

By: Senator(s) Wiggins

To: Judiciary, Division A;
Appropriations

SENATE BILL NO. 2645

1 AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN CERTAIN
3 CIRCUIT COURT DISTRICTS; TO AMEND SECTION 25-31-10, MISSISSIPPI
4 CODE OF 1972, TO INCREASE THE NUMBER OF CRIMINAL INVESTIGATORS
5 AUTHORIZED TO BE APPOINTED IN CERTAIN CIRCUIT COURT DISTRICTS; AND
6 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..... * * *
14 eleven (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

38 (4) 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 (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..... * * *
107 three (3) 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 board of supervisors of a county with a population
122 of twenty-four thousand three hundred fifty (24,350) people
123 according to the 2020 Decennial Census shall pay the salary,
124 supplemental pay, expenses and fringe benefits of one (1) legal
125 assistant authorized in the circuit court district to which such
126 county belongs pursuant to this section.

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



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

154 (* * * 6) The district attorney shall be authorized to
155 assign the duties of a legal assistant regardless of the source of
156 funding for such legal assistants.

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

159 25-31-10. (1) Any district attorney may appoint a full-time
160 criminal investigator.

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

167 (3) The district attorneys of the First, Second, * * *
168 Third, Thirteenth and Nineteenth Circuit Court Districts may



169 appoint two (2) additional full-time criminal investigators for a
170 total of three (3) full-time criminal investigators.

171 (4) The district attorneys of the Fourth and Seventh Circuit
172 Court Districts may appoint three (3) additional full-time
173 criminal investigators for a total of four (4) full-time criminal
174 investigators.

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

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

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



193 Enforcement Officers Training Program shall be paid out of the
194 funds of the appropriate district attorney.

195 (* * *8) The district attorney shall be authorized to
196 assign the duties of criminal investigators regardless of the
197 source of funding for such criminal investigators.

198 **SECTION 3.** This act shall take effect and be in force from
199 and after January 1, 2024.

