fee  
634 collected for a marriage license in the Victims of Domestic  
635 Violence Fund established in Section 93-21-117, on a monthly  
636 basis.

637           (j) For certified copy of marriage license and search  
638 of record, the same fee charged by the Bureau of Vital Statistics  
639 of the State Board of Health.

640           (k) For public service not particularly provided for,  
641 the circuit court may allow the clerk, per annum, to be paid by  
642 the county on presentation of the circuit court's order, the  
643 following amount.....\$5,000.00

644           However, in the counties having two (2) judicial districts,  
645 such above allowance shall be made for each judicial district.

646           (l) For drawing jurors and issuing venire, to be paid  
647 by the county.....\$     5.00

648           (m) For each day's attendance upon the circuit court  
649 term, for himself and necessary deputies allowed by the court,  
650 each to be paid by the county.....\$ \* \* \*~~50.00~~     75.00

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

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

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



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

661 (4) The clerk's fees in state cases where the state fails in  
662 the prosecution, or in cases of felony where the defendant is  
663 convicted and the cost cannot be made out of his estate, in an  
664 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)  
665 year, shall be paid out of the county treasury on approval of the  
666 circuit court, and the allowance thereof by the board of  
667 supervisors of the county. In counties having two (2) judicial  
668 districts, such allowance shall be made in each judicial district;  
669 however, the maximum thereof shall not exceed Eight Hundred  
670 Dollars (\$800.00). Clerks in the circuit court, in cases where  
671 appeals are taken in criminal cases and no appeal bond is filed,  
672 shall be allowed by the board of supervisors of the county after  
673 approval of their accounts by the circuit court, in addition to  
674 the above fees, for making such transcript the rate of Two Dollars  
675 (\$2.00) per page.

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

680 (6) For making final records required by law, including, but  
681 not limited to, circuit and county court minutes, and furnishing  
682 transcripts of records, the circuit clerk shall charge Two Dollars



683 (\$2.00) per page. The same fees shall be allowed to all officers  
684 for making and certifying copies of records or papers which they  
685 are authorized to copy and certify.

686 (7) The circuit clerk shall prepare an itemized statement of  
687 fees for services performed, cost incurred, or for furnishing  
688 copies of any papers of record or on file, and shall submit the  
689 statement to the parties or, if represented, to their attorneys  
690 within sixty (60) days. A bill for same shall accompany the  
691 statement.

692 **SECTION 8.** Section 25-7-19, Mississippi Code of 1972, is  
693 amended as follows:

694 25-7-19. (1) The sheriffs of the various counties of the  
695 State of Mississippi shall charge the following fees:

696 (a) A uniform total fee in all criminal and civil cases  
697 for the service or attempted service of any process, summons,  
698 warrant, writ or other notice as may be required by law or the  
699 court, each.....\$ \* \* \*~~35.00~~ 45.00

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

703 (c) After final judgment has been enrolled, notice of  
704 further proceedings involving levy of execution on judgments, and  
705 attachment and garnishment proceedings, shall be deemed a new suit  
706 and the sheriff shall be entitled to the  
707 following fee .....\$ \* \* \*~~35.00~~ 45.00



708 (d) Taking bonds of every kind (for purposes of this  
709 fee multiple bonds for criminal charges arising out of a single  
710 incident or transaction shall be considered a single  
711 bond).....\$ 25.00

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

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

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

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

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

723 (g) For all service of all process of every kind and  
724 nature issued from without the county wherein it is to be served,  
725 a fee of.....\$ \* \* \*~~35.00~~ 45.00

726 In civil cases, all process sent out of the county, where  
727 issued to another county for service, shall be accompanied by a  
728 fee of \* \* \*~~Thirty-five Dollars (\$35.00)~~ Forty-five Dollars  
729 (\$45.00) to pay the sheriff's fee for his execution of such  
730 process unless the clerk or justice shall endorse on the process  
731 that the party at whose instance it issued had filed an affidavit  
732 of inability to pay costs thereof. All fees sent and unearned,



733 and the whole of it, shall be unearned if the writ be not legally  
734 and properly executed and returned, and shall be remitted by the  
735 sheriff with the writ at his own expense.

736 (2) (a) The sheriff shall keep a complete account of every  
737 fee of every nature, commission or charge collected by him, and  
738 shall file an itemized statement thereof monthly, under oath, with  
739 the clerk of the board of supervisors of his county who shall  
740 preserve same as a part of the records of his office, and he shall  
741 make a remittance to the clerk of the board of supervisors of his  
742 county on or before the fifteenth of each month for deposit into  
743 the general fund of the county of all said fees, commissions and  
744 charges collected during the preceding month. A fee for attempted  
745 service of process is unearned absent two (2) documented actual  
746 attempts to serve the process.

747 (b) At least Ten Dollars (\$10.00) from each fee  
748 collected and deposited into the county's general fund under the  
749 provisions of paragraphs (a), (c) and (g) of subsection (1) of  
750 this section shall be used for the sheriffs' salaries authorized  
751 in Section 25-3-25, as such Ten Dollar (\$10.00) amount was  
752 authorized during the 2007 Regular Session in Chapter 331, Laws of  
753 2007, for the purpose of providing additional monies to the  
754 counties for sheriffs' salaries.

755 (3) Any sheriff who shall knowingly fail to collect any fee  
756 established by law which was in fact collectible by him or having  
757 collected the fee shall fail to keep account of such fee or fail



758 to deposit the fee with the clerk of the board of supervisors as  
759 provided by subsection (2), or such other person or office  
760 entitled thereto, shall be guilty of a misdemeanor in office and,  
761 upon conviction therefor, shall be fined in an amount not to  
762 exceed double the amount he failed to collect or pay over, or  
763 imprisoned for not to exceed six (6) months in the county jail, or  
764 be punished by both such fine and imprisonment.

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

768 **SECTION 9.** Section 25-7-27, Mississippi Code of 1972, is  
769 amended as follows:

770 25-7-27. (1) Marshals and constables shall charge the  
771 following fees:

772 (a) (i) \* \* \* ~~A uniform total fee~~ In all civil and  
773 criminal cases, \* \* \* ~~whether contested or uncontested, which~~  
774 ~~shall include all services in connection therewith, except as~~  
775 ~~stated otherwise in this section, each~~ for each service of  
776 process, summons, warrant, writ or  
777 other notice.....\$35.00 \* \* \*40.00 45.00

778 \* \* \* (ii) ~~A uniform total fee in all criminal cases, whether~~  
779 ~~contested or uncontested, which shall include all services in~~  
780 ~~connection therewith, except as stated otherwise in this section,~~  
781 ~~each~~.....\$35.00



782 ( \* \* \* ~~iiii~~) In all cases where there is more  
783 than one (1) defendant residing at the same household, for service  
784 on each additional defendant.....\$ 5.00

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

789 (iv) When a complaining party has provided  
790 erroneous information to the clerk of the court relating to the  
791 service of process on the defendant or defendants and process  
792 cannot be served after diligent search and inquiry on oath thereof  
793 of the marshal or constable, as the case may be, charged with  
794 serving such process, the \* \* \* ~~uniform~~ fees provided in  
795 subparagraphs (i) and (ii) of this paragraph, as applicable, shall  
796 be assessed \* \* \* ~~upon subsequent successful service and an~~  
797 additional fee shall be due in the following amount.....\$15.00.

798 (v) When \* \* \* ~~a~~ complaining party has provided  
799 ~~erroneous information to the clerk of the court relating to the~~  
800 ~~service of process on the defendant or defendants and process~~  
801 ~~cannot be served after diligent search and inquiry, and a~~  
802 ~~defendant is served in a county other than the county in which a~~  
803 ~~suit was filed, the constable in the county in which the suit was~~  
804 ~~filed shall receive an additional fee, upon successful service of~~  
805 ~~the defendant, in the following amount ...\$15.00~~ process has been  
806 attempted in one (1) county but the defendant is not found, and





807 process must be served on that defendant in another county, the  
808 clerk shall notify the complaining party that an additional fee or  
809 fees must be paid before the process can be delivered to the other  
810 county.

811 (b) After final judgment has been enrolled, further  
812 proceedings involving levy of execution on judgments, and  
813 attachment and garnishment proceedings shall be a new suit for  
814 which the marshal or constable shall be entitled to the following  
815 fee.....\$ \* \* \*~~35.00~~ 45.00

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

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

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

824 (e) For service as a bailiff in any court in a civil  
825 case, to be paid by the county on allowance of the court on  
826 issuance of a warrant therefor, an amount equal to the \* \* \*~~per~~  
827 ~~diem compensation amount~~ provided under Section \* \* \*~~25-3-69~~  
828 19-25-31 for each day, or part thereof, for which he serves as  
829 bailiff when the court is in session.

830 (f) For serving all warrants and other process and  
831 attending all trials in state cases in which the state fails in



832 the prosecution, to be paid out of the county treasury on the  
833 allowance of the board of supervisors without itemization,  
834 subject, however, to the condition that the marshal or constable  
835 must not have overcharged in the collection of fees for costs,  
836 contrary to the provisions of this section,  
837 annually .....\$ \* \* \*~~1,800.00~~ 2,500.00

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

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

846 **SECTION 10.** Section 41-61-59, Mississippi Code of 1972, is  
847 amended as follows:

848 41-61-59. (1) A person's death that affects the public  
849 interest as specified in subsection (2) of this section shall be  
850 promptly reported to the medical examiner by the physician in  
851 attendance, any hospital employee, any law enforcement officer  
852 having knowledge of the death, the embalmer or other funeral home  
853 employee, any emergency medical technician, any relative or any  
854 other person present. The appropriate medical examiner shall  
855 notify the municipal or state law enforcement agency or sheriff  
856 and take charge of the body. When the medical examiner has



857 received notification under Section 41-39-15(6) that the deceased  
858 is medically suitable to be an organ and/or tissue donor, the  
859 medical examiner's authority over the body shall be subject to the  
860 provisions of Section 41-39-15(6). The appropriate medical  
861 examiner shall notify the Mississippi Bureau of Narcotics within  
862 twenty-four (24) hours of receipt of the body in cases of death as  
863 described in subsection (2)(m) or (n) of this section.

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

866 (a) Violent death, including homicidal, suicidal or  
867 accidental death.

868 (b) Death caused by thermal, chemical, electrical or  
869 radiation injury.

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

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

874 (e) Death that has occurred unexpectedly or from an  
875 unexplained cause.

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

878 (g) Death of a person where a physician was not in  
879 attendance within thirty-six (36) hours preceding death, or in  
880 prediagnosed terminal or bedfast cases, within thirty (30) days  
881 preceding death.



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

884           (i) Death of a person where the identity of the  
885 deceased is unknown.

886           (j) Death of a child under the age of two (2) years  
887 where death results from an unknown cause or where the  
888 circumstances surrounding the death indicate that sudden infant  
889 death syndrome may be the cause of death.

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

894           (l) Where a person is presented to a hospital emergency  
895 room unconscious and/or unresponsive, with cardiopulmonary  
896 resuscitative measures being performed, and dies within  
897 twenty-four (24) hours of admission without regaining  
898 consciousness or responsiveness, unless a physician was in  
899 attendance within thirty-six (36) hours preceding presentation to  
900 the hospital, or in cases in which the decedent had a prediagnosed  
901 terminal or bedfast condition, unless a physician was in  
902 attendance within thirty (30) days preceding presentation to the  
903 hospital.

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



906 (n) When a stillborn fetus is delivered and the cause  
907 of the demise is medically believed to be from the use by the  
908 mother of any controlled substance as defined in Section  
909 41-29-105.

910 (3) The State Medical Examiner is empowered to investigate  
911 deaths, under the authority hereinafter conferred, in any and all  
912 political subdivisions of the state. The county medical examiners  
913 and county medical examiner investigators, while appointed for a  
914 specific county, may serve other counties on a regular basis with  
915 written authorization by the State Medical Examiner, or may serve  
916 other counties on an as-needed basis upon the request of the  
917 ranking officer of the investigating law enforcement agency. If a  
918 death affecting the public interest takes place in a county other  
919 than the one where injuries or other substantial causal factors  
920 leading to the death have occurred, jurisdiction for investigation  
921 of the death may be transferred, by mutual agreement of the  
922 respective medical examiners of the counties involved, to the  
923 county where the injuries or other substantial causal factors  
924 occurred, and the costs of autopsy or other studies necessary to  
925 the further investigation of the death shall be borne by the  
926 county assuming jurisdiction.

927 (4) The chief county medical examiner or chief county  
928 medical examiner investigator may receive from the county in which  
929 he serves a salary of \* \* \*~~Nine Hundred Dollars (\$900.00)~~ One  
930 Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in



931 addition to the fees specified in Sections 41-61-69 and 41-61-75,  
932 provided that no county shall pay the chief county medical  
933 examiner or chief county medical examiner investigator less  
934 than \* \* \*~~One Hundred Dollars (\$100.00)~~ Three Hundred Dollars  
935 (\$300.00) per month as a salary, in addition to other compensation  
936 provided by law. In any county having one or more deputy medical  
937 examiners or deputy medical examiner investigators, each deputy  
938 may receive from the county in which he serves, in the discretion  
939 of the board of supervisors, a salary of not more than Nine  
940 Hundred Dollars (\$900.00) per month, in addition to the fees  
941 specified in Sections 41-61-69 and 41-61-75; however, no county  
942 shall pay the deputy medical examiners or deputy medical examiner  
943 investigators less than Three Hundred Dollars (\$300.00) per month  
944 as a salary in addition to other compensation provided by law.  
945 For this salary the chief shall assure twenty-four-hour daily and  
946 readily available death investigators for the county, and shall  
947 maintain copies of all medical examiner death investigations for  
948 the county for at least the previous five (5) years. He shall  
949 coordinate his office and duties and cooperate with the State  
950 Medical Examiner, and the State Medical Examiner shall cooperate  
951 with him.

952       **SECTION 11.** Section 41-61-75, Mississippi Code of 1972, is  
953 amended as follows:

954       41-61-75. (1) For each investigation with the preparation  
955 and submission of the required reports, the following fees shall



956 be billed to and paid by the county for which the service is  
957 provided:

958 (a) A medical examiner or his deputy shall  
959 receive \* \* \*~~One Hundred Twenty-five Dollars (\$125.00)~~ One Hundred  
960 Seventy-five Dollars (\$175.00) for each completed report of  
961 investigation of death, plus the examiner's actual expenses. In  
962 addition to that fee, in cases where the cause of death was sudden  
963 infant death syndrome (SIDS) and the medical examiner provides a  
964 SIDS Death Scene Investigation report, the medical examiner shall  
965 receive for completing that report an additional Fifty Dollars  
966 (\$50.00), or an additional One Hundred Dollars (\$100.00) if the  
967 medical examiner has received advanced training in child death  
968 investigations and presents to the county a certificate of  
969 completion of that advanced training. The State Medical Examiner  
970 shall develop and prescribe a uniform format and list of matters  
971 to be contained in SIDS/Child Death Scene Investigation reports,  
972 which shall be used by all county medical examiners and county  
973 medical examiner investigators in the state.

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



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

986 (3) This section shall stand repealed on July 1, \* \* \* ~~2017~~  
987 2021.

988 **SECTION 12.** Section 25-60-5, Mississippi Code of 1972, is  
989 brought forward as follows:

990 25-60-5. (1) Except as provided in subsection (2) of this  
991 section, any county or municipal official or employee who accepts  
992 documents for filing as public records shall, in addition to any  
993 other fee provided elsewhere by law, collect a fee of One Dollar  
994 (\$1.00) for each document so filed. In municipalities and  
995 counties that collect Three Hundred Dollars (\$300.00) or more per  
996 month from the filing fee, the official or employee collecting the  
997 fee shall, on or before the last day of each month, deposit the  
998 avails of Fifty Cents (50¢) of the fee into the general fund of  
999 the county or municipality, as appropriate, and remit the  
1000 remainder to the State Treasurer who shall deposit it to the  
1001 credit of a statewide local government records management fund  
1002 which is hereby created in the State Treasury. In municipalities  
1003 and counties that collect less than Three Hundred Dollars  
1004 (\$300.00) per month from the filing fee, the avails of Fifty Cents





1005 (50¢) of the fee shall be remitted to the State Treasurer on a  
1006 quarterly basis for deposit as provided in the previous sentence.  
1007 Any monies remaining in the fund at the end of a fiscal year shall  
1008 not lapse into the General Fund of the State Treasury. Counties  
1009 and municipalities shall expend monies derived from the fee  
1010 hereinabove imposed solely to support proper management of their  
1011 official records in accordance with records management standards  
1012 established by the Department of Archives and History. Monies in  
1013 the Local Government Records Management Fund shall be expended by  
1014 the Department of Archives and History, pursuant to legislative  
1015 appropriation, to support the Local Government Records Office of  
1016 the department and to support a local records management grant  
1017 program as funds permit.

1018 (2) The fee provided in subsection (1) of this section shall  
1019 not be collected in any county until the board of supervisors, by  
1020 resolution spread upon its minutes, determines that it will  
1021 collect the fee.

1022 (3) Each municipality and participating county may collect  
1023 the filing fee provided for in this section on filings in any  
1024 court subject to their respective jurisdiction.

1025 **SECTION 13.** This act shall take effect and be in force from  
1026 and after January 1, 2020, and shall stand repealed from and after  
1027 December 31, 2019.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**



1 AN ACT TO AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE LIMIT ON COMPENSATION OF CHANCERY CLERKS AND CIRCUIT  
3 CLERKS; TO AMEND SECTION 23-15-225, MISSISSIPPI CODE OF 1972, TO  
4 INCREASE THE COMPENSATION OF COUNTY REGISTRARS OF ELECTION; TO  
5 AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
6 SALARIES OF COUNTY TAX ASSESSORS AND COLLECTORS; TO BRING FORWARD  
7 SECTION 25-3-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A CAP ON  
8 THE SALARIES OF TAX ASSESSORS, FOR THE PURPOSE OF POSSIBLE  
9 AMENDMENT; TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO  
10 INCREASE THE SALARIES OF COUNTY SUPERVISORS; TO AMEND SECTION  
11 25-7-9, MISSISSIPPI CODE OF 1972, TO INCREASE CERTAIN FILING FEES  
12 CHARGED BY CHANCERY CLERKS FOR THE RECORDING OF DOCUMENTS; TO  
13 AMEND SECTION 25-7-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
14 FEE PAID TO THE CIRCUIT CLERK FOR EACH DAY'S ATTENDANCE UPON THE  
15 CIRCUIT COURT TERM; TO AMEND SECTION 25-7-19, MISSISSIPPI CODE OF  
16 1972, TO INCREASE THE FEES CHARGED BY SHERIFFS; TO AMEND SECTION  
17 25-7-27, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEES CHARGED BY  
18 MARSHALS AND CONSTABLES; TO AMEND SECTION 41-61-59, MISSISSIPPI  
19 CODE OF 1972, TO INCREASE THE SALARIES OF THE COUNTY MEDICAL  
20 EXAMINERS, DEPUTY MEDICAL EXAMINERS AND DEPUTY MEDICAL EXAMINER  
21 INVESTIGATORS; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF  
22 1972, TO INCREASE THE FEES PAID BY THE COUNTY TO A MEDICAL  
23 EXAMINER OR HIS DEPUTY FOR FILING CERTAIN INVESTIGATION REPORTS,  
24 AND TO EXTEND THE DATE OF REPEAL THEREON; TO BRING FORWARD SECTION  
25 25-60-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A FILING FEE  
26 FOR CERTAIN DOCUMENTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND  
27 FOR RELATED PURPOSES.

