

By: Representatives Creekmore IV, Deweese,
Lancaster, Steverson

To: Judiciary B;
Appropriations

HOUSE BILL NO. 229

1 AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE AN ADDITIONAL CRIMINAL INVESTIGATOR FOR THE THIRD
3 CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-5, MISSISSIPPI CODE
4 OF 1972, TO AUTHORIZE AN ADDITIONAL DISTRICT ATTORNEY FOR THE
5 THIRD CIRCUIT COURT DISTRICT; TO AMEND SECTION 99-36-7,
6 MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL VICTIM
7 ASSISTANCE COORDINATOR FOR THE THIRD CIRCUIT COURT DISTRICT; AND
8 FOR RELATED PURPOSES.

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

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

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

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

19 (3) The district attorneys of the First, Second, Third,
20 Fourth, Seventh 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) No district attorney or assistant district attorney
24 shall accept any private employment, civil or criminal, in any
25 matter investigated by such criminal investigators.

26 (5) The full and complete compensation for all public duties
27 rendered by the criminal investigators shall be not more than
28 Sixty-three Thousand Dollars (\$63,000.00) per annum, to be
29 determined at the discretion of the district attorney based upon
30 the qualifications, education and experience of the criminal
31 investigator, plus necessary travel and other expenses, to be paid
32 in accordance with Section 25-31-8. However, the maximum salary
33 under this subsection for a criminal investigator who has a law
34 degree may be supplemented by the district attorney from other
35 available funds, but not to exceed the maximum salary for a legal
36 assistant to a district attorney.

37 (6) Any criminal investigator may be designated by the
38 district attorney to attend the Law Enforcement Officers Training
39 Program set forth in Section 45-6-1 et seq. The total expenses
40 associated with attendance by criminal investigators at the Law
41 Enforcement Officers Training Program shall be paid out of the
42 funds of the appropriate district attorney.

43 (7) The district attorney shall be authorized to assign the
44 duties of criminal investigators regardless of the source of
45 funding for such criminal investigators.



46 **SECTION 2.** Section 25-31-5, Mississippi Code of 1972, is
47 amended as follows:

48 25-31-5. (1) The following number of full-time legal
49 assistants are authorized in the following circuit court
50 districts:

51 (a) First Circuit Court District.....nine (9)
52 legal assistants.

53 (b) Second Circuit Court District.....ten (10)
54 legal assistants.

55 (c) Third Circuit Court District..... * * * six (6)
56 legal assistants.

57 (d) Fourth Circuit Court District.....six (6)
58 legal assistants.

59 (e) Fifth Circuit Court District.....five (5)
60 legal assistants.

61 (f) Sixth Circuit Court District.....two (2)
62 legal assistants.

63 (g) Seventh Circuit Court District.....eleven (11)
64 legal assistants.

65 (h) Eighth Circuit Court District.....three (3)
66 legal assistants.

67 (i) Ninth Circuit Court District.....three (3)
68 legal assistants.

69 (j) Tenth Circuit Court District.....four (4)
70 legal assistants.



71 (k) Eleventh Circuit Court District.....five (5)
72 legal assistants.
73 (l) Twelfth Circuit Court District.....five (5)
74 legal assistants.
75 (m) Thirteenth Circuit Court District.....four (4)
76 legal assistants.
77 (n) Fourteenth Circuit Court District.....five (5)
78 legal assistants.
79 (o) Fifteenth Circuit Court District.....six (6)
80 legal assistants.
81 (p) Sixteenth Circuit Court District.....five (5)
82 legal assistants.
83 (q) Seventeenth Circuit Court District.....three (3)
84 legal assistants.
85 (r) Eighteenth Circuit Court District.....two (2)
86 legal assistants.
87 (s) Nineteenth Circuit Court District.....six (6)
88 legal assistants.
89 (t) Twentieth Circuit Court District.....six (6)
90 legal assistants.
91 (u) Twenty-first Circuit Court District.....three (3)
92 legal assistants.
93 (v) Twenty-second Circuit Court District.....three (3)
94 legal assistants.
95 (w) Twenty-third Circuit Court Districtfour (4)



96 legal assistants.

97 (2) In addition to any legal assistants authorized pursuant
98 to subsection (1) of this section, the following number of
99 full-time legal assistants are authorized (i) in the following
100 circuit court districts if funds are appropriated by the
101 Legislature to adequately fund the salaries, expenses and fringe
102 benefits of such legal assistants, or (ii) in any of the following
103 circuit court districts in which the board of supervisors of one
104 or more of the counties in a circuit court district adopts a
105 resolution to pay all of the salaries, supplemental pay, expenses
106 and fringe benefits of legal assistants authorized in such
107 district pursuant to this subsection:

108 (a) First Circuit Court District.....two (2)
109 legal assistants.

110 (b) Second Circuit Court District.....two (2)
111 legal assistants.

112 (c) Third Circuit Court District.....two (2)
113 legal assistants.

114 (d) Fourth Circuit Court District.....two (2)
115 legal assistants.

116 (e) Fifth Circuit Court District.....two (2)
117 legal assistants.

118 (f) Sixth Circuit Court District.....two (2)
119 legal assistants.



120 (g) Seventh Circuit Court District.....two (2)
121 legal assistants.
122 (h) Eighth Circuit Court District.....two (2)
123 legal assistants.
124 (i) Ninth Circuit Court District.....two (2)
125 legal assistants.
126 (j) Tenth Circuit Court District.....two (2)
127 legal assistants.
128 (k) Eleventh Circuit Court District.....two (2)
129 legal assistants.
130 (l) Twelfth Circuit Court District.....two (2)
131 legal assistants.
132 (m) Thirteenth Circuit Court District.....two (2)
133 legal assistants.
134 (n) Fourteenth Circuit Court District.....two (2)
135 legal assistants.
136 (o) Fifteenth Circuit Court District.....two (2)
137 legal assistants.
138 (p) Sixteenth Circuit Court District.....two (2)
139 legal assistants.
140 (q) Seventeenth Circuit Court District.....two (2)
141 legal assistants.
142 (r) Eighteenth Circuit Court District.....two (2)
143 legal assistants.



144 (s) Nineteenth Circuit Court District.....two (2)
145 legal assistants.

146 (t) Twentieth Circuit Court District.....two (2)
147 legal assistants.

148 (u) Twenty-first Circuit Court District.....two (2)
149 legal assistants.

150 (v) Twenty-second Circuit Court District.....two (2)
151 legal assistants.

152 (w) Twenty-third Circuit Court District.....two (2)
153 legal assistants.

154 (3) The board of supervisors of any county may pay all or a
155 part of the salary, supplemental pay, expenses and fringe benefits
156 of any district attorney or legal assistant authorized in the
157 circuit court district to which such county belongs pursuant to
158 this section.

159 (4) The district attorney of any circuit court district may
160 employ additional legal assistants or criminal investigators, or
161 both, without regard to any limitation on the number of legal
162 assistants authorized in this section or criminal investigators
163 authorized by other provisions of law to the extent that the
164 district attorney's office receives funds from any source. Any
165 source shall include, but is not limited to, office generated
166 funds, funds from a county, a combination of counties, a
167 municipality, a combination of municipalities, federal funds,
168 private grants or foundations, or by means of an Interlocal



169 Cooperative Agreement authorized by Section 17-13-1 which may be
170 expended for those positions in an amount sufficient to pay all of
171 the salary, supplemental pay, expenses and fringe benefits of the
172 positions. Such funds may either be paid out of district attorney
173 accounts, transferred by the district attorney to the Department
174 of Finance and Administration or to one or more of the separate
175 counties comprising the circuit court district, and the funds
176 shall be disbursed to such employees in the same manner as
177 state-funded criminal investigators and full-time legal
178 assistants. The district attorney shall report to the board of
179 supervisors of each county comprising the circuit court district
180 the amount and source of the supplemental salary, expenses and
181 fringe benefits, and the board in each county shall spread the
182 same on its minutes. The district attorney shall also report such
183 information to the Department of Finance and Administration which
184 shall make such information available to the Legislative Budget
185 Office.

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

189 **SECTION 3.** Section 99-36-7, Mississippi Code of 1972, is
190 amended as follows:

191 99-36-7. (1) (a) In addition to the full-time legal
192 assistants to the district attorney authorized by Section 25-31-5,
193 the district attorney in each circuit court district in this state



194 shall, subject to the approval of and upon the order of the senior
195 circuit court judge of the district, employ one (1) person to
196 serve at the will and pleasure of the district attorney as a
197 "victim assistance coordinator" who shall not be considered to be
198 a state employee.

199 (b) The District Attorney of the First Circuit Court
200 District may appoint one (1) additional victim assistance
201 coordinator, the District Attorney of the Third Circuit Court
202 District may appoint one (1) additional victim assistance
203 coordinator and the District Attorney of the Fourteenth Circuit
204 Court District, upon the approval of the boards of supervisors,
205 may appoint one (1) additional victim assistance coordinator,
206 subject to the approval of and upon the order of the senior
207 circuit court judge of the applicable district for a total of two
208 (2) victim assistance coordinators per district.

209 (2) The duty of the victim assistance coordinator is to
210 ensure that a victim, guardian of a victim, or close relative of a
211 deceased victim is afforded the rights granted victims, guardians
212 and relatives by Section 99-36-5. The victim assistance
213 coordinator shall work closely with appropriate law enforcement
214 agencies, prosecuting attorneys, the state and the judiciary in
215 fulfilling that duty.

216 (3) The salary of the victim assistance coordinator shall
217 not exceed the salary authorized for criminal investigators in
218 Section 25-31-10, and shall be paid jointly by the counties



219 comprising the circuit court district, with each county paying a
220 pro rata share of the salary as determined by the senior circuit
221 court judge.

222 (4) The board of supervisors of any county, with the
223 approval of and upon the order of the senior circuit court judge
224 of the district wherein such county lies, may, in addition to any
225 victim assistance coordinator provided for in subsection (1) of
226 this section, create the position of county victim assistance
227 coordinator. The duty of the county victim assistance coordinator
228 shall be to cooperate with local law enforcement agencies, the
229 county attorney and the district attorney in assuring that a
230 victim, guardian or close relative is afforded the rights granted
231 by Section 99-36-5. Two (2) or more counties, by action of their
232 respective boards of supervisors, with the approval of and upon
233 the order of the senior circuit court judge of the district
234 wherein such counties lie, may join in establishing and
235 maintaining the position of victim assistance coordinator to serve
236 these counties. Any municipality, by action of its governing
237 authority, may participate in the establishment and maintenance of
238 a county victim assistance coordinator's office located within the
239 municipality.

240 (5) Any district attorney, county board of supervisors or
241 governing authority of a municipality which has established or is
242 participating in the maintenance of an office of victim assistance
243 coordinator may apply through the Governor's Office of State and



244 Federal Programs for a grant under the federal "Victims of Crimes
245 Act of 1984" (Public Law 98-473) to be used in the continued
246 operation of the victim assistance program.

247 **SECTION 4.** This act shall take effect and be in force from
248 and after July 1, 2023.

