

By: Senator(s) Fillingane

To: Accountability,
Efficiency, Transparency

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2066

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE ANNUAL SALARIES OF DISTRICT ATTORNEYS; TO AMEND
3 SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE
4 MAXIMUM SALARY PAID TO A CRIMINAL INVESTIGATOR IN THE OFFICE OF
5 THE DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is
8 amended as follows:

9 25-3-35. (1) The annual salaries of the following judges
10 are fixed as follows:

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

12 Chief Justice of the Supreme Court.....\$126,292.50
13 Presiding Justices of the Supreme Court, each..... 123,600.75
14 Associate Justices of the Supreme Court, each..... 122,460.00

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

16 Chief Justice of the Supreme Court.....\$137,195.00
17 Presiding Justices of the Supreme Court, each..... 134,011.50
18 Associate Justices of the Supreme Court, each..... 132,390.00

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



20 Chief Justice of the Supreme Court\$148,097.50
21 Presiding Justices of the Supreme Court, each..... 144,422.25
22 Associate Justices of the Supreme Court, each..... 142,320.00

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

24 Chief Justice of the Supreme Court\$159,000.00
25 Presiding Justices of the Supreme Court, each..... 154,833.00
26 Associate Justices of the Supreme Court, each..... 152,250.00

27 There are imposed upon the Supreme Court justices the extra
28 duties of taking all necessary action to promote judicial
29 education in schools, intervention courts, electronic filing and
30 case management systems as developed by the Administrative Office
31 of Courts, or such other additional duties as may be assigned by
32 the Chief Justice of the Supreme Court. For such extra services
33 each justice, from and after January 1, 2013, shall receive a sum
34 sufficient to aggregate, per annum, the salaries set forth in this
35 subsection (1).

36 The fixed salaries in this subsection (1) shall be paid from
37 the State General Fund and from the Judicial System Operation Fund
38 created under Section 9-21-45. No less than: One Hundred Fifteen
39 Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief
40 Justice's salary in this subsection (1), One Hundred Thirteen
41 Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of
42 a presiding justice in this subsection (1), and One Hundred Twelve
43 Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary
44 of an associate justice in this subsection (1) shall be paid from



45 General Fund monies; in addition, the Legislature shall
46 appropriate annually from the Judicial System Operation Fund a sum
47 sufficient to increase the salary of the Chief Justice, a
48 presiding justice and an associate justice to the levels set forth
49 in this subsection (1).

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

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

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

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

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

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

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

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

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

68 Chief Judge of the Court of Appeals\$147,578.00
69 Associate Judges of the Court of Appeals, each.... 144,827.00



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

73 The fixed salaries in this subsection (2) shall be paid from
74 the State General Fund and from the Judicial System Operation Fund
75 created under Section 9-21-45. No less than One Hundred Eight
76 Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief
77 Judge's salary in this subsection (2) shall be paid from General
78 Fund monies; in addition, the Legislature shall appropriate
79 annually from the Judicial System Operation Fund a sum sufficient
80 to increase the Chief Judge's salary to the level set forth in
81 this subsection (2). No less than One Hundred Five Thousand Fifty
82 Dollars (\$105,050.00) of the salary of an associate judge in this
83 subsection (2) shall be paid from General Fund monies; in
84 addition, the Legislature shall appropriate annually from the
85 Judicial System Operation Fund a sum sufficient to increase the
86 salary of an associate judge to the level set forth in this
87 subsection (2).

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



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

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

97 Chancery Judges, each\$112,127.50

98 Circuit Judges, each 112,127.50

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

100 Chancery Judges, each\$120,085.00

101 Circuit Judges, each 120,085.00

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

103 Chancery Judges, each\$128,042.50

104 Circuit Judges, each 128,042.50

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

106 Chancery Judges, each\$136,000.00

107 Circuit Judges, each 136,000.00

108 In addition to their present official duties, the circuit and
109 chancery judges shall take necessary action to promote judicial
110 education in schools, intervention courts, electronic filing and
111 case management systems as developed by the Administrative Office
112 of Courts, or such other additional duties as may be assigned by
113 the Chief Justice of the Supreme Court. For such extra services
114 each judge, from and after January 1, 2013, shall receive a sum
115 sufficient to aggregate, per annum, the salaries set forth in this
116 subsection (3).

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



119 created under Section 9-21-45. No less than One Hundred Four
120 Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary
121 of a chancery or circuit judge in this subsection (3) shall be
122 paid from General Fund monies; in addition, the Legislature shall
123 appropriate annually from the Judicial System Operation Fund a sum
124 sufficient to increase the salary of a chancery or circuit judge
125 to the levels set forth in this subsection (3).

126 (4) From and after January 1, 2019, and every four (4) years
127 thereafter, the annual salaries of the judges in subsections (1),
128 (2) and (3) shall be fixed at the level of compensation
129 recommended by the State Personnel Board according to the board's
130 most recent report on judicial salaries, as required under Section
131 25-9-115, to the extent that sufficient funds are available. The
132 annual salaries fixed in accordance with this subsection (4) shall
133 not become effective until the commencement of the next
134 immediately succeeding term of office.

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

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

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

141 One Hundred Three Thousand Three Hundred Twenty-two Dollars
142 (\$103,322.00).

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



144 One Hundred Ten Thousand Eight Hundred Forty-eight Dollars
145 (\$110,848.00).

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

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

149 **From and after January 1, 2016, through December 31, 2022:**

150 One Hundred Twenty-five Thousand Nine Hundred Dollars
151 (\$125,900.00).

152 **From and after January 1, 2023:**

153 One Hundred Thirty-four Thousand Dollars (\$134,000.00).

154 (7) The annual salary of the full-time legal assistants
155 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor
156 more than eighty percent (80%) of the salary of the district
157 attorney for legal assistants who have been licensed to practice
158 law for five (5) years or less; eighty-five percent (85%) of the
159 salary of the district attorney for legal assistants who have been
160 licensed to practice law for at least five (5) years but less than
161 fifteen (15) years; and ninety percent (90%) of the salary of the
162 district attorney for legal assistants who have been licensed to
163 practice law for at least fifteen (15) years or more.

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

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

167 25-31-10. (1) Any district attorney may appoint a full-time
168 criminal investigator.



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

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

178 (4) No district attorney or assistant district attorney
179 shall accept any private employment, civil or criminal, in any
180 matter investigated by such criminal investigators.

181 (5) The full and complete compensation for all public duties
182 rendered by said criminal investigators shall be not more
183 than * * * Sixty-three Thousand Dollars (\$63,000.00) per annum, to
184 be determined at the discretion of the district attorney based
185 upon the qualifications, education and experience of the criminal
186 investigator, plus necessary travel and other expenses, to be paid
187 in accordance with Section 25-31-8. However, the maximum salary
188 under this subsection for a criminal investigator who has a law
189 degree may be supplemented by the district attorney from other
190 available funds, but not to exceed the maximum salary for a legal
191 assistant to a district attorney.

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



194 Program set forth in Section 45-6-1 et seq., Mississippi Code of
195 1972. The total expenses associated with attendance by criminal
196 investigators at the Law Enforcement Officers Training Program
197 shall be paid out of the funds of the appropriate district
198 attorney.

199 (7) The district attorney shall be authorized to assign the
200 duties of criminal investigators regardless of the source of
201 funding for such criminal investigators.

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

204 25-31-10. (1) Any district attorney may appoint a full-time
205 criminal investigator.

206 (2) The district attorneys of the Third, Fifth, Ninth,
207 Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth,
208 Sixteenth, Seventeenth, Twentieth and Twenty-third Circuit Court
209 Districts may appoint one (1) additional full-time criminal
210 investigator for a total of two (2) full-time criminal
211 investigators.

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

216 (4) No district attorney or assistant district attorney
217 shall accept any private employment, civil or criminal, in any
218 matter investigated by such criminal investigators.



219 (5) The full and complete compensation for all public duties
220 rendered by the criminal investigators shall be not more
221 than * * * Sixty-three Thousand Dollars (\$63,000.00) per annum, to
222 be determined at the discretion of the district attorney based
223 upon the qualifications, education and experience of the criminal
224 investigator, plus necessary travel and other expenses, to be paid
225 in accordance with Section 25-31-8. However, the maximum salary
226 under this subsection for a criminal investigator who has a law
227 degree may be supplemented by the district attorney from other
228 available funds, but not to exceed the maximum salary for a legal
229 assistant to a district attorney.

230 (6) Any criminal investigator may be designated by the
231 district attorney to attend the Law Enforcement Officers Training
232 Program set forth in Section 45-6-1 et seq. The total expenses
233 associated with attendance by criminal investigators at the Law
234 Enforcement Officers Training Program shall be paid out of the
235 funds of the appropriate district attorney.

236 (7) The district attorney shall be authorized to assign the
237 duties of criminal investigators regardless of the source of
238 funding for such criminal investigators.

239 **SECTION 3.** This act shall take effect and be in force from
240 and after July 1, 2022.

