

By: Senator(s) Boyd, Suber, Whaley

To: Judiciary, Division A;  
Appropriations

SENATE BILL NO. 2190

1 AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN THE THIRD  
3 CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-10, MISSISSIPPI  
4 CODE OF 1972, TO INCREASE THE NUMBER OF CRIMINAL INVESTIGATORS  
5 AUTHORIZED TO BE APPOINTED IN THE THIRD CIRCUIT COURT DISTRICT;  
6 AND FOR RELATED PURPOSES.

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

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

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.....nine (9)  
14 legal assistants.

15 (b) Second Circuit Court District.....ten (10)  
16 legal assistants.

17 (c) Third Circuit Court District..... \* \* \*  
18 seven (7) 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.....two (2)  
24 legal assistants.  
25           (g) Seventh Circuit Court District.....eleven (11)  
26 legal assistants.  
27           (h) Eighth Circuit Court District.....three (3)  
28 legal assistants.  
29           (i) Ninth Circuit Court District.....three (3)  
30 legal assistants.  
31           (j) Tenth Circuit Court District.....four (4)  
32 legal assistants.  
33           (k) Eleventh Circuit Court District.....five (5)  
34 legal assistants.  
35           (l) Twelfth Circuit Court District.....five (5)  
36 legal assistants.  
37           (m) Thirteenth Circuit Court District.....four (4)  
38 legal assistants.  
39           (n) Fourteenth Circuit Court District.....five (5)  
40 legal assistants.  
41           (o) Fifteenth Circuit Court District.....six (6)  
42 legal assistants.  
43           (p) Sixteenth Circuit Court District.....five (5)  
44 legal assistants.



45           (q) Seventeenth Circuit Court District.....three (3)  
46 legal assistants.

47           (r) Eighteenth Circuit Court District.....two (2)  
48 legal assistants.

49           (s) Nineteenth Circuit Court District.....six (6)  
50 legal assistants.

51           (t) Twentieth Circuit Court District.....six (6)  
52 legal assistants.

53           (u) Twenty-first Circuit Court District.....three (3)  
54 legal assistants.

55           (v) Twenty-second Circuit Court District.....three (3)  
56 legal assistants.

57           (w) Twenty-third Circuit Court District .....four (4)  
58 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                   (l) 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 25-31-10. (1) Any district attorney may appoint a full-time  
154 criminal investigator.

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

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

164 (4) No district attorney or assistant district attorney  
165 shall accept any private employment, civil or criminal, in any  
166 matter investigated by such criminal investigators.

167 (5) The full and complete compensation for all public duties  
168 rendered by the criminal investigators shall be not more than



169 Sixty-three Thousand Dollars (\$63,000.00) per annum, to be  
170 determined at the discretion of the district attorney based upon  
171 the qualifications, education and experience of the criminal  
172 investigator, plus necessary travel and other expenses, to be paid  
173 in accordance with Section 25-31-8. However, the maximum salary  
174 under this subsection for a criminal investigator who has a law  
175 degree may be supplemented by the district attorney from other  
176 available funds, but not to exceed the maximum salary for a legal  
177 assistant to a district attorney.

178 (6) Any criminal investigator may be designated by the  
179 district attorney to attend the Law Enforcement Officers Training  
180 Program set forth in Section 45-6-1 et seq. The total expenses  
181 associated with attendance by criminal investigators at the Law  
182 Enforcement Officers Training Program shall be paid out of the  
183 funds of the appropriate district attorney.

184 (7) The district attorney shall be authorized to assign the  
185 duties of criminal investigators regardless of the source of  
186 funding for such criminal investigators.

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

