

**Adopted
AMENDMENT NO 2 PROPOSED TO**

House Bill No. 1490

BY: Representative Cockerham

1 **AMEND** by deleting Sections 1 through 4 in their entirety and
2 renumbering the succeeding sections.

3 **AMEND FURTHER** on lines 169, 170, 228 and 229 by deleting all
4 underlined language and relettering the succeeding paragraph.

5 **AMEND FURTHER** on lines 125 and 126 by deleting "three (3)"
6 and inserting in lieu thereof:

7 "nine (9)"

8 **AMEND FURTHER** on lines 271 and 274 by deleting the underlined
9 language.



10 **AMEND FURTHER** on line 273 by deleting the comma after the
11 word "Twentieth" and inserting in lieu thereof the word "and".

12 **AMEND FURTHER** on line 157 by deleting "four (4)" and
13 inserting in lieu thereof the following:

14 "three (3)"

15 **AMEND FURTHER** on line 171 by deleting "three (3)" and
16 inserting in lieu thereof the following:

17 "four (4)"

18 **AMEND FURTHER** after line 334 by inserting the following:

19 "[Until January 1, 2023, this section shall read as follows:]

20 9-7-46. (1) There shall be four (4) circuit judges for the
21 Seventeenth Circuit Court District.

22 (2) For the purpose of appointment and election, the four
23 (4) judgeships shall be separate and distinct, and one (1) judge
24 shall be elected from Subdistrict 17-1, two (2) judges shall be
25 elected from Subdistrict 17-2, and one (1) judge shall be elected
26 from every county in the district. The two (2) judgeships in
27 Subdistrict 17-2 shall be denominated as "Place One" and "Place
28 Two," the judgeship in Subdistrict 17-1 shall be denominated as
29 "Place Three," and the at-large judgeship shall be denominated as
30 "Place Four."



31 [From and after January 1, 2023, this section shall read as
32 follows:]"

33 **AMEND FURTHER** after line 121 by inserting the following:

34 "[Until January 1, 2023, this section shall read as follows:]

35 25-31-5. (1) The following number of full-time legal
36 assistants are authorized in the following circuit court
37 districts:

38 (a) First Circuit Court District..... nine (9)
39 legal assistants.

40 (b) Second Circuit Court District..... ten (10)
41 legal assistants.

42 (c) Third Circuit Court District..... five (5)
43 legal assistants.

44 (d) Fourth Circuit Court District..... six (6)
45 legal assistants.

46 (e) Fifth Circuit Court District..... five (5)
47 legal assistants.

48 (f) Sixth Circuit Court District..... two (2)
49 legal assistants.

50 (g) Seventh Circuit Court District.....eleven (11)
51 legal assistants.

52 (h) Eighth Circuit Court District..... three (3)
53 legal assistants.

54 (i) Ninth Circuit Court District..... three (3)



55 legal assistants.

56 (j) Tenth Circuit Court District..... four (4)

57 legal assistants.

58 (k) Eleventh Circuit Court District..... five (5)

59 legal assistants.

60 (l) Twelfth Circuit Court District..... five (5)

61 legal assistants.

62 (m) Thirteenth Circuit Court District..... four (4)

63 legal assistants.

64 (n) Fourteenth Circuit Court District..... five (5)

65 legal assistants.

66 (o) Fifteenth Circuit Court District..... six (6)

67 legal assistants.

68 (p) Sixteenth Circuit Court District five (5)

69 legal assistants.

70 (q) Seventeenth Circuit Court District..... seven (7)

71 legal assistants.

72 (r) Eighteenth Circuit Court District..... two (2)

73 legal assistants.

74 (s) Nineteenth Circuit Court District..... six (6)

75 legal assistants.

76 (t) Twentieth Circuit Court District..... six (6)

77 legal assistants.

78 (u) Twenty-first Circuit Court District..... three (3)

79 legal assistants.



80 (v) Twenty-second Circuit Court District..... three (3)
81 legal assistants.

82 (2) In addition to any legal assistants authorized pursuant
83 to subsection (1) of this section, the following number of
84 full-time legal assistants are authorized (i) in the following
85 circuit court districts if funds are appropriated by the
86 Legislature to adequately fund the salaries, expenses and fringe
87 benefits of such legal assistants, or (ii) in any of the following
88 circuit court districts in which the board of supervisors of one
89 or more of the counties in a circuit court district adopts a
90 resolution to pay all of the salaries, supplemental pay, expenses
91 and fringe benefits of legal assistants authorized in such
92 district pursuant to this subsection:

93 (a) First Circuit Court District..... two (2)
94 legal assistants.

95 (b) Second Circuit Court District..... two (2)
96 legal assistants.

97 (c) Third Circuit Court District..... two (2)
98 legal assistants.

99 (d) Fourth Circuit Court District..... two (2)
100 legal assistants.

101 (e) Fifth Circuit Court District..... two (2)
102 legal assistants.

103 (f) Sixth Circuit Court District..... two (2)
104 legal assistants.



105 (g) Seventh Circuit Court District..... two (2)
106 legal assistants.
107 (h) Eighth Circuit Court District..... two (2)
108 legal assistants.
109 (i) Ninth Circuit Court District..... two (2)
110 legal assistants.
111 (j) Tenth Circuit Court District..... two (2)
112 legal assistants.
113 (k) Eleventh Circuit Court District..... two (2)
114 legal assistants.
115 (l) Twelfth Circuit Court District..... two (2)
116 legal assistants.
117 (m) Thirteenth Circuit Court District..... two (2)
118 legal assistants.
119 (n) Fourteenth Circuit Court District..... two (2)
120 legal assistants.
121 (o) Fifteenth Circuit Court District..... two (2)
122 legal assistants.
123 (p) Sixteenth Circuit Court District..... two (2)
124 legal assistants.
125 (q) Seventeenth Circuit Court District..... two (2)
126 legal assistants.
127 (r) Eighteenth Circuit Court District..... two (2)
128 legal assistants.
129 (s) Nineteenth Circuit Court District..... two (2)



130 legal assistants.

131 (t) Twentieth Circuit Court District..... two (2)
132 legal assistants.

133 (u) Twenty-first Circuit Court District..... two (2)
134 legal assistants.

135 (v) Twenty-second Circuit Court District..... two (2)
136 legal assistants.

137 (3) The board of supervisors of any county may pay all or a
138 part of the salary, supplemental pay, expenses and fringe benefits
139 of any district attorney or legal assistant authorized in the
140 circuit court district to which such county belongs pursuant to
141 this section.

142 (4) The district attorney of any circuit court district may
143 employ additional legal assistants or criminal investigators, or
144 both, without regard to any limitation on the number of legal
145 assistants authorized in this section or criminal investigators
146 authorized by other provisions of law to the extent that the
147 district attorney's office receives funds from any source. Any
148 source shall include, but is not limited to, office generated
149 funds, funds from a county, a combination of counties, a
150 municipality, a combination of municipalities, federal funds,
151 private grants or foundations, or by means of an Interlocal
152 Cooperative Agreement authorized by Section 17-13-1 which may be
153 expended for those positions in an amount sufficient to pay all of
154 the salary, supplemental pay, expenses and fringe benefits of the



155 positions. Such funds may either be paid out of district attorney
156 accounts, transferred by the district attorney to the Department
157 of Finance and Administration or to one or more of the separate
158 counties comprising the circuit court district, and said funds
159 shall be disbursed to such employees in the same manner as
160 state-funded criminal investigators and full-time legal
161 assistants. The district attorney shall report to the board of
162 supervisors of each county comprising the circuit court district
163 the amount and source of the supplemental salary, expenses and
164 fringe benefits, and the board in each county shall spread the
165 same on its minutes. The district attorney shall also report such
166 information to the Department of Finance and Administration which
167 shall make such information available to the Legislative Budget
168 Office.

169 (5) The district attorney shall be authorized to assign the
170 duties of a legal assistant regardless of the source of funding
171 for such legal assistants.

172 **[From and after January 1, 2023, this section shall read as**
173 **follows:]**"

174 **AMEND FURTHER** after line 268 by inserting the following:

175 **"[Until January 1, 2023, this section shall read as follows:]**

176 25-31-10. (1) Any district attorney may appoint a full-time
177 criminal investigator.



178 (2) The district attorneys of the Third, Fifth, Ninth,
179 Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth,
180 Sixteenth, Seventeenth and Twentieth Circuit Court Districts may
181 appoint one (1) additional full-time criminal investigator for a
182 total of two (2) full-time criminal investigators.

183 (3) The district attorneys of the First, Second, Fourth,
184 Seventh and Nineteenth Circuit Court Districts may appoint two (2)
185 additional full-time criminal investigators for a total of three
186 (3) full-time criminal investigators.

187 (4) No district attorney or assistant district attorney
188 shall accept any private employment, civil or criminal, in any
189 matter investigated by such criminal investigators.

190 (5) The full and complete compensation for all public duties
191 rendered by said criminal investigators shall be not more than
192 Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) per annum,
193 to be determined at the discretion of the district attorney based
194 upon the qualifications, education and experience of the criminal
195 investigator, plus necessary travel and other expenses, to be paid
196 in accordance with Section 25-31-8. However, the maximum salary
197 under this subsection for a criminal investigator who has a law
198 degree may be supplemented by the district attorney from other
199 available funds, but not to exceed the maximum salary for a legal
200 assistant to a district attorney.

201 (6) Any criminal investigator may be designated by the
202 district attorney to attend the Law Enforcement Officers Training



203 Program set forth in Section 45-6-1 et seq., Mississippi Code of
204 1972. The total expenses associated with attendance by criminal
205 investigators at the Law Enforcement Officers Training Program
206 shall be paid out of the funds of the appropriate district
207 attorney.

208 (7) The district attorney shall be authorized to assign the
209 duties of criminal investigators regardless of the source of
210 funding for such criminal investigators.

211 **[From and after January 1, 2023, this section shall read as**
212 **follows:]**"

213 **AMEND FURTHER** on lines 171 and 230 by deleting
214 "Twenty-fourth" and inserting in lieu thereof: "Twenty-third".

215 **AMEND FURTHER** on lines 306, 311 and 371 by deleting
216 "Twenty-fourth" and inserting in lieu thereof: "Twenty-third".

217 **AMEND FURTHER** on lines 357 and 358 by deleting "and 3-4".

218 **AMEND FURTHER** on line 366 after "Place One," by inserting
219 "and Place Four".

220 **AMEND FURTHER** on lines 367, 368 and 369 by deleting all
221 underlined language.



222 **AMEND FURTHER** on line 370 by deleting the "s" on the word
223 positions

