

By: Representative Hines

To: Workforce Development;
Judiciary A

HOUSE BILL NO. 2

1 AN ACT TO CREATE THE MISSISSIPPI COMMISSION ON WAGE REVIEW;
 2 TO REQUIRE THE COMMISSION TO EXAMINE THE WAGES PAID TO MISSISSIPPI
 3 EMPLOYEES, BOTH PUBLIC AND PRIVATE, ESTABLISH MEASURABLE GOALS AND
 4 BENCHMARKS FOR THE STATE OF MISSISSIPPI RELATING TO WAGES, AND
 5 SUBMIT A REPORT OF ITS FINDINGS TO THE MISSISSIPPI DEPARTMENT OF
 6 EMPLOYMENT SECURITY AND THE MISSISSIPPI LEGISLATURE EVERY TWO
 7 YEARS; TO ESTABLISH THE MEMBERSHIP OF THE COMMISSION; TO BRING
 8 FORWARD SECTIONS 7-7-204, 23-15-239, 37-7-307, 57-34-5, 85-3-4,
 9 97-3-54.4, 99-19-20, 17-1-51, 17-1-53, 17-1-55, 25-3-2, 25-3-3,
 10 25-3-7, 25-3-9, 25-3-11, 25-3-13, 25-3-15, 25-3-17, 25-3-19,
 11 25-3-21, 25-3-23, 25-3-25, 25-3-27, 25-3-29, 25-3-31, 25-3-34,
 12 25-3-35, 25-3-36, 25-3-37, 25-3-38, 25-3-39, 25-3-39.1, 25-3-40,
 13 25-3-41, 25-3-43, 25-3-45, 25-3-47, 25-3-49, 25-3-51, 25-3-53,
 14 25-3-55, 25-3-57, 25-3-59, 25-3-61, 25-3-67, 25-3-69, 25-3-71 AND
 15 71-1-45, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE
 16 AMENDMENT; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** (1) There is hereby created the Mississippi
 19 Commission on Wage Review to examine the wages paid to Mississippi
 20 employees, both public and private, establish measurable goals and
 21 benchmarks for the State of Mississippi relating to wages, and
 22 submit a report of its findings to the Mississippi Department of
 23 Employment Security and the Mississippi Legislature every two (2)
 24 years.



25 (2) The commission shall be composed of the following seven
26 (7) members:

27 (a) The Executive Director of the Mississippi
28 Department of Human Services, or his or her designee;

29 (b) The President of the Mississippi Manufacturers
30 Association, or his or her designee;

31 (c) The Executive Director of the Mississippi
32 Development Authority, or his or her designee;

33 (d) The President of the Magnolia Bar Association, or
34 his or her designee;

35 (e) The State Director of the AARP Mississippi, or his
36 or her designee;

37 (f) One (1) person appointed by the Governor from a
38 nonprofit organization that works with job training and
39 employment; and

40 (g) The State Economist, or his or her designee.

41 (3) The commission shall have the following duties:

42 (a) Review the wages of all employees within the State
43 of Mississippi at least every two (2) years;

44 (b) Compare the wages paid to employees within the
45 State of Mississippi to those wages paid to employees within the
46 Southeastern region of the country;

47 (c) Provide reports and recommendations to the
48 Mississippi Department of Employee Security regarding the wage
49 differentials between those wages paid to employees in Mississippi



50 and those wages paid to employees within the Southeastern region
51 of the country; and

52 (d) Provide the report required under paragraph (c) of
53 this subsection to the Legislature every two (2) years.

54 (4) Appointments shall be made within thirty (30) days after
55 the effective date of this act. The commission shall hold its
56 first meeting before August 1, 2019, and at its first meeting, the
57 commission shall elect a chair and vice chair from among its
58 membership.

59 (5) A majority of the members of the commission shall
60 constitute a quorum. In the adoption of the rules, resolutions
61 and reports, an affirmative vote of a majority of the members
62 shall be required. All members shall be notified in writing of
63 all meetings, such notices shall be mailed at least five (5) days
64 before the date on which a meeting is to be held.

65 (6) To effectuate the purposes of this section, any
66 department, division, board, bureau, committee or agency of the
67 state or any political subdivision thereof, shall, at the request
68 of the chair of the commission, provide such facilities,
69 assistance and data as will enable the committee to properly carry
70 out its duties.

71 **SECTION 2.** Section 7-7-204, Mississippi Code of 1972, is
72 brought forward as follows:

73 7-7-204. (1) Within the limits of the funds available to
74 the Office of the State Auditor for such purpose, the State



75 Auditor may grant a paid internship to students pursuing junior or
76 senior undergraduate-level year coursework toward a bachelor's
77 degree in accounting or graduate-level coursework toward a
78 master's degree in accounting. Those applicants deemed qualified
79 shall receive funds that may be used to pay for tuition, books and
80 related fees to pursue their degree. It is the intent of the
81 Legislature that the paid internship program (hereinafter referred
82 to as the program) shall be used as an incentive for accounting
83 students to develop job-related skills and to encourage accounting
84 careers at the Office of the State Auditor.

85 (2) In order to be eligible for the program, an applicant
86 must:

87 (a) Attend any college or school approved and
88 designated by the Office of the State Auditor.

89 (b) Satisfy the following conditions:

90 (i) Undergraduate stipulations: Applicants must
91 have successfully obtained a minimum of fifty-eight (58) semester
92 hours toward a bachelor of science degree in accounting from a
93 Mississippi institution of higher learning.

94 Applicants must have achieved a minimum grade point average
95 (GPA) on the previously obtained semester hours toward a bachelor
96 of science degree in accounting of 3.0 on a 4.0 scale.

97 If accepted into the program, participants shall maintain a
98 minimum cumulative GPA of 3.0 on a 4.0 scale in all coursework
99 counted toward a bachelor of science degree in accounting.



100 (ii) Graduate stipulations: Applicants must have
101 met the regular admission standards and have been accepted into
102 the master of science accounting program at a Mississippi
103 institution of higher learning.

104 If accepted into the program, participants shall maintain a
105 minimum cumulative GPA of 3.0 on a 4.0 scale in all coursework
106 counted toward a master of science degree in accounting.

107 (c) All program participants will be required to work a
108 total of three hundred thirty-six (336) hours each summer at the
109 Office of the State Auditor in Jackson, Mississippi.

110 (d) Agree to work as an auditor at the Office of the
111 State Auditor upon graduation for a period of time equivalent to
112 the period of time for which the applicant receives compensation,
113 calculated to the nearest whole month, but in no event less than
114 two (2) years.

115 (3) (a) Before being placed into the program, each
116 applicant shall enter into a contract with the Office of the State
117 Auditor, which shall be deemed a contract with the State of
118 Mississippi, agreeing to the terms and conditions upon which the
119 internship shall be granted to him. The contract shall include
120 such terms and provisions necessary to carry out the full purpose
121 and intent of this section. The form of such contract shall be
122 prepared and approved by the Attorney General of this state, and
123 shall be signed by the State Auditor of the Office of the State
124 Auditor and the participant.



125 (b) Upon entry into the program, participants will
126 become employees of the Office of the State Auditor during their
127 time in the program and shall be eligible for benefits such as
128 medical insurance paid by the agency for the participant; however,
129 in accordance with Section 25-11-105II(b), those participants
130 shall not become members of the Public Employees' Retirement
131 System while participating in the program. Participants shall not
132 accrue personal or major medical leave while they are in the
133 program.

134 (c) The Office of the State Auditor shall have the
135 authority to cancel any contract made between it and any program
136 participant upon such cause being deemed sufficient by the State
137 Auditor.

138 (d) The Office of the State Auditor is vested with full
139 and complete authority and power to sue in its own name any
140 participant for any damages due the state on any such uncompleted
141 contract, which suit shall be filed and handled by the Attorney
142 General of the state. The Office of the State Auditor may
143 contract with a collection agency or banking institution, subject
144 to approval by the Attorney General, for collection of any damages
145 due the state from any participant. The State of Mississippi, the
146 Office of the State Auditor and its employees are immune from any
147 suit brought in law or equity for actions taken by the collection
148 agency or banking institution incidental to or arising from their
149 performance under the contract. The Office of the State Auditor,



150 collection agency and banking institution may negotiate for the
151 payment of a sum that is less than full payment in order to
152 satisfy any damages the participant owes the state, subject to
153 approval by the director of the sponsoring facility within the
154 Office of the State Auditor.

155 (4) (a) Any recipient who is accepted into the program by
156 the Mississippi Office of the State Auditor and who fails to
157 complete undergraduate- or graduate-level coursework toward a
158 degree in accounting, or withdraws from school at any time before
159 completing his or her education, shall be liable to repay the
160 Office of the State Auditor for all monies received during the
161 time the recipient was in the program, at the rate of pay received
162 by the employee while in the program, including benefits paid by
163 the agency for the participant, and monies received for tuition,
164 books and related fees used to pursue their degree with interest
165 accruing at ten percent (10%) per annum from the date the
166 recipient failed or withdrew from school. The recipient also will
167 not be liable for repayment for any money earned during the
168 required summer hours. This money shall be considered earned by
169 the recipient at the federal minimum wage rate.

170 (b) All paid internship compensation received by the
171 recipient while in school shall be considered earned conditioned
172 upon the fulfillment of the terms and obligations of the paid
173 internship contract and this section. However, no recipient of
174 the paid internship shall accrue personal or major medical leave



175 while the recipient is pursuing junior or senior
176 undergraduate-level year coursework toward a bachelor's degree in
177 accounting or graduate-level coursework toward a master's degree
178 in accounting. The recipient shall not be liable for liquidated
179 damages.

180 (c) If the recipient does not work as an auditor at the
181 Office of the State Auditor for the period required under
182 subsection (2) (d) of this section, the recipient shall be liable
183 for repayment on demand of the remaining portion of the
184 compensation that the recipient was paid while in the program
185 which has not been unconditionally earned, with interest accruing
186 at ten percent (10%) per annum from the recipient's date of
187 graduation or the date that the recipient last worked at the
188 Office of the State Auditor, whichever is the later date. In
189 addition, there shall be included in any contract for paid student
190 internship a provision for liquidated damages equal to Five
191 Thousand Dollars (\$5,000.00) which may be reduced on a pro rata
192 basis for each year served under such contract.

193 **SECTION 3.** Section 23-15-239, Mississippi Code of 1972,
194 is brought forward as follows:

195 **[Until January 1, 2020, this section shall read as follows:]**

196 23-15-239. (1) The executive committee of each county, in
197 the case of a primary election, or the election commissioners of
198 each county, in the case of all other elections, in conjunction
199 with the circuit clerk, shall, in the years in which counties



200 conduct an election, sponsor and conduct, not less than five (5)
201 days before each election, not less than four (4) hours and not
202 more than eight (8) hours of poll manager training to instruct
203 poll managers as to their duties in the proper administration of
204 the election and the operation of the polling place. Any poll
205 manager who completes the online training course provided by the
206 Secretary of State shall only be required to complete two (2)
207 hours of in-person poll manager training. No poll manager shall
208 serve in any election unless he or she has received these
209 instructions once during the twelve (12) months immediately
210 preceding the date upon which the election is held; however,
211 nothing in this section shall prevent the appointment of an
212 alternate poll manager to fill a vacancy in case of an emergency.
213 The county executive committee or the election commissioners, as
214 appropriate, shall train a sufficient number of alternates to
215 serve in the event a poll manager is unable to serve for any
216 reason.

217 (2) (a) If it is eligible under Section 23-15-266, the
218 county executive committee may enter into a written agreement with
219 the circuit clerk or the county election commission authorizing
220 the circuit clerk or the county election commission to perform any
221 of the duties required of the county executive committee pursuant
222 to this section. Any agreement entered into pursuant to this
223 subsection shall be signed by the chair of the county executive
224 committee and the circuit clerk or the chair of the county



225 election commission, as appropriate. The county executive
226 committee shall notify the state executive committee and the
227 Secretary of State of the existence of the agreement.

228 (b) If it is eligible under Section 23-15-266, the
229 municipal executive committee may enter into a written agreement
230 with the municipal clerk or the municipal election commission
231 authorizing the municipal clerk or the municipal election
232 commission to perform any of the duties required of the municipal
233 executive committee pursuant to this section. Any agreement
234 entered into pursuant to this subsection shall be signed by the
235 chair of the municipal executive committee and the municipal clerk
236 or the chair of the municipal election commission, as appropriate.
237 The municipal executive committee shall notify the state executive
238 committee and the Secretary of State of the existence of the
239 agreement.

240 (3) The board of supervisors and the municipal governing
241 authority, in their discretion, may compensate poll managers who
242 attend these training sessions. The compensation shall be at a
243 rate of not less than the federal hourly minimum wage nor more
244 than Twelve Dollars (\$12.00) per hour. Poll managers shall not be
245 compensated for more than sixteen (16) hours of attendance at the
246 training sessions regardless of the actual amount of time that
247 they attended the training sessions.

248 (4) The time and location of the training sessions required
249 pursuant to this section shall be announced to the general public



250 by posting a notice thereof at the courthouse and by delivering a
251 copy of the notice to the office of a newspaper having general
252 circulation in the county five (5) days before the date upon which
253 the training session is to be conducted. Persons who will serve
254 as poll watchers for candidates and political parties, as well as
255 members of the general public, shall be allowed to attend the
256 sessions.

257 (5) Subject to the following annual limitations, the
258 election commissioners shall be entitled to receive a per diem in
259 the amount of One Hundred Dollars (\$100.00), to be paid from the
260 county general fund, for every day or period of no less than five
261 (5) hours accumulated over two (2) or more days actually employed
262 in the performance of their duties for the necessary time spent in
263 conducting training sessions as required by this section:

264 (a) In counties having less than fifteen thousand
265 (15,000) residents according to the latest federal decennial
266 census, not more than five (5) days per year;

267 (b) In counties having fifteen thousand (15,000)
268 residents according to the latest federal decennial census but
269 less than thirty thousand (30,000) residents according to the
270 latest federal decennial census, not more than eight (8) days per
271 year;

272 (c) In counties having thirty thousand (30,000)
273 residents according to the latest federal decennial census but
274 less than seventy thousand (70,000) residents according to the



275 latest federal decennial census, not more than ten (10) days per
276 year;

277 (d) In counties having seventy thousand (70,000)
278 residents according to the latest federal decennial census but
279 less than ninety thousand (90,000) residents according to the
280 latest federal decennial census, not more than twelve (12) days
281 per year;

282 (e) In counties having ninety thousand (90,000)
283 residents according to the latest federal decennial census but
284 less than one hundred seventy thousand (170,000) residents
285 according to the latest federal decennial census, not more than
286 fifteen (15) days per year;

287 (f) In counties having one hundred seventy thousand
288 (170,000) residents according to the latest federal decennial
289 census but less than two hundred thousand (200,000) residents
290 according to the latest federal decennial census, not more than
291 eighteen (18) days per year;

292 (g) In counties having two hundred thousand (200,000)
293 residents according to the latest federal decennial census but
294 less than two hundred twenty-five thousand (225,000) residents
295 according to the latest federal decennial census, not more than
296 nineteen (19) days per year;

297 (h) In counties having two hundred twenty-five thousand
298 (225,000) residents or more according to the latest federal
299 decennial census, not more than twenty-two (22) days per year.



300 (6) Election commissioners shall claim the per diem
301 authorized in subsection (5) of this section in the manner
302 provided for in Section 23-15-153(6).

303 (7) (a) To provide poll manager training, the Secretary of
304 State has developed a single, comprehensive poll manager training
305 program to ensure uniform, secure elections throughout the state.
306 The program includes online training on all state and federal
307 election laws and procedures and voting machine opening and
308 closing procedures.

309 (b) County election commissioners shall designate one
310 (1) poll manager per precinct, who shall individually access and
311 complete the online training program, including all skills
312 assessments, at least five (5) days before an election. The poll
313 manager shall be defined as a "certified poll manager," and
314 entitled to a "Certificate of Completion" and compensation for the
315 successful completion of the training and skills assessment in the
316 amount of Twenty-five Dollars (\$25.00) payable from the Secretary
317 of State. Compensation paid to any poll manager under this
318 paragraph (b) shall not exceed Twenty-five Dollars (\$25.00) per
319 calendar year.

320 (c) Every election held after January 1, 2018, shall
321 have at least one (1) certified poll manager appointed by the
322 county election officials to work in each polling place in the
323 county during each general election.



324 **[From and after January 1, 2020, this section shall read as**
325 **follows:]**

326 23-15-239. (1) The executive committee of each county, in
327 the case of a primary election, or the election commissioners of
328 each county, in the case of all other elections, in conjunction
329 with the circuit clerk, shall, in the years in which counties
330 conduct an election, sponsor and conduct, not less than five (5)
331 days before each election, not less than four (4) hours and not
332 more than eight (8) hours of poll manager training to instruct
333 poll managers as to their duties in the proper administration of
334 the election and the operation of the polling place. Any poll
335 manager who completes the online training course provided by the
336 Secretary of State shall only be required to complete two (2)
337 hours of in-person poll manager training. No poll manager shall
338 serve in any election unless he or she has received these
339 instructions once during the twelve (12) months immediately
340 preceding the date upon which the election is held; however,
341 nothing in this section shall prevent the appointment of an
342 alternate poll manager to fill a vacancy in case of an emergency.
343 The county executive committee or the election commissioners, as
344 appropriate, shall train a sufficient number of alternates to
345 serve in the event a poll manager is unable to serve for any
346 reason.

347 (2) (a) If it is eligible under Section 23-15-266, the
348 county executive committee may enter into a written agreement with



349 the circuit clerk or the county election commission authorizing
350 the circuit clerk or the county election commission to perform any
351 of the duties required of the county executive committee pursuant
352 to this section. Any agreement entered into pursuant to this
353 subsection shall be signed by the chair of the county executive
354 committee and the circuit clerk or the chair of the county
355 election commission, as appropriate. The county executive
356 committee shall notify the state executive committee and the
357 Secretary of State of the existence of the agreement.

358 (b) If it is eligible under Section 23-15-266, the
359 municipal executive committee may enter into a written agreement
360 with the municipal clerk or the municipal election commission
361 authorizing the municipal clerk or the municipal election
362 commission to perform any of the duties required of the municipal
363 executive committee pursuant to this section. Any agreement
364 entered into pursuant to this subsection shall be signed by the
365 chair of the municipal executive committee and the municipal clerk
366 or the chair of the municipal election commission, as appropriate.
367 The municipal executive committee shall notify the state executive
368 committee and the Secretary of State of the existence of the
369 agreement.

370 (3) The board of supervisors and the municipal governing
371 authority, in their discretion, may compensate poll managers who
372 attend these training sessions. The compensation shall be at a
373 rate of not less than the federal hourly minimum wage nor more



374 than Twelve Dollars (\$12.00) per hour. Poll managers shall not be
375 compensated for more than sixteen (16) hours of attendance at the
376 training sessions regardless of the actual amount of time that
377 they attended the training sessions.

378 (4) The time and location of the training sessions required
379 pursuant to this section shall be announced to the general public
380 by posting a notice thereof at the courthouse and by delivering a
381 copy of the notice to the office of a newspaper having general
382 circulation in the county five (5) days before the date upon which
383 the training session is to be conducted. Persons who will serve
384 as poll watchers for candidates and political parties, as well as
385 members of the general public, shall be allowed to attend the
386 sessions.

387 (5) Subject to the following annual limitations, the
388 election commissioners shall be entitled to receive a per diem in
389 the amount of One Hundred Dollars (\$100.00), to be paid from the
390 county general fund, for every day or period of no less than five
391 (5) hours accumulated over two (2) or more days actually employed
392 in the performance of their duties for the necessary time spent in
393 conducting training sessions as required by this section:

394 (a) In counties having less than fifteen thousand
395 (15,000) residents according to the latest federal decennial
396 census, not more than five (5) days per year;

397 (b) In counties having fifteen thousand (15,000)
398 residents according to the latest federal decennial census but



399 less than thirty thousand (30,000) residents according to the
400 latest federal decennial census, not more than eight (8) days per
401 year;

402 (c) In counties having thirty thousand (30,000)
403 residents according to the latest federal decennial census but
404 less than seventy thousand (70,000) residents according to the
405 latest federal decennial census, not more than ten (10) days per
406 year;

407 (d) In counties having seventy thousand (70,000)
408 residents according to the latest federal decennial census but
409 less than ninety thousand (90,000) residents according to the
410 latest federal decennial census, not more than twelve (12) days
411 per year;

412 (e) In counties having ninety thousand (90,000)
413 residents according to the latest federal decennial census but
414 less than one hundred seventy thousand (170,000) residents
415 according to the latest federal decennial census, not more than
416 fifteen (15) days per year;

417 (f) In counties having one hundred seventy thousand
418 (170,000) residents according to the latest federal decennial
419 census but less than two hundred thousand (200,000) residents
420 according to the latest federal decennial census, not more than
421 eighteen (18) days per year;

422 (g) In counties having two hundred thousand (200,000)
423 residents according to the latest federal decennial census but



424 less than two hundred twenty-five thousand (225,000) residents
425 according to the latest federal decennial census, not more than
426 nineteen (19) days per year;

427 (h) In counties having two hundred twenty-five thousand
428 (225,000) residents or more according to the latest federal
429 decennial census, not more than twenty-two (22) days per year.

430 (6) Election commissioners shall claim the per diem
431 authorized in subsection (5) of this section in the manner
432 provided for in Section 23-15-153(6).

433 (7) (a) To provide poll manager training, the Secretary of
434 State has developed a single, comprehensive poll manager training
435 program to ensure uniform, secure elections throughout the state.
436 The program includes online training on all state and federal
437 election laws and procedures and voting machine opening and
438 closing procedures.

439 (b) County poll managers who individually access and
440 complete the online training program, including all skills
441 assessments, at least five (5) days before an election shall be
442 defined as "certified poll managers," and entitled to a
443 "Certificate of Completion."

444 (c) At least one (1) certified poll manager shall be
445 appointed by the county election officials to work in each polling
446 place in the county during each general election.

447 **SECTION 4.** Section 37-7-307, Mississippi Code of 1972, is
448 brought forward as follows:



449 37-7-307. (1) For purposes of this section, the term
450 "licensed employee" means any employee of a public school district
451 required to hold a valid license by the Commission on Teacher and
452 Administrator Education, Certification and Licensure and
453 Development.

454 (2) The school board of a school district shall establish by
455 rules and regulations a policy of sick leave with pay for licensed
456 employees and teacher assistants employed in the school district,
457 and such policy shall include the following minimum provisions for
458 sick and emergency leave with pay:

459 (a) Each licensed employee and teacher assistant, at
460 the beginning of each school year, shall be credited with a
461 minimum sick leave allowance, with pay, of seven (7) days for
462 absences caused by illness or physical disability of the employee
463 during that school year.

464 (b) Any unused portion of the total sick leave
465 allowance shall be carried over to the next school year and
466 credited to such licensed employee and teacher assistant if the
467 licensed employee or teacher assistant remains employed in the
468 same school district. In the event any public school licensed
469 employee or teacher assistant transfers from one public school
470 district in Mississippi to another, any unused portion of the
471 total sick leave allowance credited to such licensed employee or
472 teacher assistant shall be credited to such licensed employee or
473 teacher assistant in the computation of unused leave for



474 retirement purposes under Section 25-11-109. Accumulation of sick
475 leave allowed under this section shall be unlimited.

476 (c) No deduction from the pay of such licensed employee
477 or teacher assistant may be made because of absence of such
478 licensed employee or teacher assistant caused by illness or
479 physical disability of the licensed employee or teacher assistant
480 until after all sick leave allowance credited to such licensed
481 employee or teacher assistant has been used.

482 (d) For the first ten (10) days of absence of a
483 licensed employee because of illness or physical disability, in
484 any school year, in excess of the sick leave allowance credited to
485 such licensed employee, there shall be deducted from the pay of
486 such licensed employee the established substitute amount of
487 licensed employee compensation paid in that local school district,
488 necessitated because of the absence of the licensed employee as a
489 result of illness or physical disability. In lieu of deducting
490 the established substitute amount from the pay of such licensed
491 employee, the policy may allow the licensed employee to receive
492 full pay for the first ten (10) days of absence because of illness
493 or physical disability, in any school year, in excess of the sick
494 leave allowance credited to such licensed employee. Thereafter,
495 the regular pay of such absent licensed employee shall be
496 suspended and withheld in its entirety for any period of absence
497 because of illness or physical disability during that school year.



498 (3) (a) Beginning with the school year 1983-1984, each
499 licensed employee at the beginning of each school year shall be
500 credited with a minimum personal leave allowance, with pay, of two
501 (2) days for absences caused by personal reasons during that
502 school year. Effective for the 2010-2011 and 2011-2012 school
503 years, licensed employees shall be credited with an additional
504 one-half (1/2) day of personal leave for every day the licensed
505 employee is furloughed without pay as provided in Section
506 37-7-308. Except as otherwise provided in paragraph (b) of this
507 subsection, such personal leave shall not be taken on the first
508 day of the school term, the last day of the school term, on a day
509 previous to a holiday or a day after a holiday. Personal leave
510 may be used for professional purposes, including absences caused
511 by attendance of such licensed employee at a seminar, class,
512 training program, professional association or other functions
513 designed for educators. No deduction from the pay of such
514 licensed employee may be made because of absence of such licensed
515 employee caused by personal reasons until after all personal leave
516 allowance credited to such licensed employee has been used.
517 However, the superintendent of a school district, in his
518 discretion, may allow a licensed employee personal leave in
519 addition to any minimum personal leave allowance, under the
520 condition that there shall be deducted from the salary of such
521 licensed employee the actual amount of any compensation paid to
522 any person as a substitute, necessitated because of the absence of



523 the licensed employee. Any unused portion of the total personal
524 leave allowance up to five (5) days shall be carried over to the
525 next school year and credited to such licensed employee if the
526 licensed employee remains employed in the same school district.
527 Any personal leave allowed for a furlough day shall not be carried
528 over to the next school year.

529 (b) Notwithstanding the restrictions on the use of
530 personal leave prescribed under paragraph (a) of this subsection,
531 a licensed employee may use personal leave as follows:

532 (i) Personal leave may be taken on the first day
533 of the school term, the last day of the school term, on a day
534 previous to a holiday or a day after a holiday if, on the
535 applicable day, an immediate family member of the employee is
536 being deployed for military service.

537 (ii) Personal leave may be taken on a day previous
538 to a holiday or a day after a holiday if an employee of a school
539 district has either a minimum of ten (10) years' experience as an
540 employee of that school district or a minimum of thirty (30) days
541 of unused accumulated leave that has been earned while employed in
542 that school district.

543 (iii) Personal leave may be taken on the first day
544 of the school term, the last day of the school term, on a day
545 previous to a holiday or a day after a holiday if, on the
546 applicable day, the employee has been summoned to appear for jury
547 duty or as a witness in court.



548 (4) Beginning with the school year 1992-1993, each licensed
549 employee shall be credited with a professional leave allowance,
550 with pay, for each day of absence caused by reason of such
551 employee's statutorily required membership and attendance at a
552 regular or special meeting held within the State of Mississippi of
553 the State Board of Education, the Commission on Teacher and
554 Administrator Education, Certification and Licensure and
555 Development, the Commission on School Accreditation, the
556 Mississippi Authority for Educational Television, the meetings of
557 the state textbook rating committees or other meetings authorized
558 by local school board policy.

559 (5) Upon retirement from employment, each licensed and
560 nonlicensed employee shall be paid for not more than thirty (30)
561 days of unused accumulated leave earned while employed by the
562 school district in which the employee is last employed. Such
563 payment for licensed employees shall be made by the school
564 district at a rate equal to the amount paid to substitute teachers
565 and for nonlicensed employees, the payment shall be made by the
566 school district at a rate equal to the federal minimum wage. The
567 payment shall be treated in the same manner for retirement
568 purposes as a lump-sum payment for personal leave as provided in
569 Section 25-11-103(e). Any remaining lawfully credited unused
570 leave, for which payment has not been made, shall be certified to
571 the Public Employees' Retirement System in the same manner and
572 subject to the same limitations as otherwise provided by law for



573 unused leave. No payment for unused accumulated leave may be made
574 to either a licensed or nonlicensed employee at termination or
575 separation from service for any purpose other than for the purpose
576 of retirement.

577 (6) The school board may adopt rules and regulations which
578 will reasonably aid to implement the policy of sick and personal
579 leave, including, but not limited to, rules and regulations having
580 the following general effect:

581 (a) Requiring the absent employee to furnish the
582 certificate of a physician or dentist or other medical
583 practitioner as to the illness of the absent licensed employee,
584 where the absence is for four (4) or more consecutive school days,
585 or for two (2) consecutive school days immediately preceding or
586 following a nonschool day;

587 (b) Providing penalties, by way of full deduction from
588 salary, or entry on the work record of the employee, or other
589 appropriate penalties, for any materially false statement by the
590 employee as to the cause of absence;

591 (c) Forfeiture of accumulated or future sick leave, if
592 the absence of the employee is caused by optional dental or
593 medical treatment or surgery which could, without medical risk,
594 have been provided, furnished or performed at a time when school
595 was not in session;

596 (d) Enlarging, increasing or providing greater sick or
597 personal leave allowances than the minimum standards established



598 by this section in the discretion of the school board of each
599 school district.

600 (7) School boards may include in their budgets provisions
601 for the payment of substitute employees, necessitated because of
602 the absence of regular licensed employees. All such substitute
603 employees shall be paid wholly from district funds, except as
604 otherwise provided for long-term substitute teachers in Section
605 37-19-20. Such school boards, in their discretion, also may pay,
606 from district funds other than adequate education program funds,
607 the whole or any part of the salaries of all employees granted
608 leaves for the purpose of special studies or training.

609 (8) The school board may further adopt rules and regulations
610 which will reasonably implement such leave policies for all other
611 nonlicensed and hourly paid school employees as the board deems
612 appropriate. Effective for the 2010-2011 and 2011-2012 school
613 years, nonlicensed employees shall be credited with an additional
614 one-half (1/2) day of personal leave for every day the nonlicensed
615 employee is furloughed without pay as provided in Section
616 37-7-308.

617 (9) Vacation leave granted to either licensed or nonlicensed
618 employees shall be synonymous with personal leave. Unused
619 vacation or personal leave accumulated by licensed employees in
620 excess of the maximum five (5) days which may be carried over from
621 one year to the next may be converted to sick leave. The annual
622 conversion of unused vacation or personal leave to sick days for



623 licensed or unlicensed employees shall not exceed the allowable
624 number of personal leave days as provided in Section 25-3-93. The
625 annual total number of converted unused vacation and/or personal
626 days added to the annual unused sick days for any employee shall
627 not exceed the combined allowable number of days per year provided
628 in Sections 25-3-93 and 25-3-95. Local school board policies that
629 provide for vacation, personal and sick leave for employees shall
630 not exceed the provisions for leave as provided in Sections
631 25-3-93 and 25-3-95. Any personal or vacation leave previously
632 converted to sick leave under a lawfully adopted policy before May
633 1, 2004, or such personal or vacation leave accumulated and
634 available for use prior to May 1, 2004, under a lawfully adopted
635 policy but converted to sick leave after May 1, 2004, shall be
636 recognized as accrued leave by the local school district and
637 available for use by the employee. The leave converted under a
638 lawfully adopted policy prior to May 1, 2004, or such personal and
639 vacation leave accumulated and available for use as of May 1,
640 2004, which was subsequently converted to sick leave may be
641 certified to the Public Employees' Retirement System upon
642 termination of employment and any such leave previously converted
643 and certified to the Public Employees' Retirement System shall be
644 recognized.

645 (10) (a) For the purposes of this subsection, the following
646 words and phrases shall have the meaning ascribed in this
647 paragraph unless the context requires otherwise:



648 (i) "Catastrophic injury or illness" means a
649 life-threatening injury or illness of an employee or a member of
650 an employee's immediate family that totally incapacitates the
651 employee from work, as verified by a licensed physician, and
652 forces the employee to exhaust all leave time earned by that
653 employee, resulting in the loss of compensation from the local
654 school district for the employee. Conditions that are short-term
655 in nature, including, but not limited to, common illnesses such as
656 influenza and the measles, and common injuries, are not
657 catastrophic. Chronic illnesses or injuries, such as cancer or
658 major surgery, that result in intermittent absences from work and
659 that are long-term in nature and require long recuperation periods
660 may be considered catastrophic.

661 (ii) "Immediate family" means spouse, parent,
662 stepparent, sibling, child or stepchild.

663 (b) Any school district employee may donate a portion
664 of his or her unused accumulated personal leave or sick leave to
665 another employee of the same school district who is suffering from
666 a catastrophic injury or illness or who has a member of his or her
667 immediate family suffering from a catastrophic injury or illness,
668 in accordance with the following:

669 (i) The employee donating the leave (the "donor
670 employee") shall designate the employee who is to receive the
671 leave (the "recipient employee") and the amount of unused
672 accumulated personal leave and sick leave that is to be donated,



673 and shall notify the school district superintendent or his
674 designee of his or her designation.

675 (ii) The maximum amount of unused accumulated
676 personal leave that an employee may donate to any other employee
677 may not exceed a number of days that would leave the donor
678 employee with fewer than seven (7) days of personal leave
679 remaining, and the maximum amount of unused accumulated sick leave
680 that an employee may donate to any other employee may not exceed
681 fifty percent (50%) of the unused accumulated sick leave of the
682 donor employee.

683 (iii) An employee must have exhausted all of his
684 or her available leave before he or she will be eligible to
685 receive any leave donated by another employee. Eligibility for
686 donated leave shall be based upon review and approval by the donor
687 employee's supervisor.

688 (iv) Before an employee may receive donated leave,
689 he or she must provide the school district superintendent or his
690 designee with a physician's statement that states that the illness
691 meets the catastrophic criteria established under this section,
692 the beginning date of the catastrophic injury or illness, a
693 description of the injury or illness, and a prognosis for recovery
694 and the anticipated date that the recipient employee will be able
695 to return to work.

696 (v) Before an employee may receive donated leave,
697 the superintendent of education of the school district shall



698 appoint a review committee to approve or disapprove the said
699 donations of leave, including the determination that the illness
700 is catastrophic within the meaning of this section.

701 (vi) If the total amount of leave that is donated
702 to any employee is not used by the recipient employee, the whole
703 days of donated leave shall be returned to the donor employees on
704 a pro rata basis, based on the ratio of the number of days of
705 leave donated by each donor employee to the total number of days
706 of leave donated by all donor employees.

707 (vii) Donated leave shall not be used in lieu of
708 disability retirement.

709 **SECTION 5.** Section 57-34-5, Mississippi Code of 1972, is
710 brought forward as follows:

711 57-34-5. **Definitions.** As used in this chapter, the
712 following words and phrases shall have the meanings ascribed to
713 them in this section, unless the context clearly indicates a
714 different meaning:

715 (a) "Act" means the provisions of this chapter.

716 (b) "Authority" means the Alabama-Mississippi Joint
717 Economic Development Authority created pursuant to this chapter.

718 (c) "Board of directors" means the board of directors
719 of the authority.

720 (d) "Designated geographic area" means:



721 (i) Those counties in the State of Alabama that
722 share a common border with any county in the State of Mississippi;
723 and

724 (ii) Those counties in the State of Mississippi
725 that share a common border with any county in the State of
726 Alabama.

727 (e) "Herein," "hereby," "hereunder," "hereof" and other
728 equivalent words refer to this chapter as an entirety and not
729 solely to the particular section or portion thereof in which any
730 such word is used.

731 (f) "Project" means:

732 (i) Any industrial, commercial, research and
733 development, warehousing, distribution, transportation,
734 processing, mining, United States government or tourism enterprise
735 together with all real property required for construction,
736 maintenance and operation of the enterprise:

737 1. With an initial capital investment of not
738 less than Three Hundred Million Dollars (\$300,000,000.00) from
739 private or United States government sources together with all
740 buildings, and other supporting land and facilities, structures or
741 improvements of whatever kind required or useful for construction,
742 maintenance and operation of the enterprise; or

743 2. With an initial capital investment of not
744 less than One Hundred Fifty Million Dollars (\$150,000,000.00) from
745 private or United States government sources together with all



746 buildings and other supporting land and facilities, structures or
747 improvements of whatever kind required or useful for construction,
748 maintenance and operation of the enterprise and which creates at
749 least one thousand (1,000) net new full-time jobs; or

750 3. Which creates at least one thousand
751 (1,000) net new full-time jobs which provide an average hourly
752 wage of not less than two hundred percent (200%) of the federal
753 minimum wage in effect on the date the project is placed in
754 service.

755 (ii) Any addition to, or expansion of, any
756 existing enterprise as described in this paragraph if the addition
757 or expansion:

758 1. Has an initial capital investment of not
759 less than Three Hundred Million Dollars (\$300,000,000.00) from
760 private or United States government sources;

761 2. Has an initial capital investment of not
762 less than One Hundred Fifty Million Dollars (\$150,000,000.00) from
763 private or United States government sources together with all
764 buildings and other supporting land and facilities, structures or
765 improvements of whatever kind required or useful for construction,
766 maintenance and operation of the enterprise and which creates at
767 least one thousand (1,000) net new full-time jobs; or

768 3. Creates at least one thousand (1,000) net
769 new full-time jobs which provide an average hourly wage of not



770 less than two hundred percent (200%) of the federal minimum wage
771 in effect on the date the project is placed in service.

772 (iii) Any development with an initial capital
773 investment from private sources of not less than Seven Hundred
774 Fifty Million Dollars (\$750,000,000.00) which will create at least
775 three thousand (3,000) net new full-time jobs satisfying criteria
776 to be established by the authority.

777 In addition to meeting the other requirements of this
778 paragraph, in order to fall within the definition of the term
779 "project":

780 (i) The enterprise or development must be located
781 within the designated geographic area; and

782 (ii) Each state must provide funds or in-kind
783 contributions equal to at least one-third (1/3) of the total costs
784 of the project to the states.

785 (g) "Project agreement" means an agreement, approved by
786 the Legislature of the states, setting forth certain obligations,
787 responsibilities, benefits, administrative matters and any other
788 matters with respect to a specific project that are not
789 inconsistent with the terms of this chapter as the legislatures of
790 the states deem appropriate with respect to a specific project.

791 (h) "Project tax revenues" means:

792 (i) All of the following state and local taxes
793 paid directly to a state or a local government by the project:
794 income taxes, ad valorem taxes on real and personal property,



795 sales and use taxes, franchise taxes, license taxes, excise taxes
796 and severance taxes; and

797 (ii) All state and local personal income tax and
798 occupational tax withholdings from employees of the project
799 attributable to employment at the project.

800 (i) "States" means the State of Alabama and the State
801 of Mississippi collectively.

802 **SECTION 6.** Section 85-3-4, Mississippi Code of 1972, is
803 brought forward as follows:

804 85-3-4. (1) The wages, salaries or other compensation of
805 laborers or employees, residents of this state, shall be exempt
806 from seizure under attachment, execution or garnishment for a
807 period of thirty (30) days from the date of service of any writ of
808 attachment, execution or garnishment.

809 (2) After the passage of the period of thirty (30) days
810 described in subsection (1) of this section, the maximum part of
811 the aggregate disposable earnings (as defined by Section 1672(b)
812 of Title 15, USCS) of an individual that may be levied by
813 attachment, execution or garnishment shall be:

814 (a) In the case of earnings for any workweek, the
815 lesser amount of either,

816 (i) Twenty-five percent (25%) of his disposable
817 earnings for that week, or

818 (ii) The amount by which his disposable earnings
819 for that week exceed thirty (30) times the federal minimum hourly



820 wage (prescribed by section 206 (a) (1) of Title 29, USCS) in
821 effect at the time the earnings are payable; or

822 (b) In the case of earnings for any period other than a
823 week, the amount by which his disposable earnings exceed the
824 following "multiple" of the federal minimum hourly wage which is
825 equivalent in effect to that set forth in subparagraph (a) (ii) of
826 this subsection (2): The number of workweeks, or fractions
827 thereof multiplied by thirty (30) multiplied by the applicable
828 federal minimum wage.

829 (3) (a) The restrictions of subsections (1) and (2) of this
830 section do not apply in the case of:

831 (i) Any order for the support of any person issued
832 by a court of competent jurisdiction or in accordance with an
833 administrative procedure, which is established by state law, which
834 affords substantial due process, and which is subject to judicial
835 review.

836 (ii) Any debt due for any state or local tax.

837 (b) Except as provided in subparagraph (b) (iii) of this
838 subsection (3), the maximum part of the aggregate disposable
839 earnings of an individual for any workweek which is subject to
840 garnishment to enforce any order for the support of any person
841 shall not exceed:

842 (i) Where such individual is supporting his spouse
843 or dependent child (other than a spouse or child with respect to



844 whose support such order is used), fifty percent (50%) of such
845 individual's disposable earnings for that week; and

846 (ii) Where such individual is not supporting such
847 a spouse or dependent child described in subparagraph (b)(i) of
848 this subsection (3), sixty percent (60%) of such individual's
849 disposable earnings for that week;

850 (iii) With respect to the disposable earnings of
851 any individual for that workweek, the fifty percent (50%)
852 specified in subparagraph (b)(i) of this subsection (3) shall be
853 deemed to be fifty-five percent (55%) and the sixty percent (60%)
854 specified in subparagraph (b)(ii) of this subsection (3) shall be
855 deemed to be sixty-five percent (65%), if and to the extent that
856 such earnings are subject to garnishment to enforce a support
857 order with respect to a period which is prior to the period of
858 twelve (12) weeks which ends with the beginning of such workweek.

859 **SECTION 7.** Section 97-3-54.4, Mississippi Code of 1972, is
860 brought forward as follows:

861 97-3-54.4. For the purposes of the Mississippi Human
862 Trafficking Act the following words and phrases shall have the
863 meanings ascribed herein unless the context clearly requires
864 otherwise:

865 (a) "Act" or "this act" means the Mississippi Human
866 Trafficking Act.

867 (b) "Actor" means a person who violates any of the
868 provisions of Sections 97-3-54 through 97-3-54.4.



869 (c) "Blackmail" means obtaining property or things of
870 value of another by threatening to (i) inflict bodily injury on
871 anyone; or (ii) commit any other criminal offense.

872 (d) "Coerce" or "coercion" means:

873 (i) Causing or threatening to cause bodily harm to
874 any person, physically restraining or confining any person, or
875 threatening to physically restrain or confine any person;

876 (ii) Exposing or threatening to expose any fact or
877 information or disseminating or threatening to disseminate any
878 fact or information that would tend to subject a person to
879 criminal or immigration proceedings, hatred, contempt or ridicule;

880 (iii) Destroying, concealing, removing,
881 confiscating or possessing any actual or purported passport or
882 other immigration document, or any other actual or purported
883 government identification document of any person;

884 (iv) Providing a controlled substance to a person
885 for the purpose of compelling the person to engage in labor or
886 sexual servitude against the person's will;

887 (v) Causing or threatening to cause financial harm
888 to any person or using financial control over any person;

889 (vi) Abusing or threatening to abuse a position of
890 power, the law, or legal process;

891 (vii) Using blackmail;

892 (viii) Using an individual's personal services as
893 payment or satisfaction of a real or purported debt when: 1. the



894 reasonable value of the services is not applied toward the
895 liquidation of the debt; 2. the length of the services is not
896 limited and the nature of the services is not defined; 3. the
897 principal amount of the debt does not reasonably reflect the value
898 of the items or services for which the debt is incurred; or 4. the
899 individual is prevented from acquiring accurate and timely
900 information about the disposition of the debt; or

901 (ix) Using any scheme, plan or pattern of conduct
902 intended to cause any person to believe that, if the person did
903 not perform the labor or services, that the person or another
904 person would suffer serious harm or physical restraint.

905 (e) "Commercial sexual activity" means any sex act on
906 account of which anything of value is given to, promised to, or
907 received by any person.

908 (f) "Enterprise" means any individual, sole
909 proprietorship, partnership, corporation, union or other legal
910 entity, or any association or group of individuals associated in
911 fact regardless of whether a legal entity has been formed pursuant
912 to any state, federal or territorial law. It includes illicit as
913 well as licit enterprises and governmental as well as other
914 entities.

915 (g) "Financial harm" includes, but is not limited to,
916 extortion as defined by Section 97-3-82, Mississippi Code of 1972,
917 or violation of the usury law as defined by Title 75, Chapter 17,
918 Mississippi Code of 1972.



919 (h) "Forced labor or services" means labor or services
920 that are performed or provided by another person and are obtained
921 or maintained through coercion.

922 (i) "Labor" means work of economic or financial value.

923 (j) "Maintain" means, in relation to labor or services,
924 to secure continued performance thereof, regardless of any initial
925 agreement on the part of the trafficked person to perform such
926 labor or service.

927 (k) "Minor" means a person under the age of eighteen
928 (18) years.

929 (l) "Obtain" means, in relation to labor or services,
930 to secure performance thereof.

931 (m) "Pecuniary damages" means any of the following:

932 (i) The greater of the gross income or value to
933 the defendant of the victim's labor or services, including sexual
934 services, not reduced by the expense the defendant incurred as a
935 result of maintaining the victim, or the value of the victim's
936 labor or services calculated under the minimum wage and overtime
937 provisions of the Fair Labor Standards Act, 29 USCS Section 201 et
938 seq., whichever is higher;

939 (ii) If it is not possible or in the best interest
940 of the victim to compute a value under subparagraph (i) of this
941 paragraph (m), the equivalent of the value of the victim's labor
942 or services if the victim had provided labor or services that were



943 subject to the minimum wage and overtime provisions of the Fair
944 Labor Standards Act, 29 USCS 201 et seq.;

945 (iii) Costs and expenses incurred by the victim as
946 a result of the offense for:

- 947 1. Medical services;
- 948 2. Therapy or psychological counseling;
- 949 3. Temporary housing;
- 950 4. Transportation;
- 951 5. Childcare;
- 952 6. Physical and occupational therapy or
953 rehabilitation;
- 954 7. Funeral, interment, and burial services;
955 reasonable attorney's fees and other legal costs; and
- 956 8. Other expenses incurred by the victim.

957 (n) "Serious harm" means harm, whether physical or
958 nonphysical, including psychological, economic or reputational, to
959 an individual that would compel a reasonable person in similar
960 circumstances as the individual to perform or continue to perform
961 labor or services to avoid incurring the harm.

962 (o) "Services" means an ongoing relationship between a
963 person and the actor in which the person performs activities under
964 the supervision of or for the benefit of the actor or a third
965 party and includes, without limitation, commercial sexual
966 activity, sexually explicit performances, or the production of
967 sexually explicit materials.



968 (p) "Sexually explicit performance" means a live or
969 public act or show intended to arouse or satisfy the sexual
970 desires or appeal to the prurient interests of patrons.

971 (q) "Trafficked person" means a person subjected to the
972 practices prohibited by this act regardless of whether a
973 perpetrator is identified, apprehended, prosecuted or convicted,
974 and is a term used interchangeably with the terms "victim,"
975 "victim of trafficking" and "trafficking victim."

976 (r) "Venture" means any group of two (2) or more
977 individuals associated in fact, whether or not a legal entity.

978 (s) "Sexually oriented material" shall have the meaning
979 ascribed in Section 97-5-27, Mississippi Code of 1972.

980 **SECTION 8.** Section 99-19-20, Mississippi Code of 1972, is brought
981 forward as follows:

982 99-19-20. (1) Except as otherwise provided under Section
983 99-19-20.1, when any court sentences a defendant to pay a fine,
984 the court may order (a) that the fine be paid immediately, or (b)
985 that the fine be paid in installments to the clerk of the court or
986 to the judge, if there be no clerk, or (c) that payment of the
987 fine be a condition of probation, or (d) that the defendant be
988 required to work on public property for public benefit under the
989 direction of the sheriff for a specific number of hours, or (e)
990 any combination of the above.

991 (2) Except as otherwise provided under Section 99-19-20.1,
992 the defendant may be imprisoned until the fine is paid if the



993 defendant is financially able to pay a fine and the court so
994 finds, subject to the limitations provided under this section.
995 The defendant shall not be imprisoned if the defendant is
996 financially unable to pay a fine and so states to the court in
997 writing, under oath, after sentence is pronounced, and the court
998 so finds, except if the defendant is financially unable to pay a
999 fine and such defendant failed or refused to comply with a prior
1000 sentence as specified in subsection (1) of this section, the
1001 defendant may be imprisoned.

1002 This subsection shall be limited as follows:

1003 (a) In no event shall such period of imprisonment
1004 exceed one (1) day for each One Hundred Dollars (\$100.00) of the
1005 fine.

1006 (b) If a sentence of imprisonment, as well as a fine,
1007 were imposed, the aggregate of such term for nonpayment of a fine
1008 and the original sentence of imprisonment shall not exceed the
1009 maximum authorized term of imprisonment.

1010 (c) It shall be in the discretion of the judge to
1011 determine the rate of the credit to be earned for work performed
1012 under subsection (1)(d), but the rate shall be no lower than the
1013 rate of the highest current federal minimum wage.

1014 (3) Periods of confinement imposed for nonpayment of two (2)
1015 or more fines shall run consecutively unless specified by the
1016 court to run concurrently.



1017 **SECTION 9.** Section 17-1-51, Mississippi Code of 1972, is
1018 brought forward as follows:

1019 17-1-51. (1) No county, board of supervisors of a county,
1020 municipality or governing authority of a municipality is
1021 authorized to establish a mandatory, minimum living wage rate,
1022 minimum number of vacation or sick days, whether paid or unpaid,
1023 that would regulate how a private employer pays its employees.
1024 Each county, board of supervisors of a county, municipality or
1025 governing authority of a municipality shall be prohibited from
1026 establishing a mandatory, minimum living wage rate, minimum number
1027 of vacation or sick days, whether paid or unpaid, that would
1028 regulate how a private employer pays its employees.

1029 (2) The Legislature finds that the prohibitions of
1030 subsection (1) of this section are necessary to ensure an economic
1031 climate conducive to new business development and job growth in
1032 the State of Mississippi. We believe that inconsistent
1033 application of wage and benefit laws from city to city or county
1034 to county must be avoided. While not suggesting a state minimum
1035 wage or minimum benefit package, any debate and subsequent action
1036 on these matters should be assigned to the Mississippi Legislature
1037 as provided in Section 25-3-40, and not local counties or
1038 municipalities.

1039 (3) The Legislature further finds that wages and employee
1040 benefits comprise the most significant expense of operating a
1041 business. It also recognizes that neither potential employees or



1042 business patrons are likely to restrict themselves to employment
1043 opportunities or goods and services in any particular county or
1044 municipality. Consequently, local variations in legally required
1045 minimum wage rates or mandatory minimum number of vacation or sick
1046 leave days would threaten many businesses with a loss of employees
1047 to local governments which require a higher minimum wage rate and
1048 many other businesses with the loss of patrons to areas which
1049 allow for a lower wage rate and more or less vacation or sick
1050 days. The net effect of this situation would be detrimental to
1051 the business environment of the state and to the citizens,
1052 businesses and governments of the local jurisdictions as well as
1053 the local labor markets.

1054 (4) The Legislature concludes from these findings that, in
1055 order for a business to remain competitive and yet attract and
1056 retain the highest possible caliber of employees, and thereby
1057 remain sound, an enterprise must work in a uniform environment
1058 with respect to minimum wage rates, and mandatory minimum number
1059 of vacation or sick leave days. The net impact of local
1060 variations in mandated wages and mandatory minimum number of
1061 vacation or sick leave days would be economically unstable and
1062 create a decline and decrease in the standard of living for the
1063 citizens of the state. Consequently, decisions regarding minimum
1064 wage, living wage and other employee benefit policies must be made
1065 by the state as provided in Section 25-3-40, so that consistency
1066 in the wage market is preserved.



1067 **SECTION 10.** Section 17-1-53, Mississippi Code of 1972, is
1068 brought forward as follows:

1069 17-1-53. The provisions of Sections 17-1-51 through
1070 17-1-55 shall not impede or supersede a municipality's authority
1071 granted under Sections 17-21-1, 17-21-5 and 17-21-7.

1072 **SECTION 11.** Section 17-1-55, Mississippi Code of 1972, is
1073 brought forward as follows:

1074 17-1-55. Sections 17-1-51 through 17-1-55 shall not be
1075 construed to limit the authority of counties and municipalities to
1076 grant tax exemptions authorized by state law.

1077 **SECTION 12.** Section 25-3-2, Mississippi Code of 1972, is
1078 brought forward as follows:

1079 25-3-2. No county elected official's annual salary
1080 established under this chapter shall be reduced during his term of
1081 office as a result of a reduction in total assessed valuation or a
1082 change in population.

1083 **SECTION 13.** Section 25-3-3, Mississippi Code of 1972, is
1084 brought forward as follows:

1085 25-3-3. (1) The term "total assessed valuation" as used in
1086 this section only refers to the ad valorem assessment for the
1087 county and, in addition, in counties where oil or gas is produced,
1088 the actual value of oil at the point of production, as certified
1089 to the counties by the State Tax Commission under the provisions
1090 of Sections 27-25-501 through 27-25-525, and the actual value of



1091 gas as certified by the State Tax Commission under the provisions
1092 of Sections 27-25-701 through 27-25-723.

1093 (2) The salary of assessors and collectors of the various
1094 counties is fixed as full compensation for their services as
1095 county assessors or tax collectors, or both if the office of
1096 assessor has been combined with the office of tax collector. The
1097 annual salary of each assessor or tax collector, or both if the
1098 offices have been combined, shall be based upon the total assessed
1099 valuation of his respective county for the preceding taxable year
1100 in the following categories and for the following amounts:

1101 (a) For counties having a total assessed valuation of
1102 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
1103 Sixty-four Thousand Dollars (\$64,000.00);

1104 (b) For counties having a total assessed valuation of
1105 at least One Billion Dollars (\$1,000,000,000.00) but less than Two
1106 Billion Dollars (\$2,000,000,000.00), a salary of Sixty-one
1107 Thousand Five Hundred Dollars (\$61,500.00);

1108 (c) For counties having a total assessed valuation of
1109 at least Five Hundred Million Dollars (\$500,000,000.00) but less
1110 than One Billion Dollars (\$1,000,000,000.00), a salary of
1111 Fifty-eight Thousand Five Hundred Dollars (\$58,500.00);

1112 (d) For counties having a total assessed valuation of
1113 at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but
1114 less than Five Hundred Million Dollars (\$500,000,000.00), a salary
1115 of Fifty-six Thousand Dollars (\$56,000.00);



1116 (e) For counties having a total assessed valuation of
1117 at least One Hundred Fifty Million Dollars (\$150,000,000.00) but
1118 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a
1119 salary of Fifty-four Thousand Dollars (\$54,000.00);

1120 (f) For counties having a total assessed valuation of
1121 at least Seventy-five Million Dollars (\$75,000,000.00) but less
1122 than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary
1123 of Fifty-two Thousand Five Hundred Dollars (\$52,500.00);

1124 (g) For counties having a total assessed valuation of
1125 at least Thirty-five Million Dollars (\$35,000,000.00) but less
1126 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
1127 Forty-eight Thousand Five Hundred Dollars (\$48,500.00);

1128 (h) For counties having a total assessed valuation of
1129 less than Thirty-five Million Dollars (\$35,000,000.00), a salary
1130 of Forty-one Thousand Five Hundred Dollars (\$41,500.00).

1131 (3) In addition to all other compensation paid pursuant to
1132 this section, the board of supervisors shall pay to a person
1133 serving as both the tax assessor and tax collector in their county
1134 an additional Five Thousand Dollars (\$5,000.00) per year.

1135 (4) The annual salary established for assessors and tax
1136 collectors shall not be reduced as a result of a reduction in
1137 total assessed valuation. The salaries shall be increased as a
1138 result of an increase in total assessed valuation.

1139 (5) In addition to all other compensation paid to assessors
1140 and tax collectors in counties having two (2) judicial districts,



1141 the board of supervisors shall pay such assessors and tax
1142 collectors an additional Three Thousand Five Hundred Dollars
1143 (\$3,500.00) per year. In addition to all other compensation paid
1144 to assessors or tax collectors, in counties maintaining two (2)
1145 full-time offices, the board of supervisors shall pay the assessor
1146 or tax collector an additional Three Thousand Five Hundred Dollars
1147 (\$3,500.00) per year.

1148 (6) In addition to all other compensation paid to assessors
1149 and tax collectors, the board of supervisors of a county shall
1150 allow for such assessor or tax collector, or both, to be paid
1151 additional compensation when there is a contract between the
1152 county and one or more municipalities providing that the assessor
1153 or tax collector, or both, shall assess or collect taxes, or both,
1154 for the municipality or municipalities; and such assessor or tax
1155 collector, or both, shall be authorized to receive such additional
1156 compensation from the county and/or the municipality or
1157 municipalities in any amount allowed by the county and/or the
1158 municipality or municipalities for performing those services.

1159 (7) When any tax assessor holds a valid certificate of
1160 educational recognition from the International Association of
1161 Assessing Officers or is a licensed appraiser under Section
1162 73-34-1 et seq., he shall receive an additional One Thousand Five
1163 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
1164 year after completion. When any tax assessor is a licensed state
1165 certified Residential Appraiser (RA) or licensed state certified



1166 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
1167 any tax assessor holds a valid designation from the International
1168 Association of Assessing Officers as a Cadastral Mapping
1169 Specialist (CMS) or Personal Property Specialist (PPS) or
1170 Residential Evaluation Specialist (RES), he shall receive an
1171 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
1172 beginning the next fiscal year after completion. When any tax
1173 assessor holds the valid designation of Certified Assessment
1174 Evaluator (CAE) from the International Association of Assessing
1175 Officers or is a state certified General Real Estate Appraiser
1176 (GA) under Section 73-34-1 et seq., he shall receive an additional
1177 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
1178 the next fiscal year after completion.

1179 (8) The salaries provided for in this section shall be the
1180 total funds paid to the county assessors and tax collectors and
1181 shall be full compensation for their services, with any fees being
1182 paid to the county general fund.

1183 (9) The salaries provided for in this section shall be
1184 payable monthly on the first day of each calendar month by
1185 chancery clerk's warrant drawn on the general fund of the county;
1186 however, the board of supervisors, by resolution duly adopted and
1187 entered on its minutes, may provide that such salaries shall be
1188 paid semimonthly on the first and fifteenth day of each month. If
1189 a pay date falls on a weekend or legal holiday, salary payments



1190 shall be made on the workday immediately preceding the weekend or
1191 legal holiday.

1192 **SECTION 14.** Section 25-3-7, Mississippi Code of 1972, is
1193 brought forward as follows:

1194 25-3-7. From the State Treasury shall be paid up to
1195 one-fourth (1/4) of the salary of each county assessor, but in no
1196 instance shall the payment exceed the figure paid for the fiscal
1197 year of 1970-1971 to the assessor, whether or not the offices of
1198 assessor and tax collector are combined.

1199 **SECTION 15.** Section 25-3-9, Mississippi Code of 1972, is
1200 brought forward as follows:

1201 25-3-9. (1) Except as provided in subsections (2), (3) and
1202 (4) of this section, the county prosecuting attorney may receive
1203 for his services an annual salary to be paid by the board of
1204 supervisors as follows:

1205 (a) For counties with a total population of more than
1206 two hundred thousand (200,000), a salary not to exceed
1207 Twenty-eight Thousand Five Hundred Dollars (\$28,500.00).

1208 (b) For counties with a total population of more than
1209 one hundred thousand (100,000) and not more than two hundred
1210 thousand (200,000), a salary not to exceed Twenty-six Thousand
1211 Five Hundred Dollars (\$26,500.00).

1212 (c) For counties with a total population of more than
1213 fifty thousand (50,000) and not more than one hundred thousand



1214 (100,000), a salary not to exceed Twenty-one Thousand Seven
1215 Hundred Dollars (\$21,700.00).

1216 (d) For counties with a total population of more than
1217 thirty-five thousand (35,000) and not more than fifty thousand
1218 (50,000), a salary not to exceed Twenty Thousand Four Hundred
1219 Dollars (\$20,400.00).

1220 (e) For counties with a total population of more than
1221 twenty-five thousand (25,000) and not more than thirty-five
1222 thousand (35,000), a salary not to exceed Nineteen Thousand Three
1223 Hundred Dollars (\$19,300.00).

1224 (f) For counties with a total population of more than
1225 fifteen thousand (15,000) and not more than twenty-five thousand
1226 (25,000), a salary not to exceed Seventeen Thousand Seven Hundred
1227 Dollars (\$17,700.00).

1228 (g) For counties with a total population of more than
1229 ten thousand (10,000) and not more than fifteen thousand (15,000),
1230 a salary not to exceed Sixteen Thousand One Hundred Dollars
1231 (\$16,100.00).

1232 (h) For counties with a total population of more than
1233 six thousand (6,000) and not more than ten thousand (10,000), a
1234 salary not to exceed Fourteen Thousand Five Hundred Dollars
1235 (\$14,500.00).

1236 (i) For counties with a total population of six
1237 thousand (6,000) or less, the board of supervisors, in its
1238 discretion, may appoint a county prosecuting attorney, and it may



1239 pay such county prosecuting attorney an annual salary not to
1240 exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00).

1241 In all cases of conviction there shall be taxed against the
1242 convicted defendant, as an item of cost, the sum of Three Dollars
1243 (\$3.00), which shall be turned in to the county treasury as a part
1244 of the general county funds; however, the Three Dollars (\$3.00)
1245 shall not be taxed in any case in which it is not the specific
1246 duty of the county attorney to appear and prosecute.

1247 From and after October 1, 1993, in addition to the salaries
1248 provided for in this subsection, the board of supervisors of any
1249 county, in its discretion, may pay the county prosecuting attorney
1250 an additional amount not to exceed ten percent (10%) of the
1251 maximum allowable salary prescribed herein.

1252 (2) In the following counties, the county prosecuting
1253 attorney shall receive for his services an annual salary to be
1254 paid by the board of supervisors, as follows:

1255 (a) In any county bordering upon the Mississippi River
1256 and having a population of not less than thirty thousand (30,000)
1257 and not more than thirty-five thousand five hundred (35,500)
1258 according to the federal census of 1990, and in counties having a
1259 population of not more than thirty-seven thousand (37,000)
1260 according to the federal census of 1990 in which Interstate
1261 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
1262 attorney shall receive a salary equal to the justice court judge
1263 of such county; and in any county wherein is located the state's



1264 oldest state-supported institution of higher learning and wherein
1265 Mississippi State Highways 7 and 6 intersect, the county
1266 prosecuting attorney shall receive an annual salary equal to that
1267 of a member of the board of supervisors of such county.

1268 (b) In counties having a population in excess of fifty
1269 thousand (50,000) in the 1960 federal census, wherein is located a
1270 state-supported university and in which U.S. Highways 49 and 11
1271 intersect, the salary of the county prosecuting attorney shall be
1272 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
1273 per year. The Board of Supervisors of Forrest County,
1274 Mississippi, may, in its discretion, and by agreement with the
1275 county prosecuting attorney, employ the county prosecuting
1276 attorney as a full-time elected official during his/her term of
1277 office, designate additional duties and responsibilities of the
1278 office and pay additional compensation up to, but not in excess
1279 of, ninety percent (90%) of the annual compensation and salary of
1280 the county court judge and the youth court judge of Forrest County
1281 as authorized by law and provide a reasonable office and
1282 reasonable office expenses to the county prosecuting attorney.
1283 The salary authorized by this paragraph (b) for the county
1284 prosecuting attorney shall be the sole and complete salary for
1285 such prosecuting attorney in each county to which this paragraph
1286 applies, notwithstanding any other provision of law to the
1287 contrary.



1288 (c) In any county wherein is housed the seat of state
1289 government, wherein U.S. Highways 80 and 49 intersect, and having
1290 two (2) judicial districts, the board of supervisors, in its
1291 discretion, may pay the county prosecuting attorney an annual
1292 salary equal to the annual salary of members of the board of
1293 supervisors in the county.

1294 (d) In any county which has two (2) judicial districts
1295 and wherein Highway 8 and Highway 15 intersect, having a
1296 population of greater than seventeen thousand (17,000), according
1297 to the 1980 federal decennial census, the board of supervisors
1298 shall pay the county prosecuting attorney a salary equal to that
1299 of a member of the board of supervisors of such county; provided
1300 that if such county prosecuting attorney is paid a sum for the
1301 purpose of defraying office or secretarial expenses, then the
1302 salary prescribed herein shall be reduced by that amount.

1303 (e) In any county bordering the State of Tennessee and
1304 in which Mississippi Highways No. 4 and 15 intersect, and having a
1305 population of less than twenty thousand (20,000) in the 1970
1306 federal census, the salary of the county prosecuting attorney
1307 shall be no less than Six Thousand Dollars (\$6,000.00).

1308 (f) In any county having a population of more than
1309 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45
1310 intersect, the salary of the county attorney shall be not less
1311 than Eight Thousand Dollars (\$8,000.00).



1312 In addition, such county prosecuting attorney shall receive
1313 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month
1314 for the purpose of defraying secretarial expense.

1315 (g) In any county wherein I-20 and State Highway 15
1316 intersect; and in any county wherein I-20 and State Highway 35
1317 intersect, the salary of the county prosecuting attorney shall be
1318 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1319 (h) In any Class 1 county bordering on the Mississippi
1320 River, lying in whole or in part within a levee district, wherein
1321 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
1322 and Stales Bayou, the board of supervisors, in its discretion, may
1323 pay an annual salary equal to the annual salary of members of the
1324 board of supervisors in the county. In addition, such county
1325 prosecuting attorney shall receive the sum of One Thousand Dollars
1326 (\$1,000.00) per month for the purpose of defraying secretarial
1327 expenses.

1328 (i) In any county bordering on the Gulf of Mexico
1329 having two (2) judicial districts, and wherein U.S. Highways 90
1330 and 49 intersect, the salary of the county prosecuting attorney
1331 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
1332 year. The Board of Supervisors of Harrison County, Mississippi,
1333 may, in its discretion, and by agreement with the county
1334 prosecuting attorney, employ the county prosecuting attorney and
1335 his/her assistant during his/her term of office, and designate
1336 additional duties and responsibilities of the office and pay



1337 additional compensation up to, but not in excess of, ninety
1338 percent (90%) of the annual compensation and salary of the county
1339 court judges of Harrison County as authorized by law and provide
1340 adequate office space and reasonable office expenses to the county
1341 prosecuting attorney and his/her assistant. The salary authorized
1342 by this paragraph (i) for the county prosecuting attorney and
1343 his/her assistant shall be the sole and complete salary paid by
1344 the county for such prosecuting attorney and his/her assistant in
1345 each county to which this paragraph applies, notwithstanding any
1346 other provision of law to the contrary.

1347 (j) In any county bordering on the State of Alabama,
1348 having a population in excess of seventy-five thousand (75,000)
1349 according to the 1980 decennial census in which is located an
1350 institution of higher learning and a United States military
1351 installation and which is traversed by an interstate highway, the
1352 salary of the county prosecuting attorney shall not be less than
1353 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
1354 the annual salary received by a member of the board of supervisors
1355 of that county.

1356 (k) In any county with a land area wherein Mississippi
1357 Highways 8 and 9 intersect, the salary of the county prosecuting
1358 attorney shall be not less than Eight Thousand Five Hundred
1359 Dollars (\$8,500.00) per year.

1360 (l) In any Class 2 county wherein Mississippi Highways
1361 6 and 3 intersect, the salary of the county prosecuting attorney



1362 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
1363 year nor more than the amount of the annual salary received by a
1364 member of the board of supervisors of that county.

1365 (m) In any county wherein Interstate Highway 55 and
1366 State Highway 8 intersect, the salary of the county prosecuting
1367 attorney shall be not less than Twelve Thousand Dollars
1368 (\$12,000.00) per year.

1369 (n) In any county wherein U.S. Highway 51 intersects
1370 Mississippi Highway 6, and having two (2) judicial districts, the
1371 salary of the county prosecuting attorney shall be not less than
1372 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1373 (o) In any county bordering on the Alabama state line,
1374 having a population of greater than fifteen thousand (15,000)
1375 according to the 1970 federal decennial census, wherein U.S.
1376 Highway 45 and Mississippi Highway 18 intersect, the salary of the
1377 county prosecuting attorney shall be not less than Three Thousand
1378 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
1379 of the board of supervisors of such county. All prior acts,
1380 orders and resolutions of the board of supervisors of such county
1381 which authorized the payment of the salary in conformity with the
1382 provisions of this paragraph, whether or not heretofore
1383 specifically authorized by law are hereby ratified, approved and
1384 confirmed.

1385 (p) In any county wherein is located a state-supported
1386 institution of higher learning and wherein U.S. Highway 82 and



1387 Mississippi Highway 389 intersect, the board of supervisors, in
1388 its discretion, may pay the county prosecuting attorney an annual
1389 salary equal to the annual salary of members of the board of
1390 supervisors in the county.

1391 (q) In any county having two (2) judicial districts
1392 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the
1393 salary of the county prosecuting attorney shall be not less than
1394 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1395 (r) In any county traversed by the Natchez Trace
1396 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
1397 intersect, the board of supervisors, in its discretion, may pay
1398 the county prosecuting attorney an annual salary equal to the
1399 annual salary of justice court judges in the county.

1400 (s) In any county having a population of more than
1401 fourteen thousand (14,000) according to the 1970 census and which
1402 county is bordered on the north by the State of Tennessee and on
1403 the east by the State of Alabama and in which U.S. Highway No. 72
1404 and Highway No. 25 intersect, the board of supervisors, in its
1405 discretion, may pay the county prosecuting attorney an annual
1406 salary equal to the annual salary of justice court judges in the
1407 county.

1408 (t) (i) The Board of Supervisors of Madison County, in
1409 its discretion, may pay the county prosecuting attorney an annual
1410 salary in the amount of Twenty-eight Thousand Dollars



1411 (\$28,000.00), if the county prosecuting attorney is not employed
1412 on a full-time basis.

1413 (ii) From and after October 1, 1993, in addition
1414 to the salary provided for in subparagraph (i) of this paragraph,
1415 the board of supervisors, in its discretion, may pay the county
1416 prosecuting attorney an additional amount not to exceed ten
1417 percent (10%) of the maximum allowable salary prescribed herein.

1418 (iii) The Board of Supervisors of Madison County,
1419 in its discretion, may employ the elected county prosecuting
1420 attorney on a full-time basis during his or her term of office and
1421 may pay compensation to the full-time prosecuting attorney in an
1422 amount of not more than ninety percent (90%) of the annual
1423 compensation and salary of the county court judges of the county
1424 as authorized by law, and may provide adequate office space and
1425 reasonable office expenses to the county prosecuting attorney.
1426 The salary authorized by this subparagraph (iii) for the county
1427 prosecuting attorney shall be the sole and complete salary paid by
1428 the county for the prosecuting attorney in Madison County,
1429 notwithstanding any other provisions of law to the contrary.

1430 (u) In any county having a population in the 1970
1431 census in excess of thirty-five thousand (35,000) and in which
1432 U.S. Highways 49W and 82 intersect, and in which is located a
1433 state penitentiary, the annual salary of a county prosecuting
1434 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
1435 (\$30,420.00).



1436 (v) In any county wherein Mississippi Highway 50
1437 intersects U.S. Highway 45-Alternate, and having a population
1438 greater than twenty thousand (20,000) according to the 1980
1439 federal decennial census, a salary equal to that of a member of
1440 the board of supervisors of such county; provided that if such
1441 county prosecuting attorney is paid a sum for the purpose of
1442 defraying office or secretarial expenses, then the salary
1443 prescribed herein shall be reduced by that amount.

1444 (w) In any county in which the 1975 assessed valuation
1445 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred
1446 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and
1447 Mississippi Highway 8 intersect, the salary of the county
1448 prosecuting attorney shall be equal to that of a member of the
1449 board of supervisors of such county.

1450 (x) In any county bordering on the Mississippi River
1451 having a population greater than fifty thousand (50,000) according
1452 to the 1980 federal decennial census and also having a national
1453 military park and national cemetery, an annual salary of
1454 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
1455 that of a member of the board of supervisors in such county,
1456 whichever is greater. In addition, such county prosecuting
1457 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
1458 per month for the purpose of defraying secretarial expenses.

1459 (y) In any county bordering on the Alabama state line,
1460 traversed by the Chickasawhay River, and wherein U.S. Highway 45



1461 and U.S. Highway 84 intersect, a salary that shall be equal to the
1462 annual salary of a member of the board of supervisors of such
1463 county. All prior acts, orders and resolutions of the board of
1464 supervisors of such county which authorize the payment of the
1465 salary of the county prosecuting attorney in conformity with the
1466 provisions of this section as it existed immediately prior to
1467 April 12, 1985, are hereby ratified, approved, confirmed and
1468 validated.

1469 (z) In any county having a population greater than
1470 sixty-five thousand five hundred eighty (65,580) but less than
1471 sixty-five thousand five hundred ninety (65,590) according to the
1472 1990 federal decennial census, wherein U.S. Highway 45 intersects
1473 with Mississippi Highway 6, an annual salary equal to Thirty
1474 Thousand Dollars (\$30,000.00).

1475 (aa) In any county where an institution of higher
1476 learning is located and wherein U.S. Highway 82 and U.S. Highway
1477 45 intersect, the salary of the county prosecuting attorney shall
1478 be not less than that of a member of the board of supervisors in
1479 such county, and the board of supervisors may, in its discretion,
1480 pay such county prosecuting attorney a salary in an amount not to
1481 exceed the amount of the salary of the District Attorney for the
1482 Sixteenth Judicial District of Mississippi.

1483 (bb) In any county having a population greater than six
1484 thousand (6,000) according to the federal decennial census and
1485 wherein U.S. Highway 61 and Highway 24 intersect, the board of



1486 supervisors, in its discretion, may pay the county prosecuting
1487 attorney an annual salary equal to the annual salary of members of
1488 the board of supervisors in the county.

1489 (cc) In any county having a population greater than
1490 thirty-one thousand (31,000) according to the 1990 federal
1491 decennial census and wherein U.S. Highway 61 and U.S. Highway 49
1492 intersect, a salary of not less than the annual salary of justice
1493 court judges in the county.

1494 (dd) (i) The Rankin County prosecuting attorney, if
1495 such person is not employed on a full-time basis, shall receive an
1496 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1497 (ii) The Board of Supervisors of Rankin County, in
1498 its discretion, may employ the elected county prosecuting attorney
1499 and an assistant on a full-time basis during his or her term of
1500 office and may pay compensation to such full-time prosecuting
1501 attorney in an amount of not more than ninety percent (90%) of the
1502 annual compensation and salary of the county court judges of the
1503 county as authorized by law, and may provide adequate office space
1504 and reasonable office expenses to the county prosecuting attorney
1505 and his/her assistant. The Board of Supervisors of Rankin County,
1506 in its discretion, may also employ a full-time assistant county
1507 prosecuting attorney and may pay such person an annual salary in
1508 such amount as determined by the board of supervisors. The salary
1509 authorized by this paragraph (dd)(ii) for the elected county
1510 prosecuting attorney and an assistant shall be the sole and



1511 complete salary paid by the county for the elected prosecuting
1512 attorney and assistant in Rankin County, notwithstanding any other
1513 provisions of law to the contrary.

1514 (ee) In any county having a population greater than
1515 eight thousand (8,000) but less than eight thousand two hundred
1516 (8,200) according to the 1990 federal census, and in which U.S.
1517 Highway 61 and Mississippi Highway 4 intersect, the board of
1518 supervisors may, in its discretion, pay the county prosecuting
1519 attorney an amount not to exceed Fourteen Thousand Dollars
1520 (\$14,000.00), in addition to the maximum allowable salary for that
1521 attorney under subsection (1), beginning on April 1, 1997.

1522 (ff) In any county having a population greater than
1523 thirty thousand three hundred (30,300) but less than thirty
1524 thousand four hundred (30,400) according to the 1990 federal
1525 census, and in which U.S. Highway 78 and Mississippi Highway 7
1526 intersect, a salary of not less than the annual salary of a member
1527 of the board of supervisors in such county.

1528 (gg) In any county having a population greater than
1529 thirteen thousand three hundred (13,300) but less than thirteen
1530 thousand four hundred (13,400) according to the 1990 federal
1531 census, and in which Mississippi Highway 24 and Mississippi
1532 Highway 48 intersect, the board of supervisors may, in its
1533 discretion, pay the county prosecuting attorney an additional
1534 amount not to exceed ten percent (10%) of the maximum allowable
1535 salary for that attorney under subsection (1).



1536 (hh) In any county having a population greater than
1537 eight thousand three hundred (8,300) but less than eight thousand
1538 four hundred (8,400) according to the 1990 federal census, and in
1539 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
1540 supervisors may, in its discretion, pay the county prosecuting
1541 attorney an additional amount not to exceed ten percent (10%) of
1542 the maximum allowable salary for that attorney under subsection
1543 (1).

1544 (ii) In any county having a population of more than
1545 thirty thousand four hundred (30,400) and which is traversed in
1546 whole or in part by I-59, U.S. Highways 98 and 11 and State
1547 Highway 13, the annual salary of the county prosecuting attorney
1548 shall be Twenty-five Thousand Dollars (\$25,000.00).

1549 (jj) In any county having a population greater than
1550 twenty thousand (20,000) according to the 1990 federal census and
1551 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
1552 board of supervisors, in its discretion, may pay the county
1553 prosecuting attorney an annual salary equal to the annual salary
1554 of justice court judges in the county.

1555 (kk) In any county having a population greater than
1556 twelve thousand four hundred (12,400) but less than twelve
1557 thousand five hundred (12,500) according to the 1990 federal
1558 census, and in which U.S. Highway 84 and Mississippi Highway 27
1559 intersect, the board of supervisors may, in its discretion, pay
1560 the county prosecuting attorney an additional amount not to exceed



1561 ten percent (10%) of the maximum allowable salary for that
1562 attorney under subsection (1).

1563 (ll) In any county having a population greater than
1564 thirty thousand two hundred (30,200) but less than thirty thousand
1565 three hundred (30,300) according to the 1990 federal census, and
1566 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,
1567 the board of supervisors may, in its discretion, pay the county
1568 prosecuting attorney an additional amount not to exceed ten
1569 percent (10%) of the maximum allowable salary for that attorney
1570 under subsection (1).

1571 (mm) In any county on the Mississippi River levee,
1572 having a population greater than forty-one thousand eight hundred
1573 (41,800) but less than forty-one thousand nine hundred (41,900)
1574 according to the 1990 federal census wherein U.S. Highway 61 and
1575 Mississippi Highway 8 intersect, the board of supervisors, in its
1576 discretion, may pay the county prosecuting attorney an annual
1577 salary equal to the annual salary of members of the board of
1578 supervisors in the county. In addition, the board of supervisors,
1579 in its discretion, may pay the county prosecuting attorney the sum
1580 of One Thousand Dollars (\$1,000.00) per month for the purpose of
1581 defraying secretarial expenses.

1582 (nn) In any county having a population greater than
1583 twenty-four thousand seven hundred (24,700) and less than
1584 twenty-four thousand nine hundred (24,900) according to the 1990
1585 federal census, wherein Mississippi Highways 15 and 16 intersect,



1586 the board of supervisors, in its discretion, may pay the county
1587 prosecuting attorney an annual salary equal to the annual salary
1588 of members of the board of supervisors in the county.

1589 (oo) In any county having a population greater than
1590 thirty-seven thousand (37,000) but less than thirty-eight thousand
1591 (38,000) according to the 1990 federal census, in which is located
1592 a state supported institution of higher learning, and in which
1593 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
1594 supervisors may, in its discretion, pay the county prosecuting
1595 attorney a salary in an amount not to exceed the amount of the
1596 salary of the District Attorney for the Fourth Judicial District
1597 of Mississippi.

1598 (pp) In any county in which U.S. Highway 78 and
1599 Mississippi Highway 15 intersect and which is traversed by the
1600 Tallahatchie River, a salary equal to that of members of the board
1601 of supervisors of the county, which salary shall be in addition to
1602 any sums received for the purpose of defraying office or
1603 secretarial expenses and sums received as youth court prosecutor
1604 fees.

1605 (qq) In any county bordering on the State of Tennessee
1606 and the State of Arkansas, wherein Interstate Highway 55 and
1607 Mississippi Highway 302 intersect, the board of supervisors, in
1608 its discretion, may pay the county prosecuting attorney an annual
1609 salary equal to the annual salary of justice court judges in the
1610 county.



1611 (rr) In any county that is traversed by the Natchez
1612 Trace Parkway and in which Mississippi Highway 35 and Mississippi
1613 Highway 12 intersect, the board of supervisors, in its discretion,
1614 may pay the county prosecuting attorney an annual salary in the
1615 amount of the annual salary of justice court judges in the county.

1616 (ss) In any county in which Mississippi Highway 14 and
1617 Mississippi Highway 25 intersect, the board of supervisors, in its
1618 discretion, may pay the county prosecuting attorney an annual
1619 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1620 (tt) In any county in which Interstate Highway 59 and
1621 U.S. Highway 84 intersect, the board of supervisors, in its
1622 discretion, may pay the county prosecuting attorney an annual
1623 salary equal to the annual salary of members of the board of
1624 supervisors in the county.

1625 (uu) (i) In any county bordering on the Mississippi
1626 River having a population greater than fifty thousand (50,000)
1627 according to the 1980 federal decennial census and also having a
1628 national military park and national cemetery, the board of
1629 supervisors of the county shall pay an annual salary of
1630 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
1631 that of a member of the board of supervisors, whichever is
1632 greater, if not employed on a full-time basis. In addition, the
1633 county prosecuting attorney shall be paid the sum of One Thousand
1634 Dollars (\$1,000.00) per month for the purpose of defraying
1635 secretarial expenses, if not employed on a full-time basis; or



1636 (ii) The board of supervisors of the county
1637 described in subparagraph (i) of this paragraph, in its
1638 discretion, may employ the elected county prosecuting attorney on
1639 a full-time basis during his or her term of office and may pay
1640 compensation to the full-time prosecuting attorney in an amount of
1641 not more than ninety percent (90%) of the annual compensation and
1642 salary of the County Court Judge of Warren County as authorized by
1643 law, and may provide adequate office space and reasonable office
1644 expenses to the county prosecuting attorney. The salary
1645 authorized herein by this subparagraph (ii) for the county
1646 prosecuting attorney shall be the sole and complete salary paid by
1647 the county for the prosecuting attorney in Warren County,
1648 notwithstanding any other provisions of law to the contrary.

1649 (3) In any case where a salary, expense allowance or other
1650 sum is authorized or paid by the board of supervisors pursuant to
1651 this section, that salary, expense allowance or other sum shall
1652 not be reduced or terminated during the term for which the county
1653 attorney was elected.

1654 (4) Notwithstanding any provision of this section to the
1655 contrary, no county prosecuting attorney shall receive for his
1656 services an annual salary less than the salary paid to a justice
1657 court judge in his respective county.

1658 **SECTION 16.** Section 25-3-11, Mississippi Code of 1972, is
1659 brought forward as follows:



1660 25-3-11. In Class 1 counties having two (2) judicial
1661 districts and having an area in excess of nine hundred (900)
1662 square miles according to the Mississippi Official and Statistical
1663 Register issued by the Secretary of State of the State of
1664 Mississippi for the year 1952, the board of supervisors is hereby
1665 empowered, in its discretion, to provide for and pay the county
1666 attorney a sum not to exceed One Hundred Dollars (\$100.00) per
1667 month as a mileage and automobile expense account, said monies to
1668 be paid from the general county fund of such county.

1669 **SECTION 17.** Section 25-3-13, Mississippi Code of 1972, is
1670 brought forward as follows:

1671 25-3-13. (1) The salaries of the members of the boards of
1672 supervisors of the various counties are fixed as full compensation
1673 for their services.

1674 The annual salary of each member of the board of supervisors
1675 shall be based upon the total assessed valuation of his respective
1676 county for the preceding taxable year in the following categories
1677 and for the following amounts:

1678 (a) For counties having a total assessed valuation of
1679 less than Thirty Million Dollars (\$30,000,000.00), a salary of
1680 Twenty-nine Thousand Dollars (\$29,000.00);

1681 (b) For counties having a total assessed valuation of
1682 at least Thirty Million Dollars (\$30,000,000.00), but less than
1683 Fifty Million Dollars (\$50,000,000.00), a salary of Thirty-two
1684 Thousand Three Hundred Dollars (\$32,300.00);



1685 (c) For counties having a total assessed valuation of
1686 at least Fifty Million Dollars (\$50,000,000.00), but less than
1687 Seventy-five Million Dollars (\$75,000,000.00), a salary of
1688 Thirty-three Thousand Seven Hundred Dollars (\$33,700.00);

1689 (d) For counties having a total assessed valuation of
1690 at least Seventy-five Million Dollars (\$75,000,000.00), but less
1691 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
1692 salary of Thirty-four Thousand Seven Hundred Dollars (\$34,700.00);

1693 (e) For counties having a total assessed valuation of
1694 at least One Hundred Twenty-five Million Dollars
1695 (\$125,000,000.00), but less than Three Hundred Million Dollars
1696 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars
1697 (\$40,400.00);

1698 (f) For counties having a total assessed valuation of
1699 at least Three Hundred Million Dollars (\$300,000,000.00), but less
1700 than One Billion Dollars (\$1,000,000,000.00), a salary of
1701 Forty-four Thousand Seven Hundred Dollars (\$44,700.00);

1702 (g) For counties having a total assessed valuation of
1703 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion
1704 Dollars (\$2,000,000,000.00), a salary of Forty-five Thousand Seven
1705 Hundred Dollars (\$45,700.00);

1706 (h) For counties having a total assessed valuation of
1707 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
1708 Forty-six Thousand Seven Hundred Dollars (\$46,700.00).



1709 (2) The annual salary established for the members of the
1710 board of supervisors shall not be reduced as a result of a
1711 reduction in total assessed valuation.

1712 (3) The salary of the members of the board of supervisors
1713 shall not be increased under this section until the board of
1714 supervisors shall have passed a resolution stating the amount of
1715 the increase and spread it on its minutes.

1716 **SECTION 18.** Section 25-3-15, Mississippi Code of 1972, is
1717 brought forward as follows:

1718 25-3-15. It is hereby further provided that, in any county
1719 of the state having producing oil or gas wells, the total
1720 valuation of such oil or gas produced, as reported by the State
1721 Tax Commission for the last preceding calendar year, may be
1722 combined with the total assessed valuation of said county in
1723 computing its category for the purpose of fixing the salary of the
1724 members of the board of supervisors of said county; provided that
1725 in any county wherein twenty-five percent (25%) or more of the
1726 real property of the county is owned by an agency of the federal
1727 government, and consequently exempt from ad valorem taxes, the
1728 salary of the members of the board of supervisors in each such
1729 county shall be that established by the next highest rate from
1730 that determined by the total assessed value of the property of the
1731 county.

1732 **SECTION 19.** Section 25-3-17, Mississippi Code of 1972, is
1733 brought forward as follows:



1734 25-3-17. The salaries provided in Sections 25-3-13 and
1735 25-3-15 shall be payable monthly on the first day of each calendar
1736 month during the calendar year following that in which the total
1737 assessed valuation is determined; however, the board of
1738 supervisors, by resolution duly adopted and entered on its
1739 minutes, may provide that such salaries shall be paid semimonthly
1740 on the first and fifteenth day of each month. If a pay date falls
1741 on a weekend or legal holiday, salary payments shall be made on
1742 the workday immediately preceding the weekend or legal holiday.
1743 The chancery clerk shall draw his warrant on the general fund of
1744 the county, the county road and bridge fund, or any fund of the
1745 county available for such purposes.

1746 **SECTION 20.** Section 25-3-19, Mississippi Code of 1972, is
1747 brought forward as follows:

1748 25-3-19. The chancery clerks, as county auditors, shall
1749 receive compensation for their services as such the annual amount
1750 of Five Thousand Three Hundred Dollars (\$5,300.00), payable in
1751 equal monthly installments out of the county treasury; however,
1752 the board of supervisors, by resolution duly adopted and entered
1753 on its minutes, may provide that such salaries shall be paid
1754 semimonthly on the first and fifteenth day of each month. If a
1755 pay date falls on a weekend or legal holiday, salary payments
1756 shall be made on the workday immediately preceding the weekend or
1757 legal holiday.



1758 **SECTION 21.** Section 25-3-21, Mississippi Code of 1972, is
1759 brought forward as follows:

1760 25-3-21. The board of supervisors may allow to its clerks
1761 reasonable compensation, to be paid out of the county treasury,
1762 for making copies of assessment rolls required by law, not to
1763 exceed One and One-half Cents (1-1/2¢) for each personal
1764 assessment or Three Cents (3¢) for each separate assessment of
1765 lands per copy; but the board of supervisors may allow as much as
1766 One Hundred Fifty Dollars (\$150.00) in any case for copying the
1767 personal roll, and each copy thereof shall be considered a roll.

1768 **SECTION 22.** Section 25-3-23, Mississippi Code of 1972, is
1769 brought forward as follows:

1770 25-3-23. The board of supervisors of any county having two
1771 (2) judicial districts and having an assessed valuation of less
1772 than Five Million Dollars (\$5,000,000.00) for the year 1945, and
1773 having a population of less than twenty thousand (20,000) based on
1774 the federal census of 1940, may, in their discretion, pay a salary
1775 not to exceed Twelve Hundred Dollars (\$1200.00) per annum to a
1776 regular appointed deputy chancery clerk, who shall reside in and
1777 serve in the judicial district of the county other than the
1778 judicial district of the county in which the chancery clerk
1779 resides, provided the chancery clerk's office in both districts be
1780 kept open for official business during the hours required by law.

1781 In counties having two (2) judicial districts, a regular
1782 appointed deputy chancery clerk in each judicial district, a total



1783 assessed valuation in excess of Fifteen Million Dollars
1784 (\$15,000,000.00) for the year 1973 and in which Mississippi
1785 Highways 8 and 15 intersect, the chancery clerk or deputy clerks
1786 designated by him, may be allowed, payable monthly out of the
1787 county treasury such sum as the board of supervisors may allow,
1788 payable out of the general county fund; provided, the chancery
1789 clerk's office in both judicial districts be kept open for
1790 official business during the hours required by law. Provided,
1791 further, such amounts as may be allowed by the board of
1792 supervisors shall be in addition to all other compensation
1793 provided by law.

1794 In counties having two (2) judicial districts, a regular
1795 appointed deputy chancery court clerk, a total assessed valuation
1796 in excess of Ninety Million Dollars (\$90,000,000.00), a total
1797 population of more than one hundred nineteen thousand (119,000)
1798 according to the federal census for the year 1960, and two (2)
1799 cities located within such county, each of which had a population
1800 of more than thirty thousand (30,000) according to the federal
1801 census for the year 1960, the chancery clerk may be allowed,
1802 payable monthly out of the county treasury, such sum as the board
1803 of supervisors may allow, but not less than Four Hundred Dollars
1804 (\$400.00) monthly, payable out of the general county fund of such
1805 county; and such amounts shall be in addition to all other
1806 allowances now provided by law.



1807 In counties having two (2) judicial districts, a regular
1808 appointed deputy chancery court clerk, a total population of more
1809 than forty-nine thousand (49,000) but less than fifty thousand
1810 (50,000) according to the federal census of 1970, the board of
1811 supervisors may, in its discretion, pay a salary not to exceed Two
1812 Thousand Four Hundred Dollars (\$2,400.00) per annum to a regular
1813 appointed deputy chancery clerk who shall reside in and serve in
1814 the judicial district of the county other than the judicial
1815 district of the county in which the chancery clerk resides,
1816 provided the chancery clerk's office in both districts be kept
1817 open for official business during the hours required by law.

1818 The board of supervisors of any Class 4 county, having two
1819 (2) judicial districts, traversed by U.S. Highway 51, wherein
1820 Mississippi Highways 7 and 32 intersect, may, in its discretion,
1821 pay a salary not to exceed Three Hundred Fifty Dollars (\$350.00)
1822 monthly to a regular appointed deputy chancery clerk who shall
1823 reside and serve in the judicial district of the county other than
1824 the judicial district in which the chancery clerk resides,
1825 provided the chancery clerk's office in both districts be kept
1826 open for official business during the hours required by law.

1827 **SECTION 23.** Section 25-3-25, Mississippi Code of 1972, is
1828 brought forward as follows:

1829 25-3-25. (1) Except as otherwise provided in subsections
1830 (2) through (9), the salaries of sheriffs of the various counties
1831 are fixed as full compensation for their services.



1832 The annual salary for each sheriff shall be based upon the
1833 total population of his county according to the latest federal
1834 decennial census in the following categories and for the following
1835 amounts; however, no sheriff shall be paid less than the salary
1836 authorized under this section to be paid the sheriff based upon
1837 the population of the county according to the most recent federal
1838 decennial census:

1839 (a) For counties with a total population of more than
1840 one hundred thousand (100,000), a salary of Ninety-nine Thousand
1841 Dollars (\$99,000.00).

1842 (b) For counties with a total population of more than
1843 forty-five thousand (45,000) and not more than one hundred
1844 thousand (100,000), a salary of Ninety Thousand Dollars
1845 (\$90,000.00).

1846 (c) For counties with a total population of more than
1847 thirty-four thousand (34,000) and not more than forty-five
1848 thousand (45,000), a salary of Eighty-five Thousand Dollars
1849 (\$85,000.00).

1850 (d) For counties with a total population of more than
1851 fifteen thousand (15,000) and not more than thirty-four thousand
1852 (34,000), a salary of Eighty Thousand Dollars (\$80,000.00).

1853 (e) For counties with a total population of not more
1854 than fifteen thousand (15,000), a salary of Seventy-five Thousand
1855 Dollars (\$75,000.00).



1856 (2) In addition to the salary provided for in subsection (1)
1857 of this section, the Board of Supervisors of Leflore County, in
1858 its discretion, may pay an annual supplement to the sheriff of the
1859 county in an amount not to exceed Ten Thousand Dollars
1860 (\$10,000.00). The Legislature finds and declares that the annual
1861 supplement authorized by this subsection is justified in such
1862 county for the following reasons:

1863 (a) The Mississippi Department of Corrections operates
1864 and maintains a restitution center within the county;

1865 (b) The Mississippi Department of Corrections operates
1866 and maintains a community work center within the county;

1867 (c) There is a resident circuit court judge in the
1868 county whose office is located at the Leflore County Courthouse;

1869 (d) There is a resident chancery court judge in the
1870 county whose office is located at the Leflore County Courthouse;

1871 (e) The Magistrate for the Fourth Circuit Court
1872 District is located in the county and maintains his office at the
1873 Leflore County Courthouse;

1874 (f) The Region VI Mental Health-Mental Retardation
1875 Center, which serves a multicounty area, calls upon the sheriff to
1876 provide security for out-of-town mental patients, as well as
1877 patients from within the county;

1878 (g) The increased activity of the Child Support
1879 Division of the Department of Human Services in enforcing in the



1880 courts parental obligations has imposed additional duties on the
1881 sheriff; and

1882 (h) The dispatchers of the enhanced E-911 system in
1883 place in Leflore County have been placed under the direction and
1884 control of the sheriff.

1885 (3) In addition to the salary provided for in subsection (1)
1886 of this section, the Board of Supervisors of Rankin County, in its
1887 discretion, may pay an annual supplement to the sheriff of the
1888 county in an amount not to exceed Ten Thousand Dollars
1889 (\$10,000.00). The Legislature finds and declares that the annual
1890 supplement authorized by this subsection is justified in such
1891 county for the following reasons:

1892 (a) The Mississippi Department of Corrections operates
1893 and maintains the Central Mississippi Correctional Facility within
1894 the county;

1895 (b) The State Hospital is operated and maintained
1896 within the county at Whitfield;

1897 (c) Hudspeth Regional Center, a facility maintained for
1898 the care and treatment of persons with an intellectual disability,
1899 is located within the county;

1900 (d) The Mississippi Law Enforcement Officers Training
1901 Academy is operated and maintained within the county;

1902 (e) The State Fire Academy is operated and maintained
1903 within the county;



1904 (f) The Pearl River Valley Water Supply District,
1905 ordinarily known as the "Reservoir District," is located within
1906 the county;

1907 (g) The Jackson International Airport is located within
1908 the county;

1909 (h) The patrolling of the state properties located
1910 within the county has imposed additional duties on the sheriff;
1911 and

1912 (i) The sheriff, in addition to providing security to
1913 the nearly one hundred thousand (100,000) residents of the county,
1914 has the duty to investigate, solve and assist in the prosecution
1915 of any misdemeanor or felony committed upon any state property
1916 located in Rankin County.

1917 (4) In addition to the salary provided for in subsection (1)
1918 of this section, the Board of Supervisors of Neshoba County shall
1919 pay an annual supplement to the sheriff of the county an amount
1920 equal to Ten Thousand Dollars (\$10,000.00).

1921 (5) In addition to the salary provided for in subsection (1)
1922 of this section, the Board of Supervisors of Tunica County, in its
1923 discretion, may pay an annual supplement to the sheriff of the
1924 county an amount equal to Ten Thousand Dollars (\$10,000.00),
1925 payable beginning April 1, 1997.

1926 (6) In addition to the salary provided for in subsection (1)
1927 of this section, the Board of Supervisors of Hinds County shall
1928 pay an annual supplement to the sheriff of the county in an amount



1929 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature
1930 finds and declares that the annual supplement authorized by this
1931 subsection is justified in such county for the following reasons:

1932 (a) Hinds County has the greatest population of any
1933 county, two hundred fifty-four thousand four hundred forty-one
1934 (254,441) by the 1990 census, being almost one hundred thousand
1935 (100,000) more than the next most populous county;

1936 (b) Hinds County is home to the State Capitol and the
1937 seat of all state government offices;

1938 (c) Hinds County is the third largest county in
1939 geographic area, containing eight hundred seventy-five (875)
1940 square miles;

1941 (d) Hinds County is comprised of two (2) judicial
1942 districts, each having a courthouse and county office buildings;

1943 (e) There are four (4) resident circuit judges, four
1944 (4) resident chancery judges, and three (3) resident county judges
1945 in Hinds County, the most of any county, with the sheriff acting
1946 as chief executive officer and provider of bailiff services for
1947 all;

1948 (f) The main offices for the clerk and most of the
1949 judges and magistrates for the United States District Court for
1950 the Southern District of Mississippi are located within the
1951 county;

1952 (g) The state's only urban university, Jackson State
1953 University, is located within the county;



1954 (h) The University of Mississippi Medical Center,
1955 combining the medical school, dental school, nursing school and
1956 hospital, is located within the county;

1957 (i) Mississippi Veterans Memorial Stadium, the state's
1958 largest sports arena, is located within the county;

1959 (j) The Mississippi State Fairgrounds, including the
1960 Coliseum and Trade Mart, are located within the county;

1961 (k) Hinds County has the largest criminal population in
1962 the state, such that the Hinds County Sheriff's Department
1963 operates the largest county jail system in the state, housing
1964 almost one thousand (1,000) inmates in three (3) separate
1965 detention facilities;

1966 (l) The Hinds County Sheriff's Department handles more
1967 mental and drug and alcohol commitment cases than any other
1968 sheriff's department in the state;

1969 (m) The Mississippi Department of Corrections maintains
1970 a restitution center within the county;

1971 (n) The Mississippi Department of Corrections regularly
1972 houses as many as one hundred (100) state convicts within the
1973 Hinds County jail system; and

1974 (o) The Hinds County Sheriff's Department is regularly
1975 asked to provide security services not only at the Fairgrounds and
1976 Memorial Stadium, but also for events at the Mississippi Museum of
1977 Art and Jackson City Auditorium.



1978 (7) In addition to the salary provided for in subsection (1)
1979 of this section, the Board of Supervisors of Wilkinson County, in
1980 its discretion, may pay an annual supplement to the sheriff of the
1981 county in an amount not to exceed Ten Thousand Dollars
1982 (\$10,000.00). The Legislature finds and declares that the annual
1983 supplement authorized by this subsection is justified in such
1984 county because the Mississippi Department of Corrections contracts
1985 for the private incarceration of state inmates at a private
1986 correctional facility within the county.

1987 (8) In addition to the salary provided for in subsection (1)
1988 of this section, the Board of Supervisors of Marshall County, in
1989 its discretion, may pay an annual supplement to the sheriff of the
1990 county in an amount not to exceed Ten Thousand Dollars
1991 (\$10,000.00). The Legislature finds and declares that the annual
1992 supplement authorized by this subsection is justified in such
1993 county because the Mississippi Department of Corrections contracts
1994 for the private incarceration of state inmates at a private
1995 correctional facility within the county.

1996 (9) In addition to the salary provided in subsection (1) of
1997 this section, the Board of Supervisors of Greene County, in its
1998 discretion, may pay an annual supplement to the sheriff of the
1999 county in an amount not to exceed Ten Thousand Dollars
2000 (\$10,000.00). The Legislature finds and declares that the annual
2001 supplement authorized by this subsection is justified in such
2002 county for the following reasons:



2003 (a) The Mississippi Department of Corrections operates
2004 and maintains the South Mississippi Correctional Facility within
2005 the county;

2006 (b) In 1996, additional facilities to house another one
2007 thousand four hundred sixteen (1,416) male offenders were
2008 constructed at the South Mississippi Correctional Facility within
2009 the county; and

2010 (c) The patrolling of the state properties located
2011 within the county has imposed additional duties on the sheriff
2012 justifying additional compensation.

2013 (10) In addition to the salary provided in subsection (1) of
2014 this section, the board of supervisors of any county, in its
2015 discretion, may pay an annual supplement to the sheriff of the
2016 county in an amount not to exceed Ten Thousand Dollars
2017 (\$10,000.00). The amount of the supplement shall be spread on the
2018 minutes of the board. The annual supplement authorized in this
2019 subsection shall not be in addition to the annual supplements
2020 authorized in subsections (2) through (9).

2021 (11) (a) The salaries provided in this section shall be
2022 payable monthly on the first day of each calendar month by
2023 chancery clerk's warrant drawn on the general fund of the county;
2024 however, the board of supervisors, by resolution duly adopted and
2025 entered on its minutes, may provide that such salaries shall be
2026 paid semimonthly on the first and fifteenth day of each month. If
2027 a pay date falls on a weekend or legal holiday, salary payments



2028 shall be made on the workday immediately preceding the weekend or
2029 legal holiday.

2030 (b) At least Ten Dollars (\$10.00) from each fee
2031 collected and deposited into the county's general fund under the
2032 provisions of paragraphs (a), (c) and (g) of subsection (1) of
2033 Section 25-7-19 shall be used for the sheriffs' salaries
2034 authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount
2035 was authorized during the 2007 Regular Session in Chapter 331,
2036 Laws of 2007, for the purpose of providing additional monies to
2037 the counties for sheriffs' salaries.

2038 (12) (a) All sheriffs, each year, shall attend twenty (20)
2039 hours of continuing education courses in law enforcement. Such
2040 courses shall be approved by the Mississippi Board on Law
2041 Enforcement Officers Standards and Training. Such education
2042 courses may be provided by an accredited law enforcement academy
2043 or by the Mississippi Sheriffs' Association.

2044 (b) The Mississippi Board on Law Enforcement Officers
2045 Standards and Training shall reimburse each county for the
2046 expenses incurred by sheriffs and deputy sheriffs for attendance
2047 at any approved training programs as required by this subsection.

2048 **SECTION 24.** Section 25-3-27, Mississippi Code of 1972, is
2049 brought forward as follows:

2050 25-3-27. The board of supervisors of any county having two
2051 judicial districts may, in the discretion of said board, pay a
2052 salary of not less than One Thousand Five Hundred Dollars



2053 (\$1,500.00) nor more than Two Thousand Five Hundred Dollars
2054 (\$2,500.00) to a regularly appointed deputy sheriff, who shall
2055 reside in and serve in the judicial district of the county other
2056 than the judicial district in which the sheriff of the county
2057 resides, provided the sheriff's office in both districts shall be
2058 kept open for official business during the hours required by law.

2059 The board of supervisors of any county having two judicial
2060 districts with an assessed valuation of less than Four Million
2061 Dollars (\$4,000,000.00) shall pay a salary of not less than One
2062 Thousand Dollars (\$1,000.00) nor more than Fifteen Hundred Dollars
2063 (\$1500.00) per annum to a regularly appointed deputy sheriff, who
2064 shall reside in and serve in the judicial district of the county
2065 other than the judicial district of the county in which the
2066 sheriff resides, provided the sheriff's office in both districts
2067 be kept open for official business during the hours required by
2068 law.

2069 The board of supervisors of any county having two judicial
2070 districts, having a population of less than fifteen thousand
2071 (15,000) according to the last federal census, and situated partly
2072 inside and partly outside the Yazoo-Mississippi Valley Delta may
2073 pay a salary of not less than Two Thousand Four Hundred Dollars
2074 (\$2,400.00) nor more than Five Thousand Four Hundred Dollars
2075 (\$5,400.00) per annum to a regularly appointed deputy sheriff, who
2076 shall reside in and serve in the judicial district of the county
2077 other than the judicial district of the county in which the



2078 sheriff resides, provided the sheriff's office in both districts
2079 be kept open for official business during the hours required by
2080 law.

2081 The board of supervisors of any county having an assessed
2082 valuation of not exceeding Six Million Two Hundred Fifty Thousand
2083 Dollars (\$6,250,000.00) and having situated within its boundaries
2084 two federal flood control reservoirs, or parts of said reservoirs,
2085 shall pay a salary of Fifteen Hundred Dollars (\$1500.00) per annum
2086 to a regularly appointed deputy sheriff, who shall reside in and
2087 serve in the judicial district of the county other than the
2088 judicial district of the county in which the sheriff resides,
2089 provided the sheriff's office in both districts be kept open for
2090 official business during the hours required by law.

2091 **SECTION 25.** Section 25-3-29, Mississippi Code of 1972, is
2092 brought forward as follows:

2093 25-3-29. Except as otherwise therein provided, the salaries
2094 mentioned in the foregoing sections shall be paid monthly out of
2095 the general county fund, and the said salaries and allowances
2096 shall be included in the budget of each county; however, the board
2097 of supervisors, by resolution duly adopted and entered on its
2098 minutes, may provide that such salaries shall be paid semimonthly
2099 on the first and fifteenth day of each month. If a pay date falls
2100 on a weekend or legal holiday, salary payments shall be made on
2101 the workday immediately preceding the weekend or legal holiday.



2102 **SECTION 26.** Section 25-3-31, Mississippi Code of 1972, is
2103 brought forward as follows:

2104 25-3-31. The annual salaries of the following elected state
2105 and district officers are fixed as follows:

| | | |
|------|---|--------------|
| 2106 | Governor..... | \$122,160.00 |
| 2107 | Attorney General..... | 108,960.00 |
| 2108 | Secretary of State..... | 90,000.00 |
| 2109 | Commissioner of Insurance..... | 90,000.00 |
| 2110 | State Treasurer..... | 90,000.00 |
| 2111 | State Auditor of Public Accounts..... | 90,000.00 |
| 2112 | Commissioner of Agriculture and Commerce..... | 90,000.00 |
| 2113 | Transportation Commissioners..... | 78,000.00 |
| 2114 | Public Service Commissioners..... | 78,000.00 |

2115 If the person serving as Governor on December 31, 2003, is
2116 reelected to the Office of Governor for the term beginning in the
2117 year 2004, he may choose not to receive the salary increase
2118 authorized by this section, but to receive, instead, an annual
2119 salary of One Hundred One Thousand Eight Hundred Dollars
2120 (\$101,800.00) during his new term of office by filing a written
2121 request with the Department of Finance and Administration.

2122 **SECTION 27.** Section 25-3-34, Mississippi Code of 1972, is
2123 brought forward as follows:

2124 25-3-34. (1) In addition to the salary provided in Section
2125 25-3-33, any appointive state and district official and employee
2126 provided therein shall receive the award of an education benchmark



2127 as defined in State Personnel Board rules for the possession or
2128 attainment of any of the following:

2129 (a) The Certified Public Manager designation;

2130 (b) A job-related Ph.D (Doctor of Philosophy) degree
2131 which is not required as a minimum qualification of the position;

2132 (c) A job related certification, licensure or
2133 registration requiring the passage of an examination, which is not
2134 required as a minimum qualification of the position.

2135 (2) No such official or employee may receive more than a
2136 total of three (3) eligible benchmarks, only one of which may be
2137 for a job related certification, licensure or registration.

2138 (3) The State Personnel Board shall promulgate rules and
2139 regulations to carry out the provisions of this section.

2140 **SECTION 28.** Section 25-3-35, Mississippi Code of 1972, is
2141 brought forward as follows:

2142 25-3-35. (1) The annual salaries of the following judges
2143 are fixed as follows:

2144 **From and after January 1, 2013, through December 31, 2013:**

2145 Chief Justice of the Supreme Court.....\$126,292.50

2146 Presiding Justices of the Supreme Court, each..... 123,600.75

2147 Associate Justices of the Supreme Court, each..... 122,460.00

2148 **From and after January 1, 2014, through December 31, 2014:**

2149 Chief Justice of the Supreme Court.....\$137,195.00

2150 Presiding Justices of the Supreme Court, each..... 134,011.50

2151 Associate Justices of the Supreme Court, each..... 132,390.00



2152 **From and after January 1, 2015, through December 31, 2015:**
 2153 Chief Justice of the Supreme Court.....\$148,097.50
 2154 Presiding Justices of the Supreme Court, each..... 144,422.25
 2155 Associate Justices of the Supreme Court, each..... 142,320.00

2156 **From and after January 1, 2016:**
 2157 Chief Justice of the Supreme Court.....\$159,000.00
 2158 Presiding Justices of the Supreme Court, each..... 154,833.00
 2159 Associate Justices of the Supreme Court, each..... 152,250.00

2160 There are imposed upon the Supreme Court justices the extra duties
 2161 of taking all necessary action to promote judicial education in
 2162 schools, drug courts, electronic filing and case management
 2163 systems as developed by the Administrative Office of Courts, or
 2164 such other additional duties as may be assigned by the Chief
 2165 Justice of the Supreme Court. For such extra services each
 2166 justice, from and after January 1, 2013, shall receive a sum
 2167 sufficient to aggregate, per annum, the salaries set forth in this
 2168 subsection (1).

2169 The fixed salaries in this subsection (1) shall be paid from
 2170 the State General Fund and from the Judicial System Operation Fund
 2171 created under Section 9-21-45. No less than: One Hundred Fifteen
 2172 Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief
 2173 Justice's salary in this subsection (1), One Hundred Thirteen
 2174 Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of
 2175 a presiding justice in this subsection (1), and One Hundred Twelve
 2176 Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary



2177 of an associate justice in this subsection (1) shall be paid from
2178 general fund monies; in addition, the Legislature shall
2179 appropriate annually from the Judicial System Operation Fund a sum
2180 sufficient to increase the salary of the Chief Justice, a
2181 presiding justice and an associate justice to the levels set forth
2182 in this subsection (1).

2183 The fixed salaries as specified in this subsection (1) shall
2184 be the exclusive and total compensation which can be reported to
2185 the Public Employees' Retirement System for retirement purposes;
2186 however, any judge in office on December 31, 2003, may continue to
2187 report his expense allowance as part of his compensation for
2188 retirement purposes.

2189 (2) The annual salaries of the judges of the Court of
2190 Appeals of Mississippi are fixed as follows:

2191 **From and after January 1, 2013, through December 31, 2013:**

2192 Chief Judge of the Court of Appeals.....\$117,992.00
2193 Associate Judges of the Court of Appeals, each.... 114,994.25

2194 **From and after January 1, 2014, through December 31, 2014:**

2195 Chief Judge of the Court of Appeals.....\$127,854.00
2196 Associate Judges of the Court of Appeals, each.... 124,938.50

2197 **From and after January 1, 2015, through December 31, 2015:**

2198 Chief Judge of the Court of Appeals.....\$137,716.00
2199 Associate Judges of the Court of Appeals, each.... 134,882.75

2200 **From and after January 1, 2016:**

2201 Chief Judge of the Court of Appeals.....\$147,578.00



2202 Associate Judges of the Court of Appeals, each.... 144,827.00

2203 From and after January 1, 2013, each judge shall receive a
2204 sum sufficient to aggregate, per annum, the salaries set forth in
2205 this subsection (2).

2206 The fixed salaries in this subsection (2) shall be paid from
2207 the State General Fund and from the Judicial System Operation Fund
2208 created under Section 9-21-45. No less than One Hundred Eight
2209 Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief
2210 Judge's salary in this subsection (2) shall be paid from general
2211 fund monies; in addition, the Legislature shall appropriate
2212 annually from the Judicial System Operation Fund a sum sufficient
2213 to increase the Chief Judge's salary to the level set forth in
2214 this subsection (2). No less than One Hundred Five Thousand Fifty
2215 Dollars (\$105,050.00) of the salary of an associate judge in this
2216 subsection (2) shall be paid from general fund monies; in
2217 addition, the Legislature shall appropriate annually from the
2218 Judicial System Operation Fund a sum sufficient to increase the
2219 salary of an associate judge to the level set forth in this
2220 subsection (2).

2221 The fixed salaries as specified in this subsection (2) shall
2222 be the exclusive and total compensation which can be reported to
2223 the Public Employees' Retirement System for retirement purposes;
2224 however, any judge in office on December 31, 2003, may continue to
2225 report his expense allowance as part of his compensation for
2226 retirement purposes.



2227 (3) The annual salaries of the chancery and circuit court
2228 judges are fixed as follows:

2229 **From and after January 1, 2013, through December 31, 2013:**

2230 Chancery Judges, each.....\$112,127.50

2231 Circuit Judges, each..... 112,127.50

2232 **From and after January 1, 2014, through December 31, 2014:**

2233 Chancery Judges, each.....\$120,085.00

2234 Circuit Judges, each..... 120,085.00

2235 **From and after January 1, 2015, through December 31, 2015:**

2236 Chancery Judges, each.....\$128,042.50

2237 Circuit Judges, each..... 128,042.50

2238 **From and after January 1, 2016:**

2239 Chancery Judges, each.....\$136,000.00

2240 Circuit Judges, each..... 136,000.00

2241 In addition to their present official duties, the circuit and
2242 chancery judges shall take necessary action to promote judicial
2243 education in schools, drug courts, electronic filing and case
2244 management systems as developed by the Administrative Office of
2245 Courts, or such other additional duties as may be assigned by the
2246 Chief Justice of the Supreme Court. For such extra services each
2247 judge, from and after January 1, 2013, shall receive a sum
2248 sufficient to aggregate, per annum, the salaries set forth in this
2249 subsection (3).

2250 The fixed salaries in this subsection (3) shall be paid from
2251 the State General Fund and from the Judicial System Operation Fund



2252 created under Section 9-21-45. No less than One Hundred Four
2253 Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary
2254 of a chancery or circuit Judge in this subsection (3) shall be
2255 paid from general fund monies; in addition, the Legislature shall
2256 appropriate annually from the Judicial System Operation Fund a sum
2257 sufficient to increase the salary of a chancery or circuit judge
2258 to the levels set forth in this subsection (3).

2259 (4) From and after January 1, 2019, and every four (4) years
2260 thereafter, the annual salaries of the judges in subsections (1),
2261 (2) and (3) shall be fixed at the level of compensation
2262 recommended by the State Personnel Board according to the board's
2263 most recent report on judicial salaries, as required under Section
2264 25-9-115, to the extent that sufficient funds are available. The
2265 annual salaries fixed in accordance with this subsection (4) shall
2266 not become effective until the commencement of the next
2267 immediately succeeding term of office.

2268 (5) The Supreme Court shall prepare a payroll for chancery
2269 judges and circuit judges and submit such payroll to the
2270 Department of Finance and Administration.

2271 (6) The annual salary of the full-time district attorneys
2272 shall be:

2273 **From and after January 1, 2013, through December 31, 2013:**

2274 One Hundred Three Thousand Three Hundred Twenty-two Dollars
2275 (\$103,322.00).

2276 **From and after January 1, 2014, through December 31, 2014:**



2277 One Hundred Ten Thousand Eight Hundred Forty-eight Dollars
2278 (\$110,848.00).

2279 **From and after January 1, 2015, through December 31, 2015:**

2280 One Hundred Eighteen Thousand Three Hundred Seventy-four
2281 Dollars (\$118,374.00).

2282 **From and after January 1, 2016:**

2283 One Hundred Twenty-five Thousand Nine Hundred Dollars
2284 (\$125,900.00).

2285 (7) The annual salary of the full-time legal assistants
2286 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor
2287 more than eighty percent (80%) of the salary of the district
2288 attorney for legal assistants who have been licensed to practice
2289 law for five (5) years or less; eighty-five percent (85%) of the
2290 salary of the district attorney for legal assistants who have been
2291 licensed to practice law for at least five (5) years but less than
2292 fifteen (15) years; and ninety percent (90%) of the salary of the
2293 district attorney for legal assistants who have been licensed to
2294 practice law for at least fifteen (15) years or more.

2295 **SECTION 29.** Section 25-3-36, Mississippi Code of 1972, is
2296 brought forward as follows:

2297 25-3-36. (1) Until October 1, 2008, every justice court
2298 judge shall receive as full compensation for his or her services,
2299 and in lieu of any and all other fees, costs or compensation
2300 heretofore authorized for such justice court judge, an annual
2301 salary based upon the population of his or her county according to



2302 the latest federal decennial census; however, no justice court
2303 judge shall be paid less than the salary authorized under this
2304 section to be paid the justice court judge based upon the
2305 population of the county according to the 1980 federal decennial
2306 census. The amount of which salary shall be determined as
2307 follows:

2308 (a) In counties with a population of more than two
2309 hundred thousand (200,000), a salary of Fifty-five Thousand Five
2310 Hundred Fifty-nine Dollars (\$55,559.00).

2311 (b) In counties with a population of more than one
2312 hundred fifty thousand (150,000) but not more than two hundred
2313 thousand (200,000), a salary of Fifty-one Thousand Five Dollars
2314 (\$51,005.00).

2315 (c) In counties with a population of more than
2316 seventy-five thousand (75,000) but not more than one hundred fifty
2317 thousand (150,000), a salary of Forty-six Thousand Four Hundred
2318 Fifty-one Dollars (\$46,451.00).

2319 (d) In counties with a population of more than
2320 forty-nine thousand (49,000) but not more than seventy-five
2321 thousand (75,000), a salary of Forty Thousand Seventy-five Dollars
2322 (\$40,075.00).

2323 (e) In counties with a population of more than
2324 thirty-four thousand (34,000) but not more than forty-nine
2325 thousand (49,000), a salary of Thirty-four Thousand Six Hundred
2326 Ten Dollars (\$34,610.00).



2327 (f) In counties with a population of more than
2328 twenty-four thousand five hundred (24,500) but not more than
2329 thirty-four thousand (34,000), a salary of Thirty-two Thousand
2330 Seven Hundred Eighty-nine Dollars (\$32,789.00).

2331 (g) In counties with a population of more than
2332 twenty-one thousand (21,000) but not more than twenty-four
2333 thousand five hundred (24,500), a salary of Twenty-nine Thousand
2334 One Hundred Forty-six Dollars (\$29,146.00).

2335 (h) In counties with a population of more than sixteen
2336 thousand five hundred (16,500) but not more than twenty-one
2337 thousand (21,000), a salary of Twenty-five Thousand Five Hundred
2338 Two Dollars (\$25,502.00).

2339 (i) In counties with a population of more than twelve
2340 thousand (12,000) but not more than sixteen thousand five hundred
2341 (16,500), a salary of Twenty-one Thousand Eight Hundred Fifty-nine
2342 Dollars (\$21,859.00).

2343 (j) In counties with a population of more than eight
2344 thousand (8,000) but not more than twelve thousand (12,000), a
2345 salary of Eighteen Thousand Dollars (\$18,000.00).

2346 (k) In counties with a population of eight thousand
2347 (8,000) or less, a salary of Fourteen Thousand Four Hundred
2348 Dollars (\$14,400.00).

2349 The board of supervisors of any county having two (2)
2350 judicial districts and two (2) justice court judges for the county
2351 shall pay each justice court judge an amount equal to that



2352 provided in this subsection for judges in the next higher
2353 population category per year, if the justice court judge maintains
2354 regular office hours and is personally present in the office they
2355 maintain for at least thirty (30) hours per week.

2356 In any county having a population greater than eight thousand
2357 (8,000) but less than eight thousand five hundred (8,500)
2358 according to the 1990 federal decennial census and in which U.S.
2359 Highway 61 and Mississippi Highway 4 intersect, the board of
2360 supervisors, in its discretion, may pay such justice court judges
2361 an additional amount not to exceed the sum of Eleven Thousand Five
2362 Hundred Fifty Dollars (\$11,550.00) per year, payable beginning
2363 April 1, 1997.

2364 In any county having a population greater than ten thousand
2365 (10,000) but less than ten thousand five hundred (10,500)
2366 according to the 1990 federal decennial census and in which
2367 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
2368 board of supervisors, in its discretion, may pay such justice
2369 court judges an additional amount not to exceed One Thousand Four
2370 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning
2371 April 1, 1997.

2372 In any county having a population greater than twenty-four
2373 thousand seven hundred (24,700) and less than twenty-four thousand
2374 nine hundred (24,900), according to the 1990 federal census,
2375 wherein Mississippi Highways 15 and 16 intersect, the board of
2376 supervisors shall pay such justice court judge an additional



2377 amount equal to Two Thousand Five Hundred Dollars (\$2,500.00) per
2378 year.

2379 (2) From and after October 1, 2008, every justice court
2380 judge shall receive as full compensation for his or her services,
2381 and in lieu of any and all other fees, costs or compensation
2382 heretofore authorized for such justice court judge, an annual
2383 salary in an amount that is the greater of the following:

2384 (a) The amount paid to a member of the board of
2385 supervisors in the same county in which the justice court judge
2386 presides; or

2387 (b) One hundred three percent (103%) of the salary
2388 authorized under this section as of September 30, 2008, for a
2389 justice court judge in that county.

2390 If supervisors of a county receive a salary increase, justice
2391 court judges whose salary is determined under this paragraph shall
2392 be paid an amount reflecting a commensurate increase.

2393 (3) Notwithstanding the provisions of subsection (1) of this
2394 section, in the event that the number of justice court judges
2395 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
2396 the provisions of Section 9-11-2(4), the aggregate of the salaries
2397 paid to the justice court judges of such a county shall not exceed
2398 the amount sufficient to pay the number of justice court judges
2399 authorized pursuant to Section 9-11-2(1), and such amount shall be
2400 equally divided among those justice court judges continuing to
2401 hold office under the provisions of Section 9-11-2(4).



2402 (4) From and after January 1, 1984, all fees, costs, fines
2403 and penalties charged and collected in the justice court shall be
2404 paid to the clerk of the justice court for deposit, along with
2405 monies from cash bonds and other monies which have been forfeited
2406 in criminal cases, into the general fund of the county as provided
2407 in Section 9-11-19; and the clerk of the board of supervisors
2408 shall be authorized and empowered, upon approval by the board of
2409 supervisors, to make disbursements and withdrawals from the
2410 general fund of the county in order to pay any reasonable and
2411 necessary expenses incurred in complying with this section,
2412 including payment of the salaries of justice court judges as
2413 provided by subsection (1) of this section. The provisions of
2414 this subsection shall not, except as to cash bonds and other
2415 monies which have been forfeited in criminal cases, apply to
2416 monies required to be deposited in the justice court clerk
2417 clearing account as provided in Section 9-11-18, Mississippi Code
2418 of 1972.

2419 (5) The salaries provided for in this section shall be
2420 payable monthly by warrant drawn by the clerk of the board of
2421 supervisors on the general fund of the county; however, the board
2422 of supervisors, by resolution duly adopted and entered on its
2423 minutes, may provide that such salaries shall be paid semimonthly
2424 on the first and fifteenth day of each month. If a pay date falls
2425 on a weekend or legal holiday, salary payments shall be made on
2426 the workday immediately preceding the weekend or legal holiday.



2427 (6) Provided, that the salary of any justice court judge
2428 shall not be reduced during his term of office as a result of a
2429 population change following a federal decennial census.

2430 (7) Any justice court judge who is unable to attend and hold
2431 court by reason of being under suspension by the Commission on
2432 Judicial Performance or the Mississippi Supreme Court shall not
2433 receive a salary while under such suspension.

2434 **SECTION 30.** Section 25-3-37, Mississippi Code of 1972, is
2435 brought forward as follows:

2436 25-3-37. (1) It is expressly provided that the salaries
2437 fixed in Sections 25-3-31 through 25-3-35 shall be the full and
2438 complete compensation for all public duties rendered by all public
2439 officers and public employees designated therein whatever the
2440 source of funds, whether appropriated from the State General Fund
2441 or allotted from federal funds received by the respective state
2442 agencies where such officers and employees are employed. All
2443 laws, parts of laws, regulations, or other authority which may
2444 have heretofore provided supplemental compensation or expenses of
2445 which no itemization therefor was made to the State Auditor of
2446 Public Accounts are hereby invalidated and held for naught.

2447 (2) In the event the Commissioner of Public Safety and the
2448 highway patrol chief are entitled to longevity pay as provided by
2449 law, this section shall not be construed to prohibit the payment
2450 thereof.



2451 (3) This section shall not be construed to affect employees
2452 of the Mississippi State Penitentiary, the Department of Mental
2453 Health and the Governor as pertains to housing, medical care,
2454 wholesale food purchases, and other financial benefits or
2455 emoluments as pertains to their state employment.

2456 **SECTION 31.** Section 25-3-38, Mississippi Code of 1972, is
2457 brought forward as follows:

2458 25-3-38. The salary for appointive and/or employed officials
2459 established herein shall be the total and complete salary, and it
2460 shall be unlawful for any additional funds to be paid from any
2461 source, including federal or private funds, to supplement salaries
2462 to a level in excess of that established herein. If any public
2463 officer or employee shall knowingly and wilfully violate the
2464 provisions of this section, he shall be guilty of a misdemeanor,
2465 and upon conviction shall be punished by a fine of not more than
2466 Two Hundred Fifty Dollars (\$250.00), and in addition, shall vacate
2467 the office or position which he holds.

2468 **SECTION 32.** Section 25-3-39, Mississippi Code of 1972, is
2469 brought forward as follows:

2470 25-3-39. (1) (a) Except as otherwise provided in this
2471 section, no public officer, public employee, administrator, or
2472 executive head of any arm or agency of the state, in the executive
2473 branch of government, shall be paid a salary or compensation,
2474 directly or indirectly, greater than one hundred fifty percent
2475 (150%) of the salary fixed in Section 25-3-31 for the Governor,



2476 nor shall the salary of any public officer, public employee,
2477 administrator, or executive head of any arm or agency of the
2478 state, in the executive branch of government, be supplemented with
2479 any funds from any source, including federal or private funds.
2480 Such salaries shall be completely paid by the state. All academic
2481 officials, members of the teaching staffs and employees of the
2482 state institutions of higher learning, the Mississippi Community
2483 College Board, and community and junior colleges, and licensed
2484 physicians who are public employees, shall be exempt from this
2485 subsection. All professional employees who hold a bachelor's
2486 degree or more advanced degree from an accredited four-year
2487 college or university or a certificate or license issued by a
2488 state licensing board, commission or agency and who are employed
2489 by the Department of Mental Health shall be exempt from this
2490 subsection if the State Personnel Board approves the exemption.
2491 The Commissioner of Child Protection Services is exempt from this
2492 subsection. From and after July 1, 2018, the Executive Director
2493 of the Public Employees' Retirement System and the Chief
2494 Investment Officer of the Public Employees' Retirement System
2495 shall be exempt from this subsection.

2496 (b) The Governor shall fix the annual salary of the
2497 Executive Director of the Mississippi Development Authority, the
2498 annual salary of the Commissioner of Child Protection Services,
2499 and the annual salary of the Chief of Staff of the Governor's
2500 Office. The salary of the Governor's Chief of Staff shall not be



2501 greater than one hundred fifty percent (150%) of the salary of the
2502 Governor and shall be completely paid by the state without
2503 supplementation from another source. The salary of the Executive
2504 Director of the Mississippi Development Authority may be greater
2505 than one hundred fifty percent (150%) of the salary of the
2506 Governor and may be supplemented with funds from any source,
2507 including federal or private funds; however, any state funds used
2508 to pay the salary of the Executive Director of the Mississippi
2509 Development Authority shall not exceed one hundred fifty percent
2510 (150%) of the salary of the Governor. If the executive director's
2511 salary is supplemented with private funds, the Mississippi
2512 Development Authority shall publish on its website the amount of
2513 the supplement and the name of the donor of the private funds.

2514 (2) No public officer, employee or administrator shall be
2515 paid a salary or compensation, directly or indirectly, in excess
2516 of the salary authorized to be paid the executive head of the
2517 state agency or department in which he is employed. The State
2518 Personnel Board, based upon its findings of fact, may exempt
2519 physicians and actuaries from this subsection when the acquisition
2520 of such professional services is precluded based on the prevailing
2521 wage in the relevant labor market.

2522 (3) The executive head of any state agency or department
2523 appointed by the Governor, in such executive head's discretion,
2524 may waive all or any portion of the salary or compensation
2525 lawfully established for the position.



2526 **SECTION 33.** Section 25-3-39.1, Mississippi Code of 1972, is
2527 brought forward as follows:

2528 25-3-39.1. The compensation of the Deputy Commissioner of
2529 Insurance shall be fixed by the Commissioner of Insurance, subject
2530 to approval by the State Personnel Board, and shall be exempt from
2531 the provisions of Section 25-3-39.

2532 **SECTION 34.** Section 25-3-40, Mississippi Code of 1972, is
2533 brought forward as follows:

2534 25-3-40. On July 1, 1978, and each year thereafter, the
2535 Mississippi Compensation Plan shall be amended to provide salary
2536 increases in such amounts and percentages as might be recommended
2537 by the Legislative Budget Office and as may be authorized by funds
2538 appropriated by the Legislature for the purpose of granting
2539 incentive salary increases as deemed possible dependent upon the
2540 availability of general and special funds.

2541 It is hereby declared to be the intent of the Mississippi
2542 Legislature to implement the minimum wage as enacted by statutory
2543 law of the United States Congress subject to funds being available
2544 for that purpose. It is the intent and purpose of this section to
2545 maximize annual salary increases consistent with the availability
2546 of funds as might be determined by the Mississippi Legislature at
2547 its regular annual session and that all salary increases hereafter
2548 be made consistent with the provisions of this section.

2549 **SECTION 35.** Section 25-3-41, Mississippi Code of 1972, is
2550 brought forward as follows:



2551 25-3-41. (1) Subject to the provisions of subsection (10)
2552 of this section, when any officer or employee of the State of
2553 Mississippi, or any department, agency or institution thereof,
2554 after first being duly authorized, is required to travel in the
2555 performance of his official duties, the officer or employee shall
2556 receive as expenses for each mile actually and necessarily
2557 traveled, when the travel is done by a privately owned automobile
2558 or other privately owned motor vehicle, the mileage reimbursement
2559 rate allowable to federal employees for the use of a privately
2560 owned vehicle while on official travel.

2561 (2) When any officer or employee of any county or
2562 municipality, or of any agency, board or commission thereof, after
2563 first being duly authorized, is required to travel in the
2564 performance of his official duties, the officer or employee shall
2565 receive as expenses Twenty Cents (20¢) for each mile actually and
2566 necessarily traveled, when the travel is done by a privately owned
2567 motor vehicle; provided, however, that the governing authorities
2568 of a county or municipality may, in their discretion, authorize an
2569 increase in the mileage reimbursement of officers and employees of
2570 the county or municipality, or of any agency, board or commission
2571 thereof, in an amount not to exceed the mileage reimbursement rate
2572 authorized for officers and employees of the State of Mississippi
2573 in subsection (1) of this section.

2574 (3) Where two (2) or more officers or employees travel in
2575 one (1) privately owned motor vehicle, only one (1) travel expense



2576 allowance at the authorized rate per mile shall be allowed for any
2577 one (1) trip. When the travel is done by means of a public
2578 carrier or other means not involving a privately owned motor
2579 vehicle, then the officer or employee shall receive as travel
2580 expense the actual fare or other expenses incurred in such travel.

2581 (4) In addition to the foregoing, a public officer or
2582 employee shall be reimbursed for other actual expenses such as
2583 meals, lodging and other necessary expenses incurred in the course
2584 of the travel, subject to limitations placed on meals for
2585 intrastate and interstate official travel by the Department of
2586 Finance and Administration, provided, that the Legislative Budget
2587 Office shall place any limitations for expenditures made on
2588 matters under the jurisdiction of the Legislature. The Department
2589 of Finance and Administration shall set a maximum daily
2590 expenditure annually for such meals and shall notify officers and
2591 employees of changes to these allowances immediately upon approval
2592 of the changes. Travel by airline shall be at the tourist rate
2593 unless that space was unavailable. The officer or employee shall
2594 certify that tourist accommodations were not available if travel
2595 is performed in first class airline accommodations. Itemized
2596 expense accounts shall be submitted by those officers or employees
2597 in such number as the department, agency or institution may
2598 require; but in any case one (1) copy shall be furnished by state
2599 departments, agencies or institutions to the Department of Finance
2600 and Administration for preaudit or postaudit. The Department of



2601 Finance and Administration shall promulgate and adopt reasonable
2602 rules and regulations which it deems necessary and requisite to
2603 effectuate economies for all expenses authorized and paid pursuant
2604 to this section. Requisitions shall be made on the State Fiscal
2605 Officer who shall issue his warrant on the State Treasurer.
2606 Provided, however, that the provisions of this section shall not
2607 include agencies financed entirely by federal funds and audited by
2608 federal auditors.

2609 (5) Any officer or employee of a county or municipality, or
2610 any department, board or commission thereof, who is required to
2611 travel in the performance of his official duties, may receive
2612 funds before the travel, in the discretion of the administrative
2613 head of the county or municipal department, board or commission
2614 involved, for the purpose of paying necessary expenses incurred
2615 during the travel. Upon return from the travel, the officer or
2616 employee shall provide receipts of transportation, lodging, meals,
2617 fees and any other expenses incurred during the travel. Any
2618 portion of the funds advanced which is not expended during the
2619 travel shall be returned by the officer or employee. The
2620 Department of Audit shall adopt rules and regulations regarding
2621 advance payment of travel expenses and submission of receipts to
2622 ensure proper control and strict accountability for those payments
2623 and expenses.

2624 (6) No state or federal funds received from any source by
2625 any arm or agency of the state shall be expended in traveling



2626 outside of the continental limits of the United States until the
2627 governing body or head of the agency makes a finding and
2628 determination that the travel would be extremely beneficial to the
2629 state agency and obtains a written concurrence thereof from the
2630 Governor, or his designee, and the Department of Finance and
2631 Administration. However, employees of state institutions of
2632 higher learning may expend funds for travel outside of the
2633 continental limits of the United States upon a written finding by
2634 the president or head of the institution that the travel would be
2635 extremely beneficial to the institution.

2636 (7) Where any officer or employee of the State of
2637 Mississippi, or any department, agency or institution thereof, or
2638 of any county or municipality, or of any agency, board or
2639 commission thereof, is authorized to receive travel reimbursement
2640 under any other provision of law, the reimbursement may be paid
2641 under the provisions of this section or the other section, but not
2642 under both.

2643 (8) When the Governor, Lieutenant Governor or Speaker of the
2644 House of Representatives appoints a person to a board, commission
2645 or other position that requires confirmation by the Senate, the
2646 person may receive reimbursement for mileage and other actual
2647 expenses incurred in the performance of official duties before the
2648 appointment is confirmed by the Senate, as reimbursement for those
2649 expenses is authorized under this section.



2650 (9) (a) The Department of Finance and Administration may
2651 contract with one or more commercial travel agencies, after
2652 receiving competitive bids or proposals therefor, for that travel
2653 agency or agencies to provide necessary travel services for state
2654 officers and employees. Municipal and county officers and
2655 municipal and county employees may also participate in the state
2656 travel agency contract and utilize these travel services for
2657 official municipal or county travel. However, the administrative
2658 head of each state institution of higher learning may, in his
2659 discretion, contract with a commercial travel agency to provide
2660 necessary travel services for all academic officials and staff of
2661 the university in lieu of participation in the state travel agency
2662 contract. Any such decision by a university to contract with a
2663 separate travel agency shall be approved by the Board of Trustees
2664 of State Institutions of Higher Learning and the Executive
2665 Director of the Department of Finance and Administration.

2666 (b) Before executing a contract with one or more travel
2667 agencies, the Department of Finance and Administration shall
2668 advertise for competitive bids or proposals once a week for two
2669 (2) consecutive weeks in a regular newspaper having a general
2670 circulation throughout the State of Mississippi. If the
2671 department determines that it should not contract with any of the
2672 bidders initially submitting proposals, the department may reject
2673 all those bids, advertise as provided in this paragraph and
2674 receive new proposals before executing the contract or contracts.



2675 The contract or contracts may be for a period not greater than
2676 three (3) years, with an option for the travel agency or agencies
2677 to renew the contract or contracts on a one-year basis on the same
2678 terms as the original contract or contracts, for a maximum of two
2679 (2) renewals. After the travel agency or agencies have renewed
2680 the contract twice or have declined to renew the contract for the
2681 maximum number of times, the Department of Finance and
2682 Administration shall advertise for bids in the manner required by
2683 this paragraph and execute a new contract or contracts.

2684 (c) Whenever any state officer or employee travels in
2685 the performance of his official duties by airline or other public
2686 carrier, he may have his travel arrangements handled by that
2687 travel agency or agencies. The amount paid for airline
2688 transportation for any state officer or employee, whether the
2689 travel was arranged by that travel agency or agencies or was
2690 arranged otherwise, shall not exceed the amount specified in the
2691 state contract established by the Department of Finance and
2692 Administration, Office of Purchasing and Travel, unless prior
2693 approval is obtained from the office.

2694 (10) (a) For purposes of this subsection, the term "state
2695 agency" means any agency that is subject to oversight by the
2696 Bureau of Fleet Management of the Department of Finance and
2697 Administration under Section 25-1-77.

2698 (b) Each state agency shall use a trip optimizer type
2699 system developed and administered by the Department of Finance and



2700 Administration in computing the optimum method and cost for travel
2701 by state officers and employees using a motor vehicle where the
2702 travel will exceed one hundred (100) miles per day and the officer
2703 or employee is not driving a state-owned or state-leased vehicle
2704 that has been dedicated or assigned to the officer or employee.

2705 (c) The provisions of this subsection shall be used to
2706 determine the most cost-effective method of travel by motor
2707 vehicles, whether those vehicles are owned by the state agency,
2708 leased by the state agency, or owned by the officer or employee,
2709 and shall be applicable for purposes of determining the maximum
2710 authorized amount of any travel reimbursement for officers and
2711 employees of those agencies related to vehicle usage.

2712 (d) The maximum authorized amount of travel
2713 reimbursement related to motor vehicle usage shall be the lowest
2714 cost option as determined by the trip optimizer type system. All
2715 travel claims submitted for reimbursement shall include the
2716 results of the trip optimizer type system indicating the lowest
2717 cost option for travel by the state officer or employee.

2718 (e) In providing a calculation of rates, the trip
2719 optimizer type system shall account for the distance that an
2720 officer or employee must travel to pick up a rental or state fleet
2721 vehicle, and shall account for the long-term rate discounts
2722 offered through the state purchasing contract for vehicle rentals.

2723 (f) This subsection shall not apply to travel by state
2724 officials in motor vehicles driven by the official or in vehicles



2725 used for the transport of the official. The exemption in this
2726 paragraph (f) applies only to the state official and not to the
2727 staff or other employees of the state official. As used in this
2728 paragraph (f), "state official" means statewide elected officials
2729 and the elected members of the Public Service Commission.

2730 **SECTION 36.** Section 25-3-43, Mississippi Code of 1972, is
2731 brought forward as follows:

2732 25-3-43. (1) When any chancery judge, county judge or
2733 circuit judge shall be required to travel in the performance of
2734 his official duties, such judge shall receive as expenses of such
2735 travel the mileage allowance and a reimbursement for other actual
2736 and necessary expenses incurred in such travel as provided for
2737 public officers and employees in Section 25-3-41, Mississippi Code
2738 of 1972. This shall be the entire travel allowances or travel
2739 expenses received by such judges.

2740 (2) Chancery judges and circuit judges shall direct requests
2741 for reimbursement for the travel expenses authorized pursuant to
2742 this section to the Supreme Court and the Supreme Court shall
2743 submit such requests to the Department of Finance and
2744 Administration.

2745 (3) The Supreme Court shall have the power to adopt rules
2746 and regulations regarding the administration of travel expenses
2747 authorized pursuant to this section.

2748 (4) In any county in which is located a State Penitentiary,
2749 the board of supervisors, in order to compensate the justice court



2750 judges who are required to travel to the State Penitentiary, is
2751 authorized to reimburse justice court judges' mileage in the
2752 amount authorized by Section 25-3-41, but not to exceed One
2753 Hundred Dollars (\$100.00) per month, such monies to be paid from
2754 the general county fund of such county.

2755 (5) In addition to the regular salary provided by Section
2756 25-3-35 and the mileage reimbursement provided by Section 25-3-41,
2757 each Supreme Court Justice and each judge of the Court of Appeals
2758 shall receive an expense allowance as specified in this
2759 subsection. The expense allowance shall be equal to the maximum
2760 daily expense rate allowable to employees of the federal
2761 government for travel in the high rate geographical area of
2762 Jackson, Mississippi, as may be established by federal
2763 regulations, per day, for each day while actually attending to
2764 judicial duties in Jackson, Mississippi, not to exceed twenty (20)
2765 days per month.

2766 **SECTION 37.** Section 25-3-45, Mississippi Code of 1972, is
2767 brought forward as follows:

2768 25-3-45. It shall be unlawful for any person to claim,
2769 receive, approve, or allow any item of expense for official travel
2770 in excess of that authorized by Section 25-3-41.

2771 If any person shall knowingly and willfully violate any of
2772 the provisions of said section, such person shall be guilty of a
2773 misdemeanor and, upon conviction, shall be punished by a fine of
2774 not more than Two Hundred Fifty Dollars (\$250.00) and, in



2775 addition, shall be removed from the office or position which he
2776 holds. Such person shall also be civilly liable for the full
2777 amount of the expense account illegally received, allowed, or
2778 approved by him, and the person receiving same shall be so liable
2779 whether the violation be willful or not.

2780 **SECTION 38.** Section 25-3-47, Mississippi Code of 1972, is
2781 brought forward as follows:

2782 25-3-47. Unless otherwise expressly fixed or provided by
2783 law, the heads of the departments hereinabove enumerated shall
2784 each select and appoint his or their respective subordinates, and
2785 may at any time remove a subordinate and appoint his successor;
2786 and the subordinate shall perform such duties as shall be
2787 prescribed by the said head or heads of his department. Unless as
2788 to a particular subordinate, some other form of oath is prescribed
2789 by law, every subordinate shall take and subscribe an oath well
2790 and faithfully to perform all the duties incumbent upon him, which
2791 oath shall be filed in the Office of the Secretary of State.

2792 **SECTION 39.** Section 25-3-49, Mississippi Code of 1972, is
2793 brought forward as follows:

2794 25-3-49. In case of the death, resignation, or removal from
2795 office of any of the officers mentioned in Section 25-3-47, the
2796 person elected or appointed, temporarily or permanently, to fill
2797 such vacancy shall, from the time he shall enter upon the
2798 discharge of his official duties, receive the compensation
2799 authorized by this chapter, and at the same rate for any period of



2800 time less than one (1) year, and for so long as the person shall
2801 serve as such officer.

2802 **SECTION 40.** Section 25-3-51, Mississippi Code of 1972, is
2803 brought forward as follows:

2804 25-3-51. Any officer of this state who receives a salary
2805 may, when the duties of his office will best permit, be absent
2806 from the state not more than one (1) month in any one (1) year
2807 without any deduction from his salary; but the State Treasurer,
2808 the Secretary of State, and Auditor of Public Accounts shall,
2809 while absent, leave their offices so attended as to produce no
2810 injury to persons having business in said offices. If any officer
2811 who receives a salary shall be absent from the state without the
2812 consent of the Governor for a longer time than one (1) month in
2813 any one (1) year, he shall be subject to a pro rata deduction from
2814 his salary for the length of time he shall be absent more than one
2815 (1) month; and, on his return, before he shall be entitled to any
2816 warrant on the Treasury for his salary or any part thereof
2817 thereafter accruing, he shall make oath to the number of days he
2818 shall have been absent beyond one (1) month and file the same in
2819 the Office of the Auditor of Public Accounts; and it shall be the
2820 duty of the auditor to deduct twice the number of days so sworn to
2821 from the time for which the salary of such officer may be
2822 estimated.

2823 **SECTION 41.** Section 25-3-53, Mississippi Code of 1972, is
2824 brought forward as follows:



2825 25-3-53. When a special commission shall issue for the
2826 holding of a term of any circuit, county or chancery court by a
2827 special judge, or for the trial or hearing by such officer of any
2828 case in any such court because of the disqualification or
2829 disability of the judge or chancellor thereof (or where, because
2830 of the disqualification of the judge or chancellor, the attorneys
2831 involved have agreed upon a member of the bar to preside as
2832 special judge), the special judge shall receive compensation as
2833 provided in Section 9-1-105, for the time he shall serve as such,
2834 and the Fiscal Management Board shall issue its warrant therefor
2835 on the certificate of the clerk of the court in which the services
2836 were rendered for the time served.

2837 **SECTION 42.** Section 25-3-55, Mississippi Code of 1972, is
2838 brought forward as follows:

2839 25-3-55. When a special judge or special judges shall be
2840 commissioned to preside in any cause in the Supreme Court, or
2841 during any term thereof or during the disability or
2842 disqualification of any of the judges of said court, such special
2843 judge or judges shall each be entitled to the compensation
2844 provided for in Section 9-1-105. Each judge so serving shall make
2845 out an itemized account of the number of days he in good faith
2846 served, and make affidavit to same and file it with the Clerk of
2847 the Supreme Court. The said clerk shall issue a certificate
2848 showing the length of time such special judge or judges served,
2849 and the Fiscal Management Board shall issue its warrant therefor.



2850 **SECTION 43.** Section 25-3-57, Mississippi Code of 1972, is
2851 brought forward as follows:

2852 25-3-57. In case any judge of the Supreme Court or the Court
2853 of Appeals or of a circuit court or chancery court shall fail to
2854 attend at any term of court which either of them is required by
2855 law to hold, or in case the Attorney General or any district
2856 attorney shall fail to attend at any court which he is required to
2857 attend officially, it shall be the duty of the clerk of such court
2858 to certify the number of days such judge, chancellor, Attorney
2859 General, or district attorney was absent at each term of the court
2860 to the Auditor of Public Accounts, who shall deduct twice the
2861 number of days so certified from the time for which the salary of
2862 such officer may be estimated, unless such officer shall make
2863 oath, and file the same in the Auditor's office, that his absence
2864 was occasioned by sickness of himself or his family, or that his
2865 attendance was prevented by high water, the prevalence of an
2866 epidemic or contagious disease, or by accident not within his
2867 control.

2868 **SECTION 44.** Section 25-3-59, Mississippi Code of 1972, is
2869 brought forward as follows:

2870 25-3-59. In case a public service commissioner shall fail to
2871 attend at any meeting or session of the public service commission
2872 appointed for the transaction of business, he shall be subject to
2873 a pro rata deduction from his salary; and the executive secretary
2874 of said commission or, in his absence, the commissioner or



2875 commissioners present shall certify to the Auditor of Public
2876 Accounts the number of days such commissioner was absent at each
2877 meeting or session. The auditor shall deduct twice the number of
2878 days so certified from the time for which the salary of such
2879 commissioner may be estimated, unless such commissioner shall make
2880 and file an affidavit in the auditor's office that his absence was
2881 occasioned by sickness of himself or a member of his family, or by
2882 the prevalence of an epidemic or a contagious disease, or by means
2883 not within his control.

2884 **SECTION 45.** Section 25-3-61, Mississippi Code of 1972, is
2885 brought forward as follows:

2886 25-3-61. The Governor may grant leave of absence for a time
2887 not to exceed three (3) months in the year to any officer at a
2888 time when the duties of his office will admit of the absence
2889 without injury to the public service; but a judge, district
2890 attorney, and the Attorney General shall not have a leave of
2891 absence which will interfere with his presence at any term of
2892 court at which he should be present. Nor shall a public service
2893 commissioner have a leave of absence which will interfere with his
2894 presence at any session or meeting of the Public Service
2895 Commission.

2896 **SECTION 46.** Section 25-3-67, Mississippi Code of 1972, is
2897 brought forward as follows:

2898 25-3-67. The governing authorities of any municipality may,
2899 within their discretion, deduct from the salary of any individual



2900 municipal employee an amount to be deposited with the municipal
2901 credit union, contributions for the United Way, life, health and
2902 accident insurance and United States Savings Bonds, if a request
2903 for such deductions is made in writing by the employee.

2904 **SECTION 47.** Section 25-3-69, Mississippi Code of 1972, is
2905 brought forward as follows:

2906 25-3-69. Unless otherwise provided by law, all officers and
2907 employees of state agencies, boards, commissions, departments and
2908 institutions authorized by law to receive per diem compensation
2909 for each day or fraction thereof occupied with the discharge of
2910 official duties shall be entitled to Forty Dollars (\$40.00) per
2911 diem compensation. When the Governor, Lieutenant Governor or
2912 Speaker of the House of Representatives appoints a person to a
2913 board, commission or other position that requires confirmation by
2914 the Senate, the person may receive per diem compensation for the
2915 performance of official duties before such appointment is
2916 confirmed by the Senate, as such per diem compensation is
2917 authorized under this section.

2918 **SECTION 48.** Section 25-3-71, Mississippi Code of 1972, is
2919 brought forward as follows:

2920 25-3-71. The State Personnel Board shall prepare a written
2921 legislative report to be submitted to the members of the
2922 Mississippi Legislature on December 1, 1988, and on December 1 of
2923 every year thereafter, making recommendations on any salary
2924 increases and the amounts deemed necessary for all state and



2925 county elected officials and state appointed officials whose
2926 salaries are established by statute.

2927 **SECTION 49.** Section 71-1-45, Mississippi Code of 1972, is
2928 brought forward as follows:

2929 71-1-45. No assignment or pledge of wages, in any form, made
2930 or executed directly or collaterally in the payment of, or as
2931 security for, the purchase of or contract to purchase any goods,
2932 wares, or merchandise shall be valid against or binding upon any
2933 employer, or the wages of any employee in the hands of, or owing,
2934 or to become owing to such employee, unless the assignee or
2935 pledgee thereof shall, prior to the delivery of the goods, wares,
2936 or merchandise so purchased or prior to consummation of any
2937 contract to purchase the same, serve upon the employer of such
2938 assignor, or pledgor, a duly executed copy of such assignment, or
2939 pledge, or contract to purchase and obtain such employer's
2940 acceptance of notice thereof and agreement in writing to be bound
2941 by the terms of such assignment or pledge.

2942 **SECTION 50.** This act shall take effect and be in force from
2943 and after its passage.

