

By: Representatives Read, Karriem

To: Appropriations

HOUSE BILL NO. 834

1 AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE NUMBER OF LEGAL ASSISTANTS FOR CIRCUIT COURT DISTRICTS;
3 TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO REVISE THE
4 NUMBER OF CRIMINAL INVESTIGATORS FOR CERTAIN CIRCUIT COURT
5 DISTRICTS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 25-31-5, Mississippi Code of 1972, is
8 amended as follows:

9 * * *

10 25-31-5. (1) The following number of full-time legal
11 assistants are authorized in the following circuit court
12 districts:

13 (a) First Circuit Court District..... * * *
14 (11) legal assistants.

15 (b) Second Circuit Court District..... * * *
16 twelve (12) legal assistants.

17 (c) Third Circuit Court District..... * * *
18 seven (7) legal assistants.



19 (d) Fourth Circuit Court District..... * * *

20 eight (8) legal assistants.

21 (e) Fifth Circuit Court District..... * * *

22 seven (7) legal assistants.

23 (f) Sixth Circuit Court District..... * * *

24 three (3) legal assistants.

25 (g) Seventh Circuit Court District..... * * *

26 fourteen (14) legal assistants.

27 (h) Eighth Circuit Court District..... * * *

28 four (4) legal assistants.

29 (i) Ninth Circuit Court District..... * * *

30 four (4) legal assistants.

31 (j) Tenth Circuit Court District..... * * *

32 six (6) legal assistants.

33 (k) Eleventh Circuit Court District..... * * *

34 seven (7) legal assistants.

35 (l) Twelfth Circuit Court District..... * * *

36 seven (7) legal assistants.

37 (m) Thirteenth Circuit Court District.....four (4)

38 legal assistants.

39 (n) Fourteenth Circuit Court District..... * * *

40 seven (7) legal assistants.

41 (o) Fifteenth Circuit Court District..... * * *

42 eight (8) legal assistants.



- 43 (p) Sixteenth Circuit Court District..... * * *
- 44 seven (7) legal assistants.
- 45 (q) Seventeenth Circuit Court District..... * * *
- 46 four (4) legal assistants.
- 47 (r) Eighteenth Circuit Court District..... * * *
- 48 three (3) legal assistants.
- 49 (s) Nineteenth Circuit Court District..... * * *
- 50 eight (8) legal assistants.
- 51 (t) Twentieth Circuit Court District..... * * *
- 52 twelve (12) legal assistants.
- 53 (u) Twenty-first Circuit Court District..... * * *
- 54 four (4) legal assistants.
- 55 (v) Twenty-second Circuit Court District..... * * *
- 56 four (4) legal assistants.
- 57 (w) Twenty-third Circuit Court District..... * * *
- 58 seven (7) legal assistants.

59 (2) In addition to any legal assistants authorized pursuant
60 to subsection (1) of this section, the following number of
61 full-time legal assistants are authorized (i) in the following
62 circuit court districts if funds are appropriated by the
63 Legislature to adequately fund the salaries, expenses and fringe
64 benefits of such legal assistants, or (ii) in any of the following
65 circuit court districts in which the board of supervisors of one
66 or more of the counties in a circuit court district adopts a
67 resolution to pay all of the salaries, supplemental pay, expenses



68 and fringe benefits of legal assistants authorized in such
69 district pursuant to this subsection:

70 (a) First Circuit Court District.....two (2)
71 legal assistants.

72 (b) Second Circuit Court District.....two (2)
73 legal assistants.

74 (c) Third Circuit Court District.....two (2)
75 legal assistants.

76 (d) Fourth Circuit Court District.....two (2)
77 legal assistants.

78 (e) Fifth Circuit Court District.....two (2)
79 legal assistants.

80 (f) Sixth Circuit Court District.....two (2)
81 legal assistants.

82 (g) Seventh Circuit Court District.....two (2)
83 legal assistants.

84 (h) Eighth Circuit Court District.....two (2)
85 legal assistants.

86 (i) Ninth Circuit Court District.....two (2)
87 legal assistants.

88 (j) Tenth Circuit Court District.....two (2)
89 legal assistants.

90 (k) Eleventh Circuit Court District.....two (2)
91 legal assistants.



92 (1) Twelfth Circuit Court District.....two (2)
93 legal assistants.
94 (m) Thirteenth Circuit Court District.....two (2)
95 legal assistants.
96 (n) Fourteenth Circuit Court District.....two (2)
97 legal assistants.
98 (o) Fifteenth Circuit Court District.....two (2)
99 legal assistants.
100 (p) Sixteenth Circuit Court District.....two (2)
101 legal assistants.
102 (q) Seventeenth Circuit Court District.....two (2)
103 legal assistants.
104 (r) Eighteenth Circuit Court District.....two (2)
105 legal assistants.
106 (s) Nineteenth Circuit Court District.....two (2)
107 legal assistants.
108 (t) Twentieth Circuit Court District.....two (2)
109 legal assistants.
110 (u) Twenty-first Circuit Court District.....two (2)
111 legal assistants.
112 (v) Twenty-second Circuit Court District.....two (2)
113 legal assistants.
114 (w) Twenty-third Circuit Court District.....two (2)
115 legal assistants.



116 (3) The board of supervisors of any county may pay all or a
117 part of the salary, supplemental pay, expenses and fringe benefits
118 of any district attorney or legal assistant authorized in the
119 circuit court district to which such county belongs pursuant to
120 this section.

121 (4) The district attorney of any circuit court district may
122 employ additional legal assistants or criminal investigators, or
123 both, without regard to any limitation on the number of legal
124 assistants authorized in this section or criminal investigators
125 authorized by other provisions of law to the extent that the
126 district attorney's office receives funds from any source. Any
127 source shall include, but is not limited to, office generated
128 funds, funds from a county, a combination of counties, a
129 municipality, a combination of municipalities, federal funds,
130 private grants or foundations, or by means of an Interlocal
131 Cooperative Agreement authorized by Section 17-13-1 which may be
132 expended for those positions in an amount sufficient to pay all of
133 the salary, supplemental pay, expenses and fringe benefits of the
134 positions. Such funds may either be paid out of district attorney
135 accounts, transferred by the district attorney to the Department
136 of Finance and Administration or to one or more of the separate
137 counties comprising the circuit court district, and the funds
138 shall be disbursed to such employees in the same manner as
139 state-funded criminal investigators and full-time legal
140 assistants. The district attorney shall report to the board of



141 supervisors of each county comprising the circuit court district
142 the amount and source of the supplemental salary, expenses and
143 fringe benefits, and the board in each county shall spread the
144 same on its minutes. The district attorney shall also report such
145 information to the Department of Finance and Administration which
146 shall make such information available to the Legislative Budget
147 Office.

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

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

153 * * *

154 25-31-10. (1) Any district attorney may appoint a full-time
155 criminal investigator.

156 (2) The district attorneys of the * * * Fifth, Sixth, Ninth,
157 Tenth, Eleventh, Twelfth, * * * Fourteenth, Fifteenth, Sixteenth,
158 Seventeenth, Eighteenth, Twentieth, Twenty-first, Twenty-second
159 and Twenty-third Circuit Court Districts may appoint one (1)
160 additional full-time criminal investigator for a total of two (2)
161 full-time criminal investigators.

162 (3) (a) The district attorneys of the First, Second,
163 Third, * * * Thirteenth and Nineteenth Circuit Court Districts may
164 appoint two (2) additional full-time criminal investigators for a
165 total of three (3) full-time criminal investigators.



166 (b) The district attorneys of the Fourth and Seventh Circuit
167 Court District may appoint three (3) additional full-time criminal
168 investigators for a total of four (4) full-time criminal
169 investigators.

170 (4) No district attorney or assistant district attorney
171 shall accept any private employment, civil or criminal, in any
172 matter investigated by such criminal investigators.

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

184 (6) Any criminal investigator may be designated by the
185 district attorney to attend the Law Enforcement Officers Training
186 Program set forth in Section 45-6-1 et seq. The total expenses
187 associated with attendance by criminal investigators at the Law
188 Enforcement Officers Training Program shall be paid out of the
189 funds of the appropriate district attorney.



190 (7) The district attorney shall be authorized to assign the
191 duties of criminal investigators regardless of the source of
192 funding for such criminal investigators.

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

