

By: Representatives Read, Shanks, Stamps,
Anthony, Foster

To: Appropriations

HOUSE BILL NO. 1424
(As Passed the House)

1 AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE NUMBER OF ADDITIONAL APPOINTED CRIMINAL
3 INVESTIGATORS FOR CERTAIN DISTRICT ATTORNEYS; TO INCREASE THE
4 SALARY OF CRIMINAL INVESTIGATORS; TO AMEND SECTION 25-31-10.1,
5 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 25-31-10, Mississippi Code of 1972, is
9 amended as follows:

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

11 25-31-10. (1) Any district attorney may appoint a full-time
12 criminal investigator.

13 (2) The district attorneys of the * * * Fifth, Sixth, Ninth,
14 Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth,
15 Sixteenth, Seventeenth, Eighteenth * * *, Twentieth, Twenty-first
16 and Twenty-second Circuit Court Districts may appoint one (1)
17 additional full-time criminal investigator for a total of two (2)
18 full-time criminal investigators.

19 (3) The district attorneys of the First, Second, Third,
20 Fourth * * * and Nineteenth Circuit Court Districts may appoint



21 two (2) additional full-time criminal investigators for a total of
22 three (3) full-time criminal investigators.

23 (4) The district attorney of the Seventh Circuit Court
24 District may appoint one (1) additional full-time criminal
25 investigator for a total of four (4) full-time criminal
26 investigators.

27 (* * *5) No district attorney or assistant district
28 attorney shall accept any private employment, civil or criminal,
29 in any matter investigated by such criminal investigators.

30 (* * *6) The full and complete compensation for all public
31 duties rendered by * * * the criminal investigators shall be not
32 more than * * * Sixty-nine Thousand Five Hundred Dollars
33 (\$69,500.00) per annum, to be determined at the discretion of the
34 district attorney based upon the qualifications, education and
35 experience of the criminal investigator, plus necessary travel and
36 other expenses, to be paid in accordance with Section 25-31-8.
37 However, the maximum salary under this subsection for a criminal
38 investigator who has a law degree may be supplemented by the
39 district attorney from other available funds, but not to exceed
40 the maximum salary for a legal assistant to a district attorney.
41 Any amount of the annual compensation for a criminal investigator
42 above the sum of Fifty-nine Thousand Five Hundred Dollars
43 (\$59,500.00) shall be paid only with funds provided by the county
44 other than state funds.



45 (* * *7) Any criminal investigator may be designated by the
46 district attorney to attend the Law Enforcement Officers Training
47 Program set forth in Section 45-6-1 et seq., Mississippi Code of
48 1972. The total expenses associated with attendance by criminal
49 investigators at the Law Enforcement Officers Training Program
50 shall be paid out of the funds of the appropriate district
51 attorney.

52 (* * *8) The district attorney shall be authorized to
53 assign the duties of criminal investigators regardless of the
54 source of funding for such criminal investigators.

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

57 25-31-10. (1) Any district attorney may appoint a full-time
58 criminal investigator.

59 (2) The district attorneys of the * * * Fifth, Sixth, Ninth,
60 Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth,
61 Sixteenth, Seventeenth, Eighteenth, Twentieth, Twenty-first,
62 Twenty-second and Twenty-third Circuit Court Districts may appoint
63 one (1) additional full-time criminal investigator for a total of
64 two (2) full-time criminal investigators.

65 (3) The district attorneys of the First, Second, Third,
66 Fourth * * * and Nineteenth Circuit Court Districts may appoint
67 two (2) additional full-time criminal investigators for a total of
68 three (3) full-time criminal investigators.



69 (4) The district attorney of the Seventh Circuit Court
70 District may appoint one (1) additional full-time criminal
71 investigator for a total of four (4) full-time criminal
72 investigators.

73 (* * *5) No district attorney or assistant district
74 attorney shall accept any private employment, civil or criminal,
75 in any matter investigated by such criminal investigators.

76 (* * *6) The full and complete compensation for all public
77 duties rendered by the criminal investigators shall be not more
78 than * * * Sixty-nine Thousand Five Hundred Dollars (\$69,500.00)
79 per annum, to be determined at the discretion of the district
80 attorney based upon the qualifications, education and experience
81 of the criminal investigator, plus necessary travel and other
82 expenses, to be paid in accordance with Section 25-31-8. However,
83 the maximum salary under this subsection for a criminal
84 investigator who has a law degree may be supplemented by the
85 district attorney from other available funds, but not to exceed
86 the maximum salary for a legal assistant to a district attorney.
87 Any amount of the annual compensation for a criminal investigator
88 above the sum of Fifty-nine Thousand Five Hundred Dollars
89 (\$59,500.00) shall be paid only with funds provided by the county
90 other than state funds.

91 (* * *7) Any criminal investigator may be designated by the
92 district attorney to attend the Law Enforcement Officers Training
93 Program set forth in Section 45-6-1 et seq. The total expenses



94 associated with attendance by criminal investigators at the Law
95 Enforcement Officers Training Program shall be paid out of the
96 funds of the appropriate district attorney.

97 (* * *8) The district attorney shall be authorized to
98 assign the duties of criminal investigators regardless of the
99 source of funding for such criminal investigators.

100 **SECTION 2.** Section 25-31-10.1, Mississippi Code of 1972, is
101 amended as follows:

102 25-31-10.1. In addition to the salaries, expenses and fringe
103 benefits of district attorneys and legal assistants authorized by
104 Section 25-3-35(5) and (6) and criminal investigators authorized
105 by Section 25-31-10(* * *6), the salary of a district attorney
106 may be supplemented in an amount not to exceed Eight Thousand
107 Three Hundred Dollars (\$8,300.00) per year; the salary of a legal
108 assistant may be supplemented in an amount not to exceed Six
109 Thousand Dollars (\$6,000.00) per year; and the salary of a
110 criminal investigator may be supplemented in an amount not to
111 exceed Five Thousand Dollars (\$5,000.00) per year, payable
112 monthly. The supplemental salary, expenses and fringe benefits
113 authorized herein may be paid from office-generated funds, funds
114 from a county, a combination of counties, a municipality, a
115 combination of municipalities, a county and a municipality, a
116 combination of counties and municipalities, federal funds, grants
117 from private foundations, or by means of an Interlocal Cooperative
118 Agreement authorized by Section 17-13-1. The district attorney



119 shall report to the board of supervisors of each county comprising
120 the circuit court district the amount and source of the
121 supplemental salary, expenses and fringe benefits, and the board
122 in each county shall spread the same on its minutes. The district
123 attorney shall also report such information to the Department of
124 Finance and Administration who shall make such information
125 available to the Legislative Budget Office. The supplemental
126 salary, expenses and fringe benefits may either be paid from
127 district attorney accounts, transferred by the district attorney
128 to the Department of Finance and Administration or to one or more
129 of the separate counties comprising the circuit court district,
130 and such funds shall be disbursed to the employees in the same
131 manner as state-funded criminal investigators and full-time legal
132 assistants.

133 **SECTION 3.** This act shall take effect and be in force from
134 and after July 1, 2022, and shall stand repealed on June 30, 2022.

