

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1490

BY: Committee

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

21 **SECTION 1.** Section 25-31-5, Mississippi Code of 1972, is
22 amended as follows:

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

24 25-31-5. (1) The following number of full-time legal
25 assistants are authorized in the following circuit court
26 districts:

27 (a) First Circuit Court District..... nine (9)
28 legal assistants.

29 (b) Second Circuit Court District..... ten (10)
30 legal assistants.



31 (c) Third Circuit Court District..... five (5)
32 legal assistants.

33 (d) Fourth Circuit Court District..... six (6)
34 legal assistants.

35 (e) Fifth Circuit Court District..... five (5)
36 legal assistants.

37 (f) Sixth Circuit Court District..... two (2)
38 legal assistants.

39 (g) Seventh Circuit Court District.....eleven (11)
40 legal assistants.

41 (h) Eighth Circuit Court District..... three (3)
42 legal assistants.

43 (i) Ninth Circuit Court District..... three (3)
44 legal assistants.

45 (j) Tenth Circuit Court District..... four (4)
46 legal assistants.

47 (k) Eleventh Circuit Court District..... five (5)
48 legal assistants.

49 (l) Twelfth Circuit Court District..... five (5)
50 legal assistants.

51 (m) Thirteenth Circuit Court District..... four (4)
52 legal assistants.

53 (n) Fourteenth Circuit Court District..... five (5)
54 legal assistants.

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



56 legal assistants.

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

58 legal assistants.

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

60 legal assistants.

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

62 legal assistants.

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

64 legal assistants.

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

66 legal assistants.

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

68 legal assistants.

69 (v) Twenty-second Circuit Court District..... three (3)

70 legal assistants.

71 (2) In addition to any legal assistants authorized pursuant
72 to subsection (1) of this section, the following number of
73 full-time legal assistants are authorized (i) in the following
74 circuit court districts if funds are appropriated by the
75 Legislature to adequately fund the salaries, expenses and fringe
76 benefits of such legal assistants, or (ii) in any of the following
77 circuit court districts in which the board of supervisors of one
78 or more of the counties in a circuit court district adopts a
79 resolution to pay all of the salaries, supplemental pay, expenses



80 and fringe benefits of legal assistants authorized in such
81 district pursuant to this subsection:

82 (a) First Circuit Court District..... two (2)
83 legal assistants.

84 (b) Second Circuit Court District..... two (2)
85 legal assistants.

86 (c) Third Circuit Court District..... two (2)
87 legal assistants.

88 (d) Fourth Circuit Court District..... two (2)
89 legal assistants.

90 (e) Fifth Circuit Court District..... two (2)
91 legal assistants.

92 (f) Sixth Circuit Court District..... two (2)
93 legal assistants.

94 (g) Seventh Circuit Court District..... two (2)
95 legal assistants.

96 (h) Eighth Circuit Court District..... two (2)
97 legal assistants.

98 (i) Ninth Circuit Court District..... two (2)
99 legal assistants.

100 (j) Tenth Circuit Court District..... two (2)
101 legal assistants.

102 (k) Eleventh Circuit Court District..... two (2)
103 legal assistants.

104 (l) Twelfth Circuit Court District..... two (2)



105 legal assistants.
106 (m) Thirteenth Circuit Court District..... two (2)
107 legal assistants.
108 (n) Fourteenth Circuit Court District..... two (2)
109 legal assistants.
110 (o) Fifteenth Circuit Court District..... two (2)
111 legal assistants.
112 (p) Sixteenth Circuit Court District..... two (2)
113 legal assistants.
114 (q) Seventeenth Circuit Court District..... two (2)
115 legal assistants.
116 (r) Eighteenth Circuit Court District..... two (2)
117 legal assistants.
118 (s) Nineteenth Circuit Court District..... two (2)
119 legal assistants.
120 (t) Twentieth Circuit Court District..... two (2)
121 legal assistants.
122 (u) Twenty-first Circuit Court District..... two (2)
123 legal assistants.
124 (v) Twenty-second Circuit Court District..... two (2)
125 legal assistants.
126 (3) The board of supervisors of any county may pay all or a
127 part of the salary, supplemental pay, expenses and fringe benefits
128 of any district attorney or legal assistant authorized in the



129 circuit court district to which such county belongs pursuant to
130 this section.

131 (4) The district attorney of any circuit court district may
132 employ additional legal assistants or criminal investigators, or
133 both, without regard to any limitation on the number of legal
134 assistants authorized in this section or criminal investigators
135 authorized by other provisions of law to the extent that the
136 district attorney's office receives funds from any source. Any
137 source shall include, but is not limited to, office generated
138 funds, funds from a county, a combination of counties, a
139 municipality, a combination of municipalities, federal funds,
140 private grants or foundations, or by means of an Interlocal
141 Cooperative Agreement authorized by Section 17-13-1 which may be
142 expended for those positions in an amount sufficient to pay all of
143 the salary, supplemental pay, expenses and fringe benefits of the
144 positions. Such funds may either be paid out of district attorney
145 accounts, transferred by the district attorney to the Department
146 of Finance and Administration or to one or more of the separate
147 counties comprising the circuit court district, and said funds
148 shall be disbursed to such employees in the same manner as
149 state-funded criminal investigators and full-time legal
150 assistants. The district attorney shall report to the board of
151 supervisors of each county comprising the circuit court district
152 the amount and source of the supplemental salary, expenses and
153 fringe benefits, and the board in each county shall spread the



154 same on its minutes. The district attorney shall also report such
155 information to the Department of Finance and Administration which
156 shall make such information available to the Legislative Budget
157 Office.

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

161 **[From and after January 1, 2023, this section shall read as**
162 **follows:]**

163 25-31-5. (1) The following number of full-time legal
164 assistants are authorized in the following circuit court
165 districts:

166 (a) First Circuit Court District.....*nine* (9)
167 legal assistants.

168 (b) Second Circuit Court District.....*ten* (10)
169 legal assistants.

170 (c) Third Circuit Court District.....*five* (5)
171 legal assistants.

172 (d) Fourth Circuit Court District.....*six* (6)
173 legal assistants.

174 (e) Fifth Circuit Court District.....*five* (5)
175 legal assistants.

176 (f) Sixth Circuit Court District.....*two* (2)
177 legal assistants.

178 (g) Seventh Circuit Court District.....*eleven* (11)



179 legal assistants.

180 (h) Eighth Circuit Court District.....three (3)

181 legal assistants.

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

183 legal assistants.

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

185 legal assistants.

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

187 legal assistants.

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

189 legal assistants.

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

191 legal assistants.

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

193 legal assistants.

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

195 legal assistants.

196 (p) Sixteenth Circuit Court District.....five (5)

197 legal assistants

198 (q) Seventeenth Circuit Court District.. * * * three

199 (3) legal assistants.

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

201 legal assistants.

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

203 legal assistants.



204 (t) Twentieth Circuit Court District.....six (6)
205 legal assistants.

206 (u) Twenty-first Circuit Court District.....three (3)
207 legal assistants.

208 (v) Twenty-second Circuit Court District.....three (3)
209 legal assistants.

210 (w) Twenty-third Circuit Court Districtfour (4)
211 legal assistants.

212 (2) In addition to any legal assistants authorized pursuant
213 to subsection (1) of this section, the following number of
214 full-time legal assistants are authorized (i) in the following
215 circuit court districts if funds are appropriated by the
216 Legislature to adequately fund the salaries, expenses and fringe
217 benefits of such legal assistants, or (ii) in any of the following
218 circuit court districts in which the board of supervisors of one
219 or more of the counties in a circuit court district adopts a
220 resolution to pay all of the salaries, supplemental pay, expenses
221 and fringe benefits of legal assistants authorized in such
222 district pursuant to this subsection:

223 (a) First Circuit Court District.....two (2)
224 legal assistants.

225 (b) Second Circuit Court District.....two (2)
226 legal assistants.

227 (c) Third Circuit Court District.....two (2)
228 legal assistants.



229 (d) Fourth Circuit Court District.....two (2)
230 legal assistants.
231 (e) Fifth Circuit Court District.....two (2)
232 legal assistants.
233 (f) Sixth Circuit Court District.....two (2)
234 legal assistants.
235 (g) Seventh Circuit Court District.....two (2)
236 legal assistants.
237 (h) Eighth Circuit Court District.....two (2)
238 legal assistants.
239 (i) Ninth Circuit Court District.....two (2)
240 legal assistants.
241 (j) Tenth Circuit Court District.....two (2)
242 legal assistants.
243 (k) Eleventh Circuit Court District.....two (2)
244 legal assistants.
245 (l) Twelfth Circuit Court District.....two (2)
246 legal assistants.
247 (m) Thirteenth Circuit Court District.....two (2)
248 legal assistants.
249 (n) Fourteenth Circuit Court District.....two (2)
250 legal assistants.
251 (o) Fifteenth Circuit Court District.....two (2)
252 legal assistants.
253 (p) Sixteenth Circuit Court District.....two (2)



254 legal assistants.

255 (q) Seventeenth Circuit Court District.....two (2)

256 legal assistants.

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

258 legal assistants.

259 (s) Nineteenth Circuit Court District.....two (2)

260 legal assistants.

261 (t) Twentieth Circuit Court District.....two (2)

262 legal assistants.

263 (u) Twenty-first Circuit Court District.....two (2)

264 legal assistants.

265 (v) Twenty-second Circuit Court District.....two (2)

266 legal assistants.

267 (w) Twenty-third Circuit Court District.....two (2)

268 legal assistants.

269 (3) The board of supervisors of any county may pay all or a
270 part of the salary, supplemental pay, expenses and fringe benefits
271 of any district attorney or legal assistant authorized in the
272 circuit court district to which such county belongs pursuant to
273 this section.

274 (4) The district attorney of any circuit court district may
275 employ additional legal assistants or criminal investigators, or
276 both, without regard to any limitation on the number of legal
277 assistants authorized in this section or criminal investigators
278 authorized by other provisions of law to the extent that the



279 district attorney's office receives funds from any source. Any
280 source shall include, but is not limited to, office generated
281 funds, funds from a county, a combination of counties, a
282 municipality, a combination of municipalities, federal funds,
283 private grants or foundations, or by means of an Interlocal
284 Cooperative Agreement authorized by Section 17-13-1 which may be
285 expended for those positions in an amount sufficient to pay all of
286 the salary, supplemental pay, expenses and fringe benefits of the
287 positions. Such funds may either be paid out of district attorney
288 accounts, transferred by the district attorney to the Department
289 of Finance and Administration or to one or more of the separate
290 counties comprising the circuit court district, and * * * the
291 funds shall be disbursed to such employees in the same manner as
292 state-funded criminal investigators and full-time legal
293 assistants. The district attorney shall report to the board of
294 supervisors of each county comprising the circuit court district
295 the amount and source of the supplemental salary, expenses and
296 fringe benefits, and the board in each county shall spread the
297 same on its minutes. The district attorney shall also report such
298 information to the Department of Finance and Administration which
299 shall make such information available to the Legislative Budget
300 Office.

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



304 **SECTION 2.** Section 25-31-10, Mississippi Code of 1972, is
305 amended as follows:

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

307 25-31-10. (1) Any district attorney may appoint a full-time
308 criminal investigator.

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

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

318 (4) No district attorney or assistant district attorney
319 shall accept any private employment, civil or criminal, in any
320 matter investigated by such criminal investigators.

321 (5) The full and complete compensation for all public duties
322 rendered by said criminal investigators shall be not more than
323 Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) per annum,
324 to be determined at the discretion of the district attorney based
325 upon the qualifications, education and experience of the criminal
326 investigator, plus necessary travel and other expenses, to be paid
327 in accordance with Section 25-31-8. However, the maximum salary
328 under this subsection for a criminal investigator who has a law



329 degree may be supplemented by the district attorney from other
330 available funds, but not to exceed the maximum salary for a legal
331 assistant to a district attorney.

332 (6) Any criminal investigator may be designated by the
333 district attorney to attend the Law Enforcement Officers Training
334 Program set forth in Section 45-6-1 et seq., Mississippi Code of
335 1972. The total expenses associated with attendance by criminal
336 investigators at the Law Enforcement Officers Training Program
337 shall be paid out of the funds of the appropriate district
338 attorney.

339 (7) The district attorney shall be authorized to assign the
340 duties of criminal investigators regardless of the source of
341 funding for such criminal investigators.

342 **[From and after January 1, 2023, this section shall read as**
343 **follows:]**

344 25-31-10. (1) Any district attorney may appoint a full-time
345 criminal investigator.

346 (2) The district attorneys of the Third, Fifth, Ninth,
347 Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth,
348 Sixteenth, Seventeenth * * *, Twentieth and Twenty-third Circuit
349 Court Districts may appoint one (1) additional full-time criminal
350 investigator for a total of two (2) full-time criminal
351 investigators.

352 (3) The district attorneys of the * * * Second, Fourth,
353 Seventh and Nineteenth Circuit Court Districts may appoint two (2)



354 additional full-time criminal investigators for a total of three
355 (3) full-time criminal investigators.

356 (4) No district attorney or assistant district attorney
357 shall accept any private employment, civil or criminal, in any
358 matter investigated by such criminal investigators.

359 (5) The full and complete compensation for all public duties
360 rendered by * * * the criminal investigators shall be not more
361 than Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) per
362 annum, to be determined at the discretion of the district attorney
363 based upon the qualifications, education and experience of the
364 criminal investigator, plus necessary travel and other expenses,
365 to be paid in accordance with Section 25-31-8. However, the
366 maximum salary under this subsection for a criminal investigator
367 who has a law degree may be supplemented by the district attorney
368 from other available funds, but not to exceed the maximum salary
369 for a legal assistant to a district attorney.

370 (6) Any criminal investigator may be designated by the
371 district attorney to attend the Law Enforcement Officers Training
372 Program set forth in Section 45-6-1 et seq. * * * The total
373 expenses associated with attendance by criminal investigators at
374 the Law Enforcement Officers Training Program shall be paid out of
375 the funds of the appropriate district attorney.

376 (7) The district attorney shall be authorized to assign the
377 duties of criminal investigators regardless of the source of
378 funding for such criminal investigators.



379 **SECTION 3.** The following section shall be codified as
380 Section 9-7-63, Mississippi Code of 1972:

381 9-7-63. The Twenty-third Circuit Court District shall be
382 DeSoto County.

383 **SECTION 4.** The following section shall be codified as
384 Section 9-7-64, Mississippi Code of 1972:

385 9-7-64. (1) There shall be two (2) circuit judges for the
386 Twenty-third Circuit Court District.

387 (2) For the purposes of appointment and election, the two
388 (2) judgeships shall be separate and distinct and denominated as
389 "Place One" and "Place Two." The judges may reside in any county
390 in the district.

391 **SECTION 5.** Section 9-7-45, Mississippi Code of 1972, is
392 amended as follows:

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

394 9-7-45. The Seventeenth Circuit Court District shall be
395 divided into two (2) subdistricts as follows:

396 (a) Subdistrict 17-1 shall be composed of DeSoto
397 County; and

398 (b) Subdistrict 17-2 shall be composed of Panola
399 County, Tallahatchie County, Tate County and Yalobusha County.

400 **[From after January 1, 2023, this section shall read as**
401 **follows:]**

402 9-7-45. The Seventeenth Circuit Court District shall
403 be * * * composed of the following counties:



404 * * *

405 (a) Panola County * * *;

406 (b) Tallahatchie County * * *;

407 (c) Tate County; and

408 (d) Yalobusha County.

409 **SECTION 6.** Section 9-7-46, Mississippi Code of 1972, is
410 amended as follows:

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

412 9-7-46. (1) There shall be four (4) circuit judges for the
413 Seventeenth Circuit Court District.

414 (2) For the purpose of appointment and election, the four
415 (4) judgeships shall be separate and distinct, and one (1) judge
416 shall be elected from Subdistrict 17-1, two (2) judges shall be
417 elected from Subdistrict 17-2, and one (1) judge shall be elected
418 from every county in the district. The two (2) judgeships in
419 Subdistrict 17-2 shall be denominated as "Place One" and "Place
420 Two," the judgeship in Subdistrict 17-1 shall be denominated as
421 "Place Three," and the at-large judgeship shall be denominated as
422 "Place Four."

423 **[From and after January 1, 2023, this section shall read as**
424 **follows:]**

425 9-7-46. (1) There shall be * * * two (2) circuit judges for
426 the Seventeenth Circuit Court District.



427 (2) For the purpose of appointment and election, the * * *
428 two (2) judgeships shall be separate and distinct, and * * * be
429 denominated as "Place One" and "Place Two * * *."

430 **SECTION 7.** Section 9-5-13, Mississippi Code of 1972, is
431 amended as follows:

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

433 9-5-13. (1) There shall be three (3) chancellors for the
434 Third Chancery Court District.

435 (2) (a) The chancellor of Subdistrict 3-1 shall be elected
436 from DeSoto County. The two (2) chancellors of Subdistrict 3-2
437 shall be elected from Grenada County, Montgomery County, Panola
438 County, Tate County and Yalobusha County.

439 (b) For purposes of appointment and election, the three
440 (3) chancellorships shall be separate and distinct. The
441 chancellorship in Subdistrict 3-1 shall be denominated only as
442 "Place One," and the chancellorships in Subdistrict 3-2 shall be
443 denominated only as "Place Two" and "Place Three."

444 **[From after January 1, 2023, this section shall read as**
445 **follows:]**

446 9-5-13. (1) There shall be * * * four (4) chancellors for
447 the Third Chancery Court District.

448 (2) (a) The two (2) chancellors of Subdistrict 3-1 shall be
449 elected from DeSoto County. The two (2) chancellors of
450 Subdistrict 3-2 shall be elected from Grenada County, Montgomery
451 County, Panola County, Tate County and Yalobusha County.



452 (b) For purposes of appointment and election, the * * *
453 four (4) chancellorships shall be separate and distinct and
454 denominated as "Place One," "Place Two," "Place Three" and "Place
455 Four". The chancellorship in Subdistrict 3-1 shall be denominated
456 only as "Place One * * *" and "Place Four" and the chancellorships
457 in Subdistrict 3-2 shall be denominated only as "Place Two" and
458 "Place Three."

459 **SECTION 8.** (1) The new circuit judge position created for
460 the Twenty-third Circuit Court District by virtue of this act
461 shall be filled during the November 2022 judicial election in
462 accordance with Sections 23-15-974 through 23-15-985.

463 (2) (a) The office of district attorney for the
464 Twenty-third Circuit Court District created by virtue of this act
465 shall be filled by the person who holds the office of district
466 attorney for the Seventeenth Circuit Court District on July 1,
467 2020. Such person shall serve as the district attorney for the
468 Twenty-third Circuit Court District until a successor for such
469 office is elected in the November 2023 general election.
470 Notwithstanding any other provision of law to the contrary
471 regarding residency of candidates for the office of district
472 attorney, the person serving as the district attorney for the
473 Seventeenth Circuit Court District as of July 1, 2020, may qualify
474 as a candidate to run for the office of district attorney for the
475 Twenty-third Circuit Court District in the November 2023 general



476 election, if such person is otherwise qualified as a candidate as
477 provided by law.

478 (b) The vacancy created by virtue of paragraph (a) of
479 this subsection (2) for the office of district attorney for the
480 Seventeenth Circuit Court District shall be filled by special
481 election on the date set for judicial elections in November 2022,
482 with such person taking office as district attorney for the
483 Seventeenth Circuit Court District on January 1, 2023, for a term
484 to expire as is provided for district attorneys generally. The
485 date and deadline to qualify as a candidate in the special
486 election for such office shall be the same as for judicial
487 candidates for the November 2022 judicial elections.

488 (3) The new chancellorship position created for the Third
489 Chancery Court District by virtue of this act shall be filled
490 during the November 2022 judicial election in accordance with
491 Sections 23-15-974 through 23-15-985.

492 **SECTION 9.** This act shall take effect and be in force from
493 and after July 1, 2020.

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

1 AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE NUMBER OF LEGAL ASSISTANTS IN THE SEVENTEENTH CIRCUIT
3 COURT DISTRICT AND TO PROVIDE LEGAL ASSISTANTS FOR THE
4 TWENTY-THIRD CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-10,
5 MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF CRIMINAL
6 INVESTIGATORS FOR DISTRICT ATTORNEYS TO CONFORM TO THE PRECEDING
7 SECTION; TO CREATE NEW SECTION 9-7-63, MISSISSIPPI CODE OF 1972,
8 TO CREATE THE TWENTY-THIRD CIRCUIT COURT DISTRICT; TO CREATE NEW



9 SECTION 9-7-64, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE
10 JUDGES OF THE TWENTY-THIRD CIRCUIT DISTRICT; TO AMEND SECTION
11 9-7-45, MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES
12 IN THE SEVENTEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION
13 9-7-46, MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF JUDGES
14 FOR THE SEVENTEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION
15 9-5-13, MISSISSIPPI CODE OF 1972, TO ADD ONE CHANCELLOR TO THE
16 THIRD CHANCERY COURT DISTRICT; TO PROVIDE THE PROCEDURE TO FILL
17 THE JUDICIAL OFFICE AND OFFICE OF DISTRICT ATTORNEY FOR THE
18 TWENTY-THIRD CIRCUIT COURT DISTRICT AND THE NEW CHANCELLORSHIP FOR
19 THE THIRD DISTRICT; AND FOR RELATED PURPOSES.

