

By: Senator(s) Hopson

To: Appropriations

SENATE BILL NO. 2444  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-2-131, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE PROVISION OF LAW GOVERNING THE MISSISSIPPI  
3 MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM; TO  
4 AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO REVISE THE  
5 PROVISION OF LAW GOVERNING THE ARPA RURAL WATER ASSOCIATIONS  
6 INFRASTRUCTURE GRANT PROGRAM; TO AMEND SECTION 57-123-11,  
7 MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING  
8 THE MISSISSIPPI MAIN STREET ASSOCIATION; TO AMEND SECTION 45-2-41,  
9 MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING  
10 THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY  
11 PROGRAM; TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO  
12 REVISE THE PROVISION CONCERNING A SHERIFF'S ABILITY TO RECEIVE  
13 PREMIUM PAY AS PART OF THE SHERIFF'S COMPENSATION; AND FOR RELATED  
14 PURPOSES.

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

16 **SECTION 1.** Section 49-2-131, Mississippi Code of 1972, is  
17 amended as follows:

18 49-2-131. (1) This section shall be known and may be cited  
19 as the "Mississippi Municipality and County Water Infrastructure  
20 Grant Program Act of 2022."

21 (2) There is hereby established within the Mississippi  
22 Department of Environmental Quality the Mississippi Municipality  
23 and County Water Infrastructure (MCWI) Grant Program under which  
24 municipalities, counties and certain public utilities not



25 regulated by the Public Service Commission may apply until  
26 February 1, 2023, for reimbursable grants to make necessary  
27 investments in water, wastewater, and stormwater infrastructure to  
28 be funded by the Legislature utilizing Coronavirus State Fiscal  
29 Recovery Funds made available under the federal American Rescue  
30 Plan Act of 2021 (ARPA). Such grants shall be made available to  
31 municipalities and counties to be matched with the Coronavirus  
32 Local Fiscal Recovery Funds awarded or to be awarded to them under  
33 ARPA on a one-to-one matching basis. Coronavirus Local Fiscal  
34 Recovery Funds that a county transfers to a municipality or that a  
35 county or municipality transfers to a public utility not regulated  
36 by the Public Service Commission are eligible on a one-to-one  
37 matching basis. Municipalities that received less than One  
38 Million Dollars (\$1,000,000.00) in the total allocation of  
39 Coronavirus Local Fiscal Recovery Funds are eligible for a  
40 two-to-one match only on the Coronavirus Local Fiscal Recovery  
41 Funds awarded or to be awarded to them under ARPA. \* \* \* The  
42 Mississippi Department of Environmental Quality shall only accept  
43 two (2) rounds of submissions under the Mississippi Municipality  
44 and County Water Infrastructure (MCWI) Grant Program. The second  
45 round of submissions shall be the final round. The dollar amount  
46 for professional fees that can be allocated as a part of a  
47 county's, municipality's or public utility's matching share is not  
48 to exceed four percent (4%) of the total project cost.



49           (3) For purposes of this section, unless the context  
50 requires otherwise, the following terms shall have the meanings  
51 ascribed herein:

52           (a) "MCWI Grant Program" means the Mississippi  
53 Municipality and County Water Infrastructure Grant Program.

54           (b) "ARPA" means the federal American Rescue Plan Act  
55 of 2021, Public Law 117-2, which amends Title VI of the Social  
56 Security Act.

57           (c) "State Recovery Funds" means Coronavirus State  
58 Fiscal Recovery Funds awarded through Section 602 of Title VI of  
59 the Social Security Act amended by Section 9901 of the federal  
60 American Rescue Plan Act of 2021, Public Law 117-2.

61           (d) "Local Recovery Funds" means Coronavirus Local  
62 Fiscal Recovery Funds awarded through Section 603 of Title VI of  
63 the Social Security Act amended by Section 9901 of the federal  
64 American Rescue Plan Act of 2021, Public Law 117-2.

65           (e) "Department" means the Department of Environmental  
66 Quality.

67           (f) "Professional fees" means fees for the services of  
68 attorneys and engineering, surveying, and environmental studies.

69           (g) "Project" means the infrastructure improvements  
70 defined in an application that (i) complies with all requirements  
71 of ARPA, and (ii) is eligible for a grant award under this  
72 section.



73 (4) (a) On or before July 1, 2022, the Department of  
74 Environmental Quality shall promulgate rules and regulations  
75 necessary to administer the MCWI Grant Program prescribed under  
76 this section, including application procedures and deadlines. The  
77 department is exempt from compliance with the Mississippi  
78 Administrative Procedures Law in fulfilling the requirements of  
79 this section.

80 (b) The Department of Health shall advise the  
81 Mississippi Department of Environmental Quality regarding all such  
82 rules and regulations as related to the federal Safe Drinking  
83 Water Act.

84 (5) Funding under the MCWI Grant Program shall be allocated  
85 to projects certified by the Mississippi Department of  
86 Environmental Quality as eligible for federal funding, including,  
87 but not be limited to, the following:

88 (a) Construction of publicly owned treatment works;

89 (b) Projects pursuant to the implementation of a  
90 nonpoint source pollution management program established under the  
91 Clean Water Act (CWA);

92 (c) Decentralized wastewater treatment systems that  
93 treat municipal wastewater or domestic sewage;

94 (d) Management and treatment of stormwater or  
95 subsurface drainage water;

96 (e) Water conservation, efficiency, or reuse measures;



- 97                   (f) Development and implementation of a conservation  
98 and management plan under the CWA;
- 99                   (g) Watershed projects meeting the criteria set forth  
100 in the CWA;
- 101                   (h) Energy consumption reduction for publicly owned  
102 treatment works;
- 103                   (i) Reuse or recycling of wastewater, stormwater, or  
104 subsurface drainage water;
- 105                   (j) Facilities to improve drinking water quality;
- 106                   (k) Transmission and distribution, including  
107 improvements of water pressure or prevention of contamination in  
108 infrastructure and lead service line replacements;
- 109                   (l) New sources to replace contaminated drinking water  
110 or increase drought resilience, including aquifer storage and  
111 recovery system for water storage;
- 112                   (m) Storage of drinking water, such as to prevent  
113 contaminants or equalize water demands;
- 114                   (n) Purchase of water systems and interconnection of  
115 systems;
- 116                   (o) New community water systems;
- 117                   (p) Culvert repair, resizing, and removal, replacement  
118 of storm sewers, and additional types of stormwater  
119 infrastructure;



120 (q) Dam and reservoir rehabilitation, if the primary  
121 purpose of dam or reservoir is for drinking water supply and  
122 project is necessary for the provision of drinking water;

123 (r) Broad set of lead remediation projects eligible  
124 under EPA grant programs authorized by the Water Infrastructure  
125 Improvements for the Nation (WIIN) Act; and

126 (s) Any eligible drinking water, wastewater or  
127 stormwater project through ARPA guidelines, guidance, rules,  
128 regulations and other criteria, as may be amended from time to  
129 time, by the United States Department of the Treasury.

130 (6) The governing authority of a municipality, county or  
131 public utility that is not regulated by the Public Service  
132 Commission may submit an application for grant funds under this  
133 section if the applicant is an operator-member of Mississippi 811,  
134 Inc., as defined in Section 77-13-3. Applicants shall certify to  
135 the department that each expenditure of the funds awarded to them  
136 under this section is in compliance with ARPA guidelines,  
137 guidance, rules, regulations and other criteria, as may be amended  
138 from time to time, by the United States Department of the Treasury  
139 regarding the use of monies from the State Coronavirus State  
140 Fiscal Recovery Funds. Subsequent submissions will be due by the  
141 dates established by the department.

142 (7) An application for a grant under this section shall be  
143 submitted at such time, be in such form, and contain such  
144 information as the department prescribes. Each application for



145 grant funds shall include the following at a minimum: (a)  
146 applicant contact information; (b) project description and type of  
147 project; (c) project map; (d) estimate of population affected by  
148 the project; (e) disadvantaged community criteria (population,  
149 median household income, unemployment, current water/sewer rates);  
150 (f) estimated project cost; (g) list of match funds of direct  
151 Coronavirus Local Fiscal Recovery Funds received and to be  
152 received from the federal government, a certification that such  
153 funds have been or will be used for the project detailed in the  
154 application, and documentation of commitment; (h) estimated  
155 project schedule and readiness to proceed; (i) engineering  
156 services agreement; (j) engineering reports; and (k) information  
157 about status of obtaining any required permits.

158 (8) The department must apply a system for use in ranking  
159 the grant applications received, unless the Legislature funds all  
160 eligible grant requests under the program. When applying the  
161 ranking system, the department shall apply a greater weight to  
162 projects that have approved engineering/design, plans and permits  
163 if the department has deemed the project is ready to begin  
164 construction within six (6) months. Projects that are included on  
165 the municipal or county engineer's approved list and provide  
166 applicable supporting documentation shall receive additional  
167 consideration awarded to the application. The ranking system  
168 shall include the following factors, at a minimum: (a) the  
169 environmental impact of the proposed project; (b) the proposed



170 project's ability to address noncompliance with state/federal  
171 requirements; (c) the extent to which the project promotes  
172 economic development; (d) the number of people served by the  
173 project and the number of communities the project serves; (e)  
174 impacts of the proposed project on disadvantaged/overburdened  
175 communities; (f) the grant applicant's prior efforts to secure  
176 funding to address the proposed project's objectives; (g) the  
177 grant applicant's proposed contribution of other funds or in-kind  
178 cost-sharing to the proposed project; (h) the grant applicant's  
179 long-term plans for the financial and physical operation and  
180 maintenance of the project; (i) the grant applicant's capacity to  
181 initiate construction in a timely manner and complete the proposed  
182 project by the deadline specified by the United States Department  
183 of Treasury rules for ARPA funds; (j) the extent to which the  
184 project benefits multiple political subdivisions in a regional  
185 manner; (k) the project's ability to enhance public service  
186 infrastructure, including transportation and emergency access; and  
187 (l) any other factors as determined by the department.

188 (9) The grant program shall include a specific emphasis on  
189 addressing the needs of an economically disadvantaged community,  
190 including providing safe, reliable drinking water in areas that  
191 lack infrastructure, providing sewage treatment capacity in  
192 unsewered areas and providing regional development of  
193 infrastructure to serve multiple communities.





194 (10) Applications shall be reviewed and scored as they are  
195 received, unless the Legislature funds all eligible grant requests  
196 under the program. The Mississippi Department of Environmental  
197 Quality shall certify whether each project submitted is a  
198 "necessary investment" in water, wastewater, or stormwater  
199 infrastructure as defined in the American Rescue Plan Act and all  
200 applicable guidance issued by the United States Department of the  
201 Treasury. The Department of Environmental Quality shall review  
202 the lists of recommended water infrastructure projects and issue  
203 its list of recommended projects to the Mississippi Department of  
204 Health for its advice. Grant agreements shall be executed between  
205 the recipient and the Mississippi Department of Environmental  
206 Quality. All final awards shall be determined at the discretion  
207 of the executive director of the department. Any funds awarded to  
208 the City of Jackson under this section shall be deposited in the  
209 Capital City Water/Sewer Projects Fund of the State Treasury.  
210 Funds shall be obligated to a grantee upon the execution of a  
211 grant agreement between the department and the approved applicant.  
212 Funds shall be made available to a grantee when the department  
213 obtains the necessary support for reimbursement. The department  
214 is authorized to conduct additional rounds of grants as needed;  
215 however, in the first round no more than forty percent (40%) of  
216 the total funds appropriated for each grant program may be awarded  
217 by the department, and the remaining funds may be awarded in  
218 the \* \* \* final round which shall occur no later than six (6)



219 months from the previous round. To ensure equitable treatment  
220 between the categories of projects, no less than twenty percent  
221 (20%) awarded under this section shall be allocated to each of the  
222 three (3) categories of drinking water projects, wastewater  
223 projects and stormwater projects. In \* \* \* the final round, any  
224 funds not requested may be allocated to any category.

225 (11) Grant funds shall be used prospectively; however, grant  
226 funds may be used to reimburse expenses incurred before the  
227 enactment of this program if the costs are adequately documented  
228 and comply with applicable ARPA guidelines. An applicant must  
229 agree to obtain all necessary state and federal permits and follow  
230 all state bidding and contracting laws and fiscally sound  
231 practices in the administration of the funds.

232 (12) (a) Monies must be disbursed under this section in  
233 compliance with the guidelines, guidance, rules, regulations or  
234 other criteria, as may be amended from time to time, of the United  
235 States Department of the Treasury regarding the use of monies from  
236 the Coronavirus State Fiscal Recovery Fund, established by the  
237 American Rescue Plan of 2021.

238 (b) The use of funds allocated under this program shall  
239 be subject to audit by the United States Department of the  
240 Treasury's Office of Inspector General and the Mississippi Office  
241 of the State Auditor. Each person receiving funds under these  
242 programs found to be fully or partially noncompliant with the



243 requirements in this section shall return to the state all or a  
244 portion of the funds received.

245 (13) The department shall submit to the Lieutenant Governor,  
246 Speaker of the House, House and Senate Appropriations Chairmen,  
247 and the Legislative Budget Office quarterly reports and annual  
248 reports that are due by the dates established in the Compliance  
249 and Reporting Guidance by the United States Department of  
250 Treasury. The reports shall contain the applications received,  
251 the score of the applications, the amount of grant funds awarded  
252 to each applicant, the amount of grant funds expended by each  
253 applicant, and status of each applicant's project. The score of  
254 the applications is not required if the award was provided in the  
255 final round of grants and the Legislature provided the total  
256 amount of funds for all eligible grant requests.

257 (14) Grant funds shall be available under this section  
258 through December 31, 2026, or on the date of the fund expenditure  
259 deadline provided by the federal government, whichever occurs  
260 later. Each grant recipient shall certify for any project for  
261 which a grant is awarded that if the project is not completed by  
262 December 31, 2026, and the United States Congress does not enact  
263 an extension of the deadline on the availability of ARPA funds,  
264 then the grant recipient will complete the project through other  
265 funds.



266 (15) The Mississippi Department of Environmental Quality may  
267 retain an amount not to exceed five percent (5%) of the total  
268 funds allocated to the program to defray administrative costs.

269 (16) The department shall be exempt from provisions of the  
270 Public Procurement Review Board for any requirements of personal  
271 or professional service contracts or the pre-approval of the  
272 solicitation for such contracts used in the execution of its  
273 responsibilities under this section. This subsection shall stand  
274 repealed on January 1, 2026.

275 (17) The provisions of this section shall stand repealed on  
276 January 1, 2027.

277 **SECTION 2.** Section 41-3-16.1, Mississippi Code of 1972, is  
278 amended as follows:

279 41-3-16.1. (1) (a) The State Department of Health  
280 (department) shall establish a grant program to be known as the  
281 ARPA Rural Water Associations Infrastructure Grant Program  
282 (program) to assist rural water associations and entities in the  
283 construction of eligible drinking water infrastructure projects as  
284 provided in the Final Rule for the Coronavirus State and Local  
285 Fiscal Recovery Funds as established by the federal American  
286 Rescue Plan Act (ARPA).

287 (b) Rural water associations and any entity that  
288 received funding under the ARPA Rural Water Associations  
289 Infrastructure Grant Program or the Mississippi Municipality and  
290 County Water Infrastructure (MCWI) Grant Program before the date



291 of passage of this act shall be ineligible for additional grants  
292 under this section.

293 (2) The program shall be funded from appropriations by the  
294 Legislature to the department from the Coronavirus State Fiscal  
295 Recovery Fund, and the department shall expend all such funds for  
296 the purposes provided in subsection (1) of this section. \* \* \*

297 (3) The department shall obligate the funds by the deadline  
298 set by the rules and guidelines of the United States Department of  
299 the Treasury and will adhere to the Treasury's rules and  
300 guidelines for reporting and monitoring projects funded through  
301 ARPA.

302 (4) (a) The department shall develop a system for use in  
303 ranking the grant applications received. The ranking system shall  
304 include the following factors, at a minimum: (a) the  
305 environmental impact of the proposed project; (b) the proposed  
306 project's ability to address noncompliance with state/federal  
307 requirements; (c) the extent to which the project promotes  
308 economic development; (d) the number of people served by the  
309 project (both new and existing users); (e) impacts of the proposed  
310 project on disadvantaged/ overburdened communities; (f) the grant  
311 applicant's prior efforts to secure funding to address the  
312 proposed project's objectives; (g) the grant applicant's proposed  
313 contribution of other funds or in-kind cost-sharing to the  
314 proposed project; (h) the grant applicant's long-term plans for  
315 the financial and physical operation and maintenance of the



316 project; and (i) the grant applicant's capacity to initiate  
317 construction in a timely manner and complete the proposed project  
318 by the deadline specified by rules and guidelines of the United  
319 States Department of the Treasury for ARPA funds.

320 (b) For the second round of grant awards, the  
321 department shall apply a greater weight to grant applications that  
322 promote consolidation of separate systems. In order to receive  
323 the additional weight, the systems that will consolidate shall be  
324 in a proximity of each other as determined by the department.

325 (c) In addition to the points awarded under paragraph  
326 (b) of this subsection, an additional ten (10) points shall be  
327 added to any application with at least one (1) system that has  
328 consolidated after January 1, 2018, and before application to this  
329 program and is otherwise eligible under this section.

330 (5) An application for a grant under this section shall be  
331 submitted at such time, be in such form, and contain such  
332 information as the department prescribes.

333 (6) (a) Upon the approval of an application for a grant  
334 under this section, the department shall enter into a project  
335 grant agreement with each grantee to establish the terms of the  
336 grant for the project, including the amount of the grant.

337 (b) (i) For the first award of grants, the maximum  
338 amount of funds that may be provided to any rural water  
339 association or entity from all grants under the program is Two  
340 Million Five Hundred Thousand Dollars (\$2,500,000.00).



341                   (ii) For the second round of grant awards, the  
342 maximum amount of funds that may be provided to any eligible  
343 association or entity from all grants under the program is Two  
344 Million Dollars (\$2,000,000.00).

345                   (c) Associations or entities that received funding  
346 under the first round of grant awards for this program or received  
347 funding in the Mississippi Municipality and County Water  
348 Infrastructure Grant Program Act of 2022 are ineligible to receive  
349 funding under the second round.

350           (7) The department shall have all powers necessary to  
351 implement and administer the program. Of the funds appropriated  
352 to the department for the program, not more than five percent (5%)  
353 may be used by the department to cover the department's costs of  
354 administering the program.

355           (8) In carrying out its responsibilities under the program,  
356 for any contract under the purview of the Public Procurement  
357 Review Board (PPRB), the department shall be exempt from any  
358 requirement that the PPRB approve any personal or professional  
359 services contracts or pre-approve any solicitation of such  
360 contracts. This subsection shall stand repealed on July 1, 2026.

361           (9) The department shall submit an annual report regarding  
362 the program no later than December 31 of each year to the  
363 Lieutenant Governor, the Speaker of the House, and the Chairmen of  
364 the Senate and House Appropriations Committees.

365           (10) For the purposes of this section, "entity" means:



366           (a) Any entity operating as a rural water association,  
367 regardless of whether such entities were user created, were  
368 initially organized not for profit, or have been granted  
369 tax-exempt status under state or federal law.

370           (b) Any nonprofit water or sewer provider not owned by  
371 the municipality or county and are not a Rural Water Association.

372           (c) Any entity eligible under this program shall be  
373 currently operating as a not-for-profit entity.

374           (d) "Entity" under this subsection does not include any  
375 state agency. No state agency shall be eligible under this  
376 program.

377           **SECTION 3.** Section 57-123-11, Mississippi Code of 1972, is  
378 amended as follows:

379           57-123-11. (1) The Department of Finance and Administration  
380 shall establish a program for the purpose of providing funds to  
381 Mississippi Main Street Association as provided in this section.  
382 Monies disbursed by the Department of Finance and Administration  
383 under this section shall be disbursed in compliance with all  
384 requirements and/or conditions on funds appropriated from the  
385 Coronavirus State Fiscal Recovery Fund for the program established  
386 under this section.

387           (a) For the first round of grants, the Department of  
388 Finance and Administration shall disburse funds under this section  
389 to Mississippi Main Street Association to be used for the purpose





390 of making revitalization grants to Mississippi communities as  
391 follows:

392 2020	Number of	Grant	Total
393 population	communities	amount	grants
394 More than 25,000	8	\$ 125,000.00	\$ 1,000,000.00
395 Not more than 25,000	40	\$ 100,000.00	\$ 4,000,000.00
396 Total			\$ 5,000,000.00

397 (b) For the second round of grants, the Department of  
398 Finance and Administration shall disburse funds under this section  
399 to Mississippi Main Street Association to be used for the purpose  
400 of making revitalization grants to Mississippi communities as  
401 follows:

402 <u>2020</u>	<u>Number of</u>	<u>Grant</u>	<u>Total</u>
403 <u>Population</u>	<u>Communities</u>	<u>Amount</u>	<u>Grants</u>
404 <u>More than 25,000</u>	<u>8</u>	<u>\$ 68,000.00</u>	<u>\$ 544,000.00</u>
405 <u>Not more than 25,000</u>	<u>40</u>	<u>\$ 61,400.00</u>	<u>\$ 2,456,000.00</u>
406 <u>Total</u>			<u>\$ 3,000,000.00</u>

407 (2) The Department of Finance and Administration shall have  
408 all powers necessary for the implementation of this section.

409 **SECTION 4.** Section 45-2-41, Mississippi Code of 1972, is  
410 amended as follows:

411 45-2-41. (1) There is created the "Mississippi Law  
412 Enforcement and Fire Fighters Premium Pay Program," which shall be  
413 administered by the Department of Public Safety to provide premium  
414 pay to those law enforcement officers and firefighters in the



415 State of Mississippi as provided for in subsection (2) of this  
416 section. Monies disbursed by the Department of Public Safety  
417 under this section shall be disbursed in compliance with all  
418 requirements and/or conditions on funds appropriated from the  
419 Coronavirus State Fiscal Recovery Fund for the program established  
420 under this section.

421 (2) The program shall be funded from monies appropriated by  
422 the Legislature from the Coronavirus State Fiscal Recovery Fund  
423 for that purpose. The Department of Public Safety shall  
424 distribute the monies for the program in accordance with the  
425 following:

426 (a) One Thousand Dollars (\$1,000.00) of premium pay  
427 shall be paid to each eligible individual, except as otherwise  
428 provided in paragraph (d) of this subsection (2).

429 (b) Eligible individuals are all certified, full-time  
430 and part-time law enforcement officers and certified, full-time  
431 and part-time firefighters who are serving in the State of  
432 Mississippi on July 1, 2022, except those excluded under paragraph  
433 (c) of this subsection (2). If a person is an eligible individual  
434 in more than one (1) position covered under this paragraph, that  
435 person shall only be eligible for one (1) payment of premium pay  
436 under paragraph (a) of this subsection.

437 (c) Any law enforcement officer who received hazard pay  
438 from the Governor's discretionary funds authorized by the



439 Legislature from the federal Coronavirus Aid, Relief and Economic  
440 Security Act is not eligible to receive monies under this section.

441 (d) (i) Any law enforcement officer or firefighter who  
442 received One Thousand Dollars (\$1,000.00) or more of premium pay  
443 from the county, municipality or other governmental entity that  
444 employed them from funds received under the federal American  
445 Rescue Plan Act is not eligible to receive monies under this  
446 section.

447 (ii) Any law enforcement officer or firefighter  
448 who received less than One Thousand Dollars (\$1,000.00) of premium  
449 pay from the county, municipality or other governmental entity  
450 that employed the officer or firefighter from funds received under  
451 the federal American Rescue Plan Act is eligible to receive from  
452 the monies under this section the difference between the amount of  
453 premium pay received from their employer and One Thousand Dollars  
454 (\$1,000.00).

455 ( \* \* \*e) The department also shall distribute monies  
456 to counties, municipalities and other governmental entities that,  
457 before July 1, 2022, paid premium pay to law enforcement officers  
458 and firefighters employed by them from funds received under the  
459 federal American Rescue Plan Act, to reimburse those governmental  
460 entities for not more than One Thousand Dollars (\$1,000.00) of the  
461 amount of premium pay that the governmental entity paid to each  
462 recipient.



463           **SECTION 5.** Section 25-3-25, Mississippi Code of 1972, is  
464 amended as follows:

465           25-3-25. (1) Except as otherwise provided in subsections  
466 (2) through ( \* \* \*12) of this section, the salaries of sheriffs  
467 of the various counties are fixed as full compensation for their  
468 services.

469           The annual salary for each sheriff shall be based upon the  
470 total population of his county according to the latest federal  
471 decennial census in the following categories and for the following  
472 amounts; however, no sheriff shall be paid less than the salary  
473 authorized under this section to be paid the sheriff based upon  
474 the population of the county according to the most recent federal  
475 decennial census:

476           (a) For counties with a total population of more than  
477 one hundred thousand (100,000), a salary of One Hundred Four  
478 Thousand Dollars (\$104,000.00).

479           (b) For counties with a total population of more than  
480 forty-four thousand (44,000) and not more than one hundred  
481 thousand (100,000), a salary of Ninety-five Thousand Dollars  
482 (\$95,000.00).

483           (c) For counties with a total population of more than  
484 thirty thousand (30,000) and not more than forty-four thousand  
485 (44,000), a salary of Ninety Thousand Dollars (\$90,000.00).

486           (d) For counties with a total population of more than  
487 twelve thousand five hundred (12,500) and not more than thirty



488 thousand (30,000), a salary of Eighty-five Thousand Dollars  
489 (\$85,000.00).

490 (e) For counties with a total population of not more  
491 than twelve thousand five hundred (12,500), a salary of Eighty  
492 Thousand Dollars (\$80,000.00).

493 (2) In addition to the salary provided for in subsection (1)  
494 of this section, the Board of Supervisors of Leflore County, in  
495 its discretion, may pay an annual supplement to the sheriff of the  
496 county in an amount not to exceed Ten Thousand Dollars  
497 (\$10,000.00). The Legislature finds and declares that the annual  
498 supplement authorized by this subsection is justified in such  
499 county for the following reasons:

500 (a) The Mississippi Department of Corrections operates  
501 and maintains a restitution center within the county;

502 (b) The Mississippi Department of Corrections operates  
503 and maintains a community work center within the county;

504 (c) There is a resident circuit court judge in the  
505 county whose office is located at the Leflore County Courthouse;

506 (d) There is a resident chancery court judge in the  
507 county whose office is located at the Leflore County Courthouse;

508 (e) The Magistrate for the Fourth Circuit Court  
509 District is located in the county and maintains his office at the  
510 Leflore County Courthouse;

511 (f) The Region VI Mental Health-Mental Retardation  
512 Center, which serves a multicounty area, calls upon the sheriff to



513 provide security for out-of-town mental patients, as well as  
514 patients from within the county;

515 (g) The increased activity of the Child Support  
516 Division of the Department of Human Services in enforcing in the  
517 courts parental obligations has imposed additional duties on the  
518 sheriff; and

519 (h) The dispatchers of the enhanced E-911 system in  
520 place in Leflore County have been placed under the direction and  
521 control of the sheriff.

522 (3) In addition to the salary provided for in subsection (1)  
523 of this section, the Board of Supervisors of Rankin County, in its  
524 discretion, may pay an annual supplement to the sheriff of the  
525 county in an amount not to exceed Ten Thousand Dollars  
526 (\$10,000.00). The Legislature finds and declares that the annual  
527 supplement authorized by this subsection is justified in such  
528 county for the following reasons:

529 (a) The Mississippi Department of Corrections operates  
530 and maintains the Central Mississippi Correctional Facility within  
531 the county;

532 (b) The State Hospital is operated and maintained  
533 within the county at Whitfield;

534 (c) Hudspeth Regional Center, a facility maintained for  
535 the care and treatment of persons with an intellectual disability,  
536 is located within the county;



537 (d) The Mississippi Law Enforcement Officers Training  
538 Academy is operated and maintained within the county;

539 (e) The State Fire Academy is operated and maintained  
540 within the county;

541 (f) The Pearl River Valley Water Supply District,  
542 ordinarily known as the "Reservoir District," is located within  
543 the county;

544 (g) The Jackson-Medgar Wiley Evers International  
545 Airport is located within the county;

546 (h) The patrolling of the state properties located  
547 within the county has imposed additional duties on the sheriff;  
548 and

549 (i) The sheriff, in addition to providing security to  
550 the nearly one hundred thousand (100,000) residents of the county,  
551 has the duty to investigate, solve and assist in the prosecution  
552 of any misdemeanor or felony committed upon any state property  
553 located in Rankin County.

554 (4) In addition to the salary provided for in subsection (1)  
555 of this section, the Board of Supervisors of Neshoba County shall  
556 pay an annual supplement to the sheriff of the county an amount  
557 equal to Ten Thousand Dollars (\$10,000.00).

558 (5) In addition to the salary provided for in subsection (1)  
559 of this section, the Board of Supervisors of Tunica County, in its  
560 discretion, may pay an annual supplement to the sheriff of the



561 county an amount equal to Ten Thousand Dollars (\$10,000.00),  
562 payable beginning April 1, 1997.

563 (6) In addition to the salary provided for in subsection (1)  
564 of this section, the Board of Supervisors of Hinds County shall  
565 pay an annual supplement to the sheriff of the county in an amount  
566 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature  
567 finds and declares that the annual supplement authorized by this  
568 subsection is justified in such county for the following reasons:

569 (a) Hinds County has the greatest population of any  
570 county, two hundred fifty-four thousand four hundred forty-one  
571 (254,441) by the 1990 census, being almost one hundred thousand  
572 (100,000) more than the next most populous county;

573 (b) Hinds County is home to the State Capitol and the  
574 seat of all state government offices;

575 (c) Hinds County is the third largest county in  
576 geographic area, containing eight hundred seventy-five (875)  
577 square miles;

578 (d) Hinds County is comprised of two (2) judicial  
579 districts, each having a courthouse and county office buildings;

580 (e) There are four (4) resident circuit judges, four  
581 (4) resident chancery judges, and three (3) resident county judges  
582 in Hinds County, the most of any county, with the sheriff acting  
583 as chief executive officer and provider of bailiff services for  
584 all;





585           (f) The main offices for the clerk and most of the  
586 judges and magistrates for the United States District Court for  
587 the Southern District of Mississippi are located within the  
588 county;

589           (g) The state's only urban university, Jackson State  
590 University, is located within the county;

591           (h) The University of Mississippi Medical Center,  
592 combining the medical school, dental school, nursing school and  
593 hospital, is located within the county;

594           (i) Mississippi Veterans Memorial Stadium, the state's  
595 largest sports arena, is located within the county;

596           (j) The Mississippi State Fairgrounds, including the  
597 Coliseum and Trade Mart, are located within the county;

598           (k) Hinds County has the largest criminal population in  
599 the state, such that the Hinds County Sheriff's Department  
600 operates the largest county jail system in the state, housing  
601 almost one thousand (1,000) inmates in three (3) separate  
602 detention facilities;

603           (l) The Hinds County Sheriff's Department handles more  
604 mental and drug and alcohol commitment cases than any other  
605 sheriff's department in the state;

606           (m) The Mississippi Department of Corrections maintains  
607 a restitution center within the county;



608                   (n) The Mississippi Department of Corrections regularly  
609 houses as many as one hundred (100) state convicts within the  
610 Hinds County jail system; and

611                   (o) The Hinds County Sheriff's Department is regularly  
612 asked to provide security services not only at the Fairgrounds and  
613 Memorial Stadium, but also for events at the Mississippi Museum of  
614 Art and Jackson City Auditorium.

615                   (7) In addition to the salary provided for in subsection (1)  
616 of this section, the Board of Supervisors of Wilkinson County, in  
617 its discretion, may pay an annual supplement to the sheriff of the  
618 county in an amount not to exceed Ten Thousand Dollars  
619 (\$10,000.00). The Legislature finds and declares that the annual  
620 supplement authorized by this subsection is justified in such  
621 county because the Mississippi Department of Corrections contracts  
622 for the private incarceration of state inmates at a private  
623 correctional facility within the county.

624                   (8) In addition to the salary provided for in subsection (1)  
625 of this section, the Board of Supervisors of Marshall County, in  
626 its discretion, may pay an annual supplement to the sheriff of the  
627 county in an amount not to exceed Ten Thousand Dollars  
628 (\$10,000.00). The Legislature finds and declares that the annual  
629 supplement authorized by this subsection is justified in such  
630 county because the Mississippi Department of Corrections contracts  
631 for the private incarceration of state inmates at a private  
632 correctional facility within the county.



633 (9) In addition to the salary provided in subsection (1) of  
634 this section, the Board of Supervisors of Greene County, in its  
635 discretion, may pay an annual supplement to the sheriff of the  
636 county in an amount not to exceed Ten Thousand Dollars  
637 (\$10,000.00). The Legislature finds and declares that the annual  
638 supplement authorized by this subsection is justified in such  
639 county for the following reasons:

640 (a) The Mississippi Department of Corrections operates  
641 and maintains the South Mississippi Correctional Facility within  
642 the county;

643 (b) In 1996, additional facilities to house another one  
644 thousand four hundred sixteen (1,416) male offenders were  
645 constructed at the South Mississippi Correctional Facility within  
646 the county; and

647 (c) The patrolling of the state properties located  
648 within the county has imposed additional duties on the sheriff  
649 justifying additional compensation.

650 (10) In addition to the salary provided in subsection (1) of  
651 this section, the board of supervisors of any county, in its  
652 discretion, may pay an annual supplement to the sheriff of the  
653 county in an amount not to exceed Ten Thousand Dollars  
654 (\$10,000.00). The amount of the supplement shall be spread on the  
655 minutes of the board. The annual supplement authorized in this  
656 subsection shall not be in addition to the annual supplements  
657 authorized in subsections (2) through (9).



658 (11) In addition to the salary provided in subsection (1)  
659 and the supplements authorized in subsections (2) through (10),  
660 the board of supervisors of any county, in its discretion, may pay  
661 an annual supplement in an amount not to exceed Five Thousand  
662 Dollars (\$5,000.00) to the sheriff of any county in which a  
663 juvenile detention center is located. The amount of the  
664 supplement shall be spread on the minutes of the board.

665 (12) In addition to the salary provided in subsection (1) of  
666 this section and any supplements authorized in subsections (2)  
667 through (11) of this section, a sheriff may receive the premium  
668 pay provided for in Section 45-2-41 as part of the sheriff's  
669 compensation.

670 ( \* \* \*13) (a) The salaries provided in this section shall  
671 be payable monthly on the first day of each calendar month by  
672 chancery clerk's warrant drawn on the general fund of the county;  
673 however, the board of supervisors, by resolution duly adopted and  
674 entered on its minutes, may provide that such salaries shall be  
675 paid semimonthly on the first and fifteenth day of each month. If  
676 a pay date falls on a weekend or legal holiday, salary payments  
677 shall be made on the workday immediately preceding the weekend or  
678 legal holiday.

679 (b) At least Ten Dollars (\$10.00) from each fee  
680 collected and deposited into the county's general fund under the  
681 provisions of paragraphs (a), (c) and (g) of subsection (1) of  
682 Section 25-7-19 shall be used for the sheriffs' salaries



683 authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount  
684 was authorized during the 2007 Regular Session in Chapter 331,  
685 Laws of 2007, for the purpose of providing additional monies to  
686 the counties for sheriffs' salaries.

687 ( \* \* \* 14) (a) All sheriffs, each year, shall attend twenty  
688 (20) hours of continuing education courses in law enforcement.  
689 Such courses shall be approved by the Mississippi Board on Law  
690 Enforcement \* \* \* Officer Standards and Training. Such education  
691 courses may be provided by an accredited law enforcement academy  
692 or by the Mississippi Sheriffs' Association.

693 (b) The Mississippi Board on Law Enforcement \* \* \*  
694 Officer Standards and Training shall reimburse each county for the  
695 expenses incurred by sheriffs and deputy sheriffs for attendance  
696 at any approved training programs as required by this subsection.

697 **SECTION 6.** This act shall take effect and be in force from  
698 and after its passage.

