

By: Representatives Read, Karriem

To: Appropriations

HOUSE BILL NO. 834
(As Sent to Governor)

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 ten (10) legal assistants.

15 (b) Second Circuit Court District..... * * *

16 eleven (11) legal assistants.

17 (c) Third Circuit Court District..... * * *

18 six (6) legal assistants.



- 19 (d) Fourth Circuit Court District.....six (6)
20 legal assistants.
- 21 (e) Fifth Circuit Court District.....five (5)
22 legal assistants.
- 23 (f) Sixth Circuit Court District..... * * *
24 three (3) legal assistants.
- 25 (g) Seventh Circuit Court District..... * * *
26 twelve (12) legal assistants. Effective July 1, 2023, through
27 July 1, 2025, the Seventh Circuit Court District shall have
28 fourteen (14) legal assistants.
- 29 (h) Eighth Circuit Court District.....three (3)
30 legal assistants.
- 31 (i) Ninth Circuit Court District.....three (3)
32 legal assistants.
- 33 (j) Tenth Circuit Court District..... * * *
34 five (5) legal assistants.
- 35 (k) Eleventh Circuit Court District.....five (5)
36 legal assistants.
- 37 (l) Twelfth Circuit Court District.....five (5)
38 legal assistants.
- 39 (m) Thirteenth Circuit Court District.....four (4)
40 legal assistants.
- 41 (n) Fourteenth Circuit Court District..... * * *
42 six (6) legal assistants.



- 43 (o) Fifteenth Circuit Court District..... * * *
- 44 seven (7) legal assistants.
- 45 (p) Sixteenth Circuit Court District..... * * *
- 46 six (6) legal assistants.
- 47 (q) Seventeenth Circuit Court District.. * * * four (4)
- 48 legal assistants.
- 49 (r) Eighteenth Circuit Court District.....two (2)
- 50 legal assistants.
- 51 (s) Nineteenth Circuit Court District..... * * *
- 52 seven (7) legal assistants.
- 53 (t) Twentieth Circuit Court District..... * * *
- 54 seven (7) legal assistants.
- 55 (u) Twenty-first Circuit Court District..... * * *
- 56 four (4) legal assistants.
- 57 (v) Twenty-second Circuit Court District..... three
- 58 (3) legal assistants.
- 59 (w) Twenty-third Circuit Court District * * *
- 60 five (5) legal assistants.

61 (2) In addition to any legal assistants authorized pursuant

62 to subsection (1) of this section, the following number of

63 full-time legal assistants are authorized (i) in the following

64 circuit court districts if funds are appropriated by the

65 Legislature to adequately fund the salaries, expenses and fringe

66 benefits of such legal assistants, or (ii) in any of the following

67 circuit court districts in which the board of supervisors of one



68 or more of the counties in a circuit court district adopts a
69 resolution to pay all of the salaries, supplemental pay, expenses
70 and fringe benefits of legal assistants authorized in such
71 district pursuant to this subsection:

72 (a) First Circuit Court District.....two (2)
73 legal assistants.

74 (b) Second Circuit Court District.....two (2)
75 legal assistants.

76 (c) Third Circuit Court District.....two (2)
77 legal assistants.

78 (d) Fourth Circuit Court District.....two (2)
79 legal assistants.

80 (e) Fifth Circuit Court District.....two (2)
81 legal assistants.

82 (f) Sixth Circuit Court District.....two (2)
83 legal assistants.

84 (g) Seventh Circuit Court District.....two (2)
85 legal assistants.

86 (h) Eighth Circuit Court District.....two (2)
87 legal assistants.

88 (i) Ninth Circuit Court District.....two (2)
89 legal assistants.

90 (j) Tenth Circuit Court District.....two (2)
91 legal assistants.



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



116 (w) Twenty-third Circuit Court District.....two (2)
117 legal assistants.

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

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



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

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

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

155 * * *

156 25-31-10. (1) Any district attorney may appoint a full-time
157 criminal investigator.

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

164 (3) The district attorneys of the First, Second, Third,
165 Fourth, * * * Nineteenth and Twenty-third Circuit Court Districts



166 may appoint two (2) additional full-time criminal investigators
167 for a total of three (3) full-time criminal investigators.

168 (4) The district attorney of the Seventh Circuit Court
169 District may appoint one (1) additional full-time criminal
170 investigator for a total of four (4) full-time criminal
171 investigators.

172 (* * *5) No district attorney or assistant district
173 attorney shall accept any private employment, civil or criminal,
174 in any matter investigated by such criminal investigators.

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

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



190 Enforcement Officers Training Program shall be paid out of the
191 funds of the appropriate district attorney.

192 (* * *8) The district attorney shall be authorized to
193 assign the duties of criminal investigators regardless of the
194 source of funding for such criminal investigators.

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

