

By: Representative Horan

To: Judiciary A;
Appropriations

HOUSE BILL NO. 798

1 AN ACT TO AMEND SECTION 9-17-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE HOW SALARIES OF COURT ADMINISTRATORS ARE CALCULATED; TO
3 BRING FORWARD SECTION 9-17-5, MISSISSIPPI CODE OF 1972, WHICH
4 CREATES THE COURT ADMINISTRATION FUND, FOR PURPOSES OF AMENDMENT;
5 AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 9-17-1, Mississippi Code of 1972, is
8 amended as follows:

9 9-17-1. (1) The judges and chancellors of judicial
10 districts, including chancery, circuit and county courts, may, in
11 their discretion, jointly or independently, establish the office
12 of court administrator in any county by an order entered on the
13 minutes of each participating court in the county.

14 The establishment of the office of court administrator shall
15 be accomplished by vote of a majority of the participating judges
16 and chancellors in the county, and such court administrator shall
17 be appointed by vote of a majority of the judges or chancellors
18 and may be removed by a majority vote of the judges or



19 chancellors. In case of a tie vote, the senior judge or senior
20 chancellor shall cast two (2) votes.

21 (2) The court administrator shall be provided office space
22 in the same manner as such is afforded the judges and chancellors.

23 (3) The annual salary of each court administrator appointed
24 pursuant to this section shall be set by vote of the judges and
25 chancellors of each participating county, shall be at least an
26 amount of Seventy-five Thousand Dollars (\$75,000.00) and shall be
27 submitted to the Administrative Office of Courts for approval
28 pursuant to Section 9-1-36. The salary shall be paid in twelve
29 (12) installments on the last working day of the month by the
30 Administrative Office of Courts after it has been authorized by
31 the participating judges and chancellors and an order has been
32 duly placed on the minutes of each participating court.

33 Any county within a judicial district having a court
34 administrator shall transfer to the Administrative Office of
35 Courts one-twelfth (1/12) of its pro rata cost of authorized
36 compensation as defined in Section 9-1-36 for the court
37 administrator by the twentieth day of each month for the
38 compensation that is to be paid on the last day of that month.
39 The board of supervisors may transfer the pro rata cost of the
40 county from the funds of that county pursuant to Section
41 9-17-5(2) (b) .

42 (4) For all travel required in the performance of official
43 duties, the court administrator shall be paid mileage by the



44 county in which the duties were performed at the same rate as
45 provided for state employees in Section 25-3-41, Mississippi Code
46 of 1972. The court administrator shall file a certificate of
47 mileage expense incurred during that term with the board of
48 supervisors of each participating county and payment of such
49 expense shall be paid proportionately out of the court
50 administration fund established pursuant to Section 9-17-5.

51 **SECTION 2.** Section 9-17-5, Mississippi Code of 1972, is
52 brought forward as follows:

53 9-17-5. (1) In each county where a court administrator has
54 been appointed pursuant to this chapter, a special fund in the
55 county treasury is hereby established to be known as the "court
56 administration fund."

57 (2) (a) The judges and chancellors may apply their expense
58 allowance in Section 9-1-36, Mississippi Code of 1972, to the
59 court administration fund.

60 (b) The board of supervisors of any county within a
61 judicial district having a court administrator is authorized to
62 pay its pro rata cost of the salary and furnish an equipped office
63 for the court administrator and his staff from county funds. The
64 board of supervisors is further authorized to accept grants,
65 gifts, donations or federal funds for the benefit of the office of
66 the court administrator.

67 (c) The board of supervisors of any county within a
68 judicial district having a court administrator is authorized, in



69 its discretion, to charge, in addition to all other costs required
70 by law, an amount not to exceed Two Dollars (\$2.00) for each
71 complaint filed in the chancery, circuit and county courts of such
72 county. Any money collected pursuant to this subsection shall be
73 paid into the court administrator fund.

74 (d) Money paid into the court administration fund under
75 this chapter shall be applied to the office of the court
76 administrator for the purpose of funding that office.

77 (3) All expenditures made from the court administration fund
78 shall be upon written requisition of the court administrator
79 approved by a judge or chancellor to the county or counties of the
80 district designated by him, in proportion to the business of his
81 office in the county.

82 **SECTION 3.** This act shall take effect and be in force from
83 and after July 1, 2023.

