

Senate Amendments to House Bill No. 834

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 eight (8) 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, Sixth, Ninth,
156 Tenth, Eleventh, Twelfth, * * * Fourteenth, Fifteenth, Sixteenth,
157 Seventeenth, Eighteenth, Twentieth, Twenty-first, Twenty-second
158 and Twenty-third Circuit Court Districts may appoint one (1)
159 additional full-time criminal investigator for a total of two (2)
160 full-time criminal investigators.

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

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

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

172 (* * *6) The full and complete compensation for all public
173 duties rendered by the criminal investigators shall be not more
174 than Sixty-three Thousand Dollars (\$63,000.00) per annum, to be
175 determined at the discretion of the district attorney based upon
176 the qualifications, education and experience of the criminal
177 investigator, plus necessary travel and other expenses, to be paid
178 in accordance with Section 25-31-8. However, the maximum salary

179 under this subsection for a criminal investigator who has a law
180 degree may be supplemented by the district attorney from other
181 available funds, but not to exceed the maximum salary for a legal
182 assistant to a district attorney.

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

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

192 **SECTION 3.** This act shall take effect and be in force from
193 and after January 1, 2024, and shall stand repealed from and after
194 December 31, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

SS26\HB834A.J

Eugene S. Clarke
Secretary of the Senate