

Senate Amendments to House Bill No. 1423

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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

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

8 25-3-35. (1) The annual salaries of the following judges
9 are fixed as follows:

10 * * *

11 Chief Justice of the Supreme

12 Court.....\$ * * * 174,000.00

13 Presiding Justices of the Supreme Court,

14 each..... * * * 169,500.00

15 Associate Justices of the Supreme Court,

16 each..... * * * 166,500.00

17 There are imposed upon the Supreme Court justices the extra
18 duties of taking all necessary action to promote judicial
19 education in schools, intervention courts, electronic filing and
20 case management systems as developed by the Administrative Office
21 of Courts, or such other additional duties as may be assigned by
22 the Chief Justice of the Supreme Court. For such extra services

23 each justice * * * shall receive a sum sufficient to aggregate,
24 per annum, the salaries set forth in this subsection (1).

25 The fixed salaries in this subsection (1) shall be paid from
26 the State General Fund and from the Judicial System Operation Fund
27 created under Section 9-21-45. No less than: One Hundred Fifteen
28 Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief
29 Justice's salary in this subsection (1), One Hundred Thirteen
30 Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of
31 a presiding justice in this subsection (1), and One Hundred Twelve
32 Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary
33 of an associate justice in this subsection (1) shall be paid from
34 general fund monies; in addition, the Legislature shall
35 appropriate annually from the Judicial System Operation Fund a sum
36 sufficient to increase the salary of the Chief Justice, a
37 presiding justice and an associate justice to the levels set forth
38 in this subsection (1).

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

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

47 * * *

48 Chief Judge of the Court of

49 Appeals.....\$ * * * 161,500.00

50 Associate Judges of the Court of Appeals,

51 each..... * * * 158,500.00

52 * * * Each judge shall receive a sum sufficient to
53 aggregate, per annum, the salaries set forth in this subsection
54 (2).

55 The fixed salaries in this subsection (2) shall be paid from
56 the State General Fund and from the Judicial System Operation Fund
57 created under Section 9-21-45. No less than One Hundred Eight
58 Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief
59 Judge's salary in this subsection (2) shall be paid from general
60 fund monies; in addition, the Legislature shall appropriate
61 annually from the Judicial System Operation Fund a sum sufficient
62 to increase the Chief Judge's salary to the level set forth in
63 this subsection (2). No less than One Hundred Five Thousand Fifty
64 Dollars (\$105,050.00) of the salary of an associate judge in this
65 subsection (2) shall be paid from general fund monies; in
66 addition, the Legislature shall appropriate annually from the
67 Judicial System Operation Fund a sum sufficient to increase the
68 salary of an associate judge to the level set forth in this
69 subsection (2).

70 The fixed salaries as specified in this subsection (2) shall
71 be the exclusive and total compensation which can be reported to
72 the Public Employees' Retirement System for retirement purposes;
73 however, any judge in office on December 31, 2003, may continue to

74 report his expense allowance as part of his compensation for
75 retirement purposes.

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

78 * * *

79 Chancery Judges, each.....\$ * * * 149,000.00

80 Circuit Judges, each..... * * * 149,000.00

81 In addition to their present official duties, the circuit and
82 chancery judges shall take necessary action to promote judicial
83 education in schools, intervention courts, electronic filing and
84 case management systems as developed by the Administrative Office
85 of Courts, or such other additional duties as may be assigned by
86 the Chief Justice of the Supreme Court. For such extra services
87 each judge * * * shall receive a sum sufficient to aggregate, per
88 annum, the salaries set forth in this subsection (3).

89 The fixed salaries in this subsection (3) shall be paid from
90 the State General Fund and from the Judicial System Operation Fund
91 created under Section 9-21-45. No less than One Hundred Four
92 Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary
93 of a chancery or circuit judge in this subsection (3) shall be
94 paid from general fund monies; in addition, the Legislature shall
95 appropriate annually from the Judicial System Operation Fund a sum
96 sufficient to increase the salary of a chancery or circuit judge
97 to the levels set forth in this subsection (3).

98 (4) From and after January 1, 2019, and every four (4) years
99 thereafter, the annual salaries of the judges in subsections (1),

100 (2) and (3) shall be fixed at the level of compensation
101 recommended by the State Personnel Board according to the board's
102 most recent report on judicial salaries, as required under Section
103 25-9-115, to the extent that sufficient funds are available. The
104 annual salaries fixed in accordance with this subsection (4) shall
105 not become effective until the commencement of the next
106 immediately succeeding term of office.

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

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

112 * * *

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

114 One Hundred Twenty-five Thousand Nine Hundred Dollars
115 (\$125,900.00).

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

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

118 (7) The annual salary of the full-time legal assistants
119 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor
120 more than eighty percent (80%) of the salary of the district
121 attorney for legal assistants who have been licensed to practice
122 law for five (5) years or less; eighty-five percent (85%) of the
123 salary of the district attorney for legal assistants who have been
124 licensed to practice law for at least five (5) years but less than
125 fifteen (15) years; and ninety percent (90%) of the salary of the

126 district attorney for legal assistants who have been licensed to
127 practice law for at least fifteen (15) years or more.

128 **SECTION 2.** This act shall take effect and be in force from
129 and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE ANNUAL SALARIES OF THE JUSTICES OF THE SUPREME COURT,
3 THE JUDGES OF THE COURT OF APPEALS, THE CHANCERY AND CIRCUIT COURT
4 JUDGES, AND THE DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

SS36\HB1423A.J

Eugene S. Clarke
Secretary of the Senate