

Senate Amendments to House Bill No. 1111

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:

53 **SECTION 1.** Section 93-15-105, Mississippi Code of 1972, is
54 amended as follows:

55 93-15-105. (1) The chancery court has original exclusive
56 jurisdiction over all termination of parental rights proceedings
57 except when a county court sitting as a youth court has acquired
58 jurisdiction of a child in an abuse or neglect proceeding, then
59 the county court shall have original exclusive jurisdiction to
60 hear * * * petitions for both voluntary and involuntary
61 termination of parental rights actions against a parent of that
62 child pursuant to the procedures of this chapter.

63 (2) (a) Venue in a county court sitting as a youth court
64 for any termination of parental rights proceedings shall be in the
65 county in which the court has jurisdiction of the child in the
66 abuse or neglect proceedings. Venue in chancery court for
67 termination of parental rights proceedings shall be proper either
68 in the county in which the defendant resides, the child resides or

69 in the county where an agency or institution having custody of the
70 child is located.

71 (b) Transfers of venue shall be governed by the
72 Mississippi Rules of Civil Procedure.

73 **SECTION 2.** Section 9-9-1, Mississippi Code of 1972, is
74 amended as follows:

75 9-9-1. (1) There shall be an inferior court to be known as
76 the county court in and for each * * * county as follows:

77 (a) * * * District 1 - DeSoto County;

78 (b) * * * District 2 - Marshall and Tate Counties;

79 (c) * * * District 3 - Alcorn, Benton and Tippah
80 Counties;

81 (d) District 4 - Itawamba, Prentiss and Tishomingo
82 Counties;

83 (e) District 5 - Panola, Quitman and Tunica Counties;

84 (f) District 6 - Lafayette County;

85 (g) District 7 - Pontotoc and Union Counties;

86 (h) District 8 - Lee County;

87 (i) District 9 - Coahoma County;

88 (j) District 10 - Bolivar County;

89 (k) District 11 - Grenada, Tallahatchie and Yalobusha
90 Counties;

91 (l) District 12 - Calhoun, Choctaw, Clay and Webster
92 Counties;

93 (m) District 13 - Chickasaw and Monroe Counties;

94 (n) District 14 - Washington County;

- 95 (o) District 15 - Humphreys, Issaquena, Sharkey and
96 Sunflower Counties;
- 97 (p) District 16 - Leflore County;
- 98 (q) District 17 - Carroll, Holmes and Montgomery
99 Counties;
- 100 (r) District 18 - Oktibbeha County;
- 101 (s) District 19 - Lowndes County;
- 102 (t) District 20 - Attala, Noxubee and Winston Counties;
- 103 (u) District 21 - Yazoo County;
- 104 (v) District 22 - Madison County;
- 105 (w) District 23 - Leake and Scott Counties;
- 106 (x) District 24 - Kemper, Neshoba and Newton Counties;
- 107 (y) District 25 - Lauderdale County;
- 108 (z) District 26 - Warren County;
- 109 (aa) District 27 - Hinds County;
- 110 (bb) District 28 - Rankin County;
- 111 (cc) District 29 - Claiborne, Copiah and Jefferson
112 Counties;
- 113 (dd) District 30 - Simpson and Smith Counties;
- 114 (ee) District 31 - Clarke, Jasper and Wayne Counties;
- 115 (ff) District 32 - Adams County;
- 116 (gg) District 33 - Amite, Franklin and Wilkinson
117 Counties;
- 118 (hh) District 34 - Pike County;
- 119 (ii) District 35 - Lawrence, Lincoln and Walthall
120 Counties;

121 (jj) District 36 - Covington, Jefferson Davis and
122 Marion Counties;

123 (kk) District 37 - Jones County;

124 (ll) District 38 - Lamar County;

125 (mm) District 39 - Forrest County;

126 (nn) District 40 - George, Greene, Perry and Stone
127 Counties;

128 (oo) District 41 - Pearl River County;

129 (pp) District 42 - Hancock County;

130 (qq) District 43 - Harrison County; and

131 (rr) District 44 - Jackson County.

132 (2) (a) Except as provided in paragraphs (b) and (c) of
133 this subsection (2), there shall be one (1) county court judge per
134 county court district.

135 (b) The following county court districts shall have two
136 (2) county court judges:

137 (i) The First County Court District, consisting of
138 DeSoto County;

139 (ii) The Eighth County Court District, consisting
140 of Lee County;

141 (iii) The Twentieth County Court District,
142 consisting of Madison County;

143 (iv) The Twenty-second County Court District,
144 consisting of Lauderdale County;

145 (v) The Twenty-fifth County Court District,
146 consisting of Rankin County; and

147 (vi) The Forty-first County Court District,
148 consisting of Jackson County.

149 (c) The following county court districts shall have
150 three (3) county court judges:

151 (i) The Twenty-fourth County Court District,
152 consisting of Hinds County; and

153 (ii) The Fortieth County Court District,
154 consisting of Harrison County.

155 (* * *3) * * * The county court judges shall be elected by
156 the qualified electors of the county or county court district in
157 the same manner as provided for the election of circuit court
158 judges at an election held at the same time as the * * * regular
159 election of circuit court judges * * *.

160 * * *

161 (4) (a) For the purposes of nomination and election of
162 judgeships in county court districts having multiple judges, the
163 judgeships shall be separate and distinct and designated for
164 purposes of appointment, nomination and election by sequentially
165 numbered places. There shall be no distinction whatsoever in the
166 powers, duties and compensation of any multiple offices of county
167 court judge, except that the county court judge who has been for
168 the longest time continuously a county court judge of the district
169 shall have the right to assign cases, terms and dockets. Should
170 no judge of the county court have served longer in office than the
171 other, then that judge of the county court who has been for the
172 longest time a member of The Mississippi Bar shall be the senior

173 county court judge and have the right to assign cases, terms and
174 dockets.

175 (b) While there shall be no limitation whatsoever upon
176 the powers and duties of the county court judges other than as
177 required by the Constitution and laws of this state, the senior
178 county court judge may divide the county court into civil, equity,
179 criminal and youth court divisions, or any combination thereof, as
180 a matter of convenience by the entry of an order upon the minutes
181 of the court.

182 **SECTION 3.** Section 9-9-5, Mississippi Code of 1972, is
183 amended as follows:

184 9-9-5. * * * The county court judge shall possess all of the
185 qualifications of a circuit judge as prescribed by the Mississippi
186 Constitution. * * * The judge of * * * a county court serving
187 more than one (1) county may be a qualified elector of any one (1)
188 of * * * the constituent counties * * *. The county court judge
189 shall be elected by the qualified electors of * * * the county or
190 county court district at the time and in the manner as circuit
191 judges are elected and * * * shall hold office for the same term.
192 Vacancies in the office of county court judge shall be filled in
193 the same manner as vacancies in the office of circuit judge.

194 * * *

195 **SECTION 4.** Section 9-9-11, Mississippi Code of 1972, is
196 amended as follows:

197 9-9-11. (1) * * * The county court judge shall receive an
198 annual salary * * * in * * * the amount * * * of One Thousand

199 Dollars (\$1,000.00) less than the salary * * * for circuit and
200 chancery judges * * *.

201 (2) * * * (a) Each county that had a county court on
202 January 1, 2023, shall transfer from the general funds of those
203 county treasuries to the Administrative Office of Courts the
204 amount of annual compensation of the county court judge or judges
205 as determined by the State Auditor. The amount to be paid
206 annually by each county shall be the compensation paid to the
207 judge or judges of that county for fiscal year 2021. For purposes
208 of this section, the term "compensation" means the gross salary
209 plus all amounts paid for benefits, or otherwise, as a result of
210 employment or as required by employment. However, only salary
211 earned for services rendered shall be reported and credited for
212 retirement purposes. Reimbursement for travel expenses shall not
213 be reported or credited for retirement purposes. The amounts
214 required under this section shall be paid in twelve (12)
215 installments on the last working day of each month. Each county
216 shall transfer to the Administrative Office of Courts one-twelfth
217 (1/12) of the amount required to be paid pursuant to this
218 paragraph (a) by the twentieth day of each month for the salary
219 that is to be paid on the last working day of the month. Any
220 county may pay, in the discretion of the board of supervisors, by
221 the twentieth day of January of any year, the amount due for a
222 full twelve (12) months.

223 (b) Each county that did not have a county court on
224 January 1, 2023, shall transfer from the general funds of those

225 county treasuries to the Administrative Office of Courts the
226 amount the county spent to compensate the youth court referees as
227 determined by the State Auditor for fiscal year 2023 not including
228 reimbursement for travel expenses. The amounts required under
229 this section shall be paid in twelve (12) installments on the last
230 working day of each month. Each county shall transfer to the
231 Administrative Office of Courts one-twelfth (1/12) of the amount
232 required to be paid pursuant to this paragraph (b) by the
233 twentieth day of each month. Any county may pay, in the
234 discretion of the board of supervisors, by the twentieth day of
235 January of any year, the amount due for a full twelve (12) months.

236 * * *

237 **SECTION 5.** Section 9-9-19, Mississippi Code of 1972, is
238 amended as follows:

239 9-9-19. (1) Except as otherwise provided in this section,
240 in county court districts composed of a single county, a term of
241 court shall be held in the county courthouse of the county,
242 beginning on the second Monday of each month and continuing so
243 long as may be necessary; but in counties where there are two (2)
244 circuit court districts the county court shall meet alternately in
245 the two (2) districts in the county courthouse in the same month
246 and in the same district as the board of supervisors of said
247 county holds its meetings.

248 (a) * * * In the County of Jones, * * * a term shall be
249 held in the second judicial district * * * on the second Monday of
250 each month * * *, and * * * in the first judicial district a term

251 shall be held on the fourth Monday of January, the fourth Monday
252 of March, the fourth Monday of April, the fourth Monday of June
253 and the fourth Monday of October.

254 (b) * * * In the County of Hinds, * * * a term shall be
255 held in the first judicial district on the second Monday of each
256 month and in the second judicial district on the second Monday of
257 March, June, September and December, and * * *, when * * * the
258 terms are held concurrently, * * * any of the county court judges
259 of Hinds County may be assigned to hold all or any part of * * *
260 the terms in either of the two (2) judicial districts.

261 (c) * * * In the County of Bolivar, * * * a term shall
262 be held in the first judicial district on the second Monday of
263 April, August and December, and in the second judicial district on
264 the second Monday of January, February, March, May, June, July,
265 September, October and November.

266 (d) * * * In the County of Harrison, * * * a term shall
267 be held in each judicial district concurrently each month.

268 (2) * * * The judge of the county court for good cause shown
269 may, by order spread on the minutes of the county court, designate
270 some place other than the county courthouse for the holding
271 of * * * a term of the county court * * *. The county court judge
272 may call a special term of the county court upon giving ten (10)
273 days' notice, and * * * notice shall be given by posting * * * on
274 the front door of the courthouse in * * * the county and by the
275 publication of * * * notice for one (1) insertion in some
276 newspaper of general circulation in the county.

277 (* * *3) If a county court * * * district is composed of
278 two (2) or more counties * * *, the terms thereof shall remain
279 continuously open and shall not be closed and the county court
280 judge * * * shall * * * set cases as needed.

281 **SECTION 6.** Section 9-9-21, Mississippi Code of 1972, is
282 amended as follows:

283 9-9-21. (1) (a) The jurisdiction of the county court shall
284 be as follows: It shall have jurisdiction concurrent with the
285 justice court in all matters, civil and criminal of which the
286 justice court has jurisdiction; and it shall have jurisdiction
287 concurrent with the circuit and chancery courts in all matters of
288 law and equity wherein the amount of value of the thing in
289 controversy shall not exceed, exclusive of costs and interest, the
290 sum of Two Hundred Thousand Dollars (\$200,000.00), and the
291 jurisdiction of the county court shall not be affected by any
292 setoff, counterclaim or cross-bill in * * * actions where the
293 amount sought to be recovered in * * * the setoff, counterclaim or
294 cross-bill exceeds Two Hundred Thousand Dollars
295 (\$200,000.00). * * * If a party * * * files a setoff,
296 counterclaim or cross-bill which exceeds Two Hundred Thousand
297 Dollars (\$200,000.00), the party shall give notice to the opposite
298 party or parties as provided in Section 13-3-83, and on motion of
299 all parties filed within twenty (20) days after the filing
300 of * * * the setoff, counterclaim or cross-bill, the county court
301 shall transfer the case to the circuit or chancery court wherein

302 the county court is situated and which would otherwise have
303 jurisdiction. * * *

304 (b) The county court shall have exclusively the
305 jurisdiction * * * in the following matters and causes: namely,
306 eminent domain, the partition of personal property, and actions of
307 unlawful entry and detainer, * * * and the actions of eminent
308 domain and unlawful entry and detainer may be returnable and
309 triable before the * * * court in vacation. The county court
310 shall have jurisdiction over criminal matters in the county
311 assigned by a judge of the circuit court district in which the
312 county is included.

313 (2) * * * If a county court * * * serves two (2) or more
314 counties * * *, it shall be lawful for * * * the court sitting in
315 one (1) county to act upon any and all matters of which it has
316 jurisdiction as provided by law arising in * * * another county
317 under the jurisdiction of * * * the court.

318 **SECTION 7.** Section 9-9-23, Mississippi Code of 1972, is
319 amended as follows:

320 9-9-23. The county court judge shall have power to issue
321 writs, and to try matters, of habeas corpus on application to him
322 or her therefor, or when made returnable before him or her by a
323 superior judge. He or she shall also have the power to order the
324 issuance of writs of certiorari, supersedeas, attachments, and
325 other remedial writs in all cases pending in, or within the
326 jurisdiction of, his or her court. He or she shall have the
327 authority to issue search warrants in his or her county returnable

328 to his or her own court or to any court of a justice of the peace
329 within his or her county in the same manner as is provided by law
330 for the issuance of search warrants by justices of the peace. In
331 all cases pending in, or within the jurisdiction of, his or her
332 court, he or she shall have, in term time * * * and in vacation,
333 the power to order, do or determine to the same extent and in the
334 same manner as a justice of the peace or a circuit judge or a
335 chancellor could do in term time or in vacation in such cases.
336 But he or she shall not have original power to issue writs of
337 injunction, or other remedial writs in equity or in law except in
338 those cases hereinabove specified as being within his or her
339 jurisdiction. * * * When any judge or chancellor authorized to
340 issue * * * writs of injunction * * * or any other equitable or
341 legal remedial writs * * * reserved under this section, shall so
342 direct in writing the hearing of application therefor may be by
343 him or her referred to the county court judge, in which event
344 the * * * direction of the superior judge shall vest in the * * *
345 county court judge all authority to take * * * action on * * * the
346 application as the * * * superior judge could have taken under the
347 right and the law, had the * * * application been at all times
348 before the * * * superior judge * * *, and jurisdiction * * *
349 shall cease upon the denying or granting of the application.

350 **SECTION 8.** Section 9-1-19, Mississippi Code of 1972, is
351 amended as follows:

352 9-1-19. The judges of the Supreme * * *, circuit and county
353 courts and chancellors and judges of the Court of Appeals, in

354 termtime and in vacation, may severally order the issuance of
355 writs of habeas corpus, mandamus, certiorari, supersedeas and
356 attachments, and grant injunctions and all other remedial writs,
357 in all cases where the same may properly be granted according to
358 right and justice, returnable to any court, whether the suit or
359 proceedings be pending in the district of the judge or chancellor
360 granting the same or not. The fiat of such judge or chancellor
361 shall authorize the issuance of the process for a writ returnable
362 to the proper court or before the proper officer; and all such
363 process or writs may be granted, issued and executed on Sunday.

364 **SECTION 9.** Section 9-1-23, Mississippi Code of 1972, is
365 amended as follows:

366 9-1-23. The judges of the Supreme, circuit and county courts
367 and chancellors and judges of the Court of Appeals shall be
368 conservators of the peace for the state, each with full power to
369 do all acts which conservators of the peace may lawfully do; and
370 the circuit judges * * *, chancellors and county court judges
371 shall reside within their respective districts * * *.

372 **SECTION 10.** Section 9-1-25, Mississippi Code of 1972, is
373 amended as follows:

374 9-1-25. It shall not be lawful for any judge of the Supreme
375 Court, Court of Appeals * * *, circuit court, county court or a
376 chancellor to exercise the profession or employment of an attorney
377 or counsellor at law, or to be engaged in the practice of law; and
378 any person offending against this prohibition shall be guilty of a
379 high misdemeanor and be removed from office; but this shall not

380 prohibit a chancellor * * *, circuit judge, county court judge or
381 a judge of the Court of Appeals from practicing in any of the
382 courts for a period of six (6) months from the time * * * the
383 judges or chancellors assume office so far as to enable them to
384 bring to a conclusion cases actually pending when they were
385 appointed or elected in which * * * the chancellor or judge was
386 then employed, nor shall a judge of the Supreme Court be hindered
387 from appearing in the courts of the United States in any case in
388 which he was engaged when he was appointed or elected judge.

389 **SECTION 11.** Section 9-1-35, Mississippi Code of 1972, is
390 amended as follows:

391 9-1-35. The clerk of the Supreme Court and of the Court of
392 Appeals, at the expense of the state, and the clerk of every
393 circuit * * *, chancery court and county court, at the expense of
394 the county, shall keep a seal, with the style of the court around
395 the margin and the image of an eagle in the center.

396 **SECTION 12.** Section 43-21-107, Mississippi Code of 1972, is
397 amended as follows:

398 43-21-107. * * * A youth court division is hereby created as
399 a division of the county court of each county * * *, and the
400 county court judge shall be the judge of the youth court * * *.

401 * * *

402 **SECTION 13.** Section 43-21-123, Mississippi Code of 1972, is
403 amended as follows:

404 43-21-123. Except for expenses provided by state funds * * *
405 or other monies, the board of supervisors * * * shall adequately

406 provide funds for the operation of the youth court * * * in
407 conjunction with the regular * * * county * * * court. * * * On
408 an annual basis at the time requested, the youth court judge or
409 administrator shall prepare and submit to the board of
410 supervisors * * * an annual budget which will identify the number,
411 staff position, title and amount of annual or monthly compensation
412 of each position as well as provide for other expenditures
413 necessary to the functioning and operation of the youth court.
414 When the budget of the youth court or youth court judge is
415 approved by the board of supervisors * * *, then the youth court
416 or youth court judge may employ such persons as provided in the
417 budget from time to time.

418 The board of supervisors * * * are * * * authorized to
419 reimburse the youth court judges and other youth court employees
420 or personnel for reasonable travel and expenses incurred in the
421 performance of their duties and in attending educational meetings
422 offering professional training to such persons as budgeted.

423 **SECTION 14.** Section 23-15-973, Mississippi Code of 1972, is
424 amended as follows:

425 23-15-973. It shall be the duty of the judges of the circuit
426 court to give a reasonable time and opportunity to the candidates
427 for the office of judge of the Supreme Court, judges of the Court
428 of Appeals, circuit judge, county court judge and chancellor to
429 address the people during court terms. In order to give further
430 and every possible emphasis to the fact that the said judicial
431 offices are not political but are to be held without favor and

432 with absolute impartiality as to all persons, and because of the
433 jurisdiction conferred upon the courts by this chapter, the judges
434 thereof should be as far removed as possible from any political
435 affiliations or obligations. It shall be unlawful for any
436 candidate for any of the offices mentioned in this section to
437 align himself with any candidate or candidates for any other
438 office or with any political faction or any political party at any
439 time during any primary or general election campaign. Likewise it
440 shall be unlawful for any candidate for any other office nominated
441 or to be nominated at any primary election, wherein any candidate
442 for any of the judicial offices in this section mentioned, is or
443 are to be nominated, to align himself with any one or more of the
444 candidates for said offices or to take any part whatever in any
445 nomination for any one or more of said judicial offices, except to
446 cast his individual vote. Any candidate for any office, whether
447 nominated with or without opposition, at any primary wherein a
448 candidate for any one (1) of the judicial offices herein mentioned
449 is to be nominated who shall deliberately, knowingly and willfully
450 violate the provisions of this section shall forfeit his
451 nomination, or if elected at the following general election by
452 virtue of said nomination, his election shall be void.

453 **SECTION 15.** Section 23-15-975, Mississippi Code of 1972, is
454 amended as follows:

455 23-15-975. As used in Sections 23-15-974 through 23-15-985
456 of this subarticle, the term "judicial office" includes the office
457 of justice of the Supreme Court, judge of the Court of Appeals,

458 circuit judge, chancellor * * * and county court judge * * *. All
459 such justices and judges shall be full-time positions and such
460 justices and judges shall not engage in the practice of law before
461 any court, administrative agency or other judicial or
462 quasi-judicial forum except as provided by law for finalizing
463 pending cases after election to judicial office.

464 **SECTION 16.** Section 9-13-1, Mississippi Code of 1972, is
465 amended as follows:

466 9-13-1. Each circuit judge, county court judge and
467 chancellor shall appoint a competent person as shorthand reporter
468 in his district by an entry upon the minutes of the court of an
469 order to that effect, dated and signed by him. The * * *
470 shorthand reporter shall be known as the official court reporter
471 of * * * the district.

472 **SECTION 17.** Section 9-13-17, Mississippi Code of 1972, is
473 amended as follows:

474 9-13-17. The circuit judge, chancellor * * * or county court
475 judge may, by an order spread upon the minutes and made a part of
476 the records of the court, appoint an additional court reporter for
477 a term or part of a term whose duties, qualifications and
478 compensation shall be the same as is now provided by law for
479 official court reporters. The additional court reporter shall be
480 subject to the control of the judge or chancellor, as is now
481 provided by law for official court reporters, and the judge or
482 chancellor shall have the additional power to terminate the
483 appointment of * * * the additional court reporter, whenever in

484 his opinion the necessity for * * * an additional court reporter
485 ceases to exist, by placing upon the minutes of the court an order
486 to that effect. The regular court reporter shall not draw any
487 compensation while the assistant court reporter alone is serving;
488 however, * * * if the assistant court reporter is serving because
489 of the illness of the regular court reporter, the court may
490 authorize payment of * * * the assistant court reporter from the
491 Administrative Office of Courts without diminution of the salary
492 of the regular court reporter, for a period not to exceed
493 forty-five (45) days in any one (1) calendar year. However, in
494 any circuit, chancery * * * or county * * * court district within
495 the State of Mississippi, if the judge or chancellor * * *
496 determines that in order to relieve the continuously crowded
497 docket in * * * that district, or for other good cause shown, the
498 appointment of an additional court reporter is necessary for the
499 proper administration of justice, he may, with the advice and
500 consent of the board of supervisors if the court district is
501 composed of a single county and with the advice and consent of at
502 least one-half (1/2) of the boards of supervisors if the court
503 district is composed of more than one (1) county, by an order
504 spread upon the minutes and made a part of the records of the
505 court, appoint an additional court reporter. The additional court
506 reporter shall serve at the will and pleasure of the judge or
507 chancellor, may be a resident of any county of the state, and
508 shall be paid a salary designated by the judge or chancellor not
509 to exceed the salary authorized by Section 9-13-19. The salary of

510 the additional court reporter shall be paid by the Administrative
511 Office of Courts, as provided in Section 9-13-19; and mileage
512 shall be paid to the additional court reporter by the county as
513 provided in the same section. The office of * * * an additional
514 court reporter appointed under this section shall not be abolished
515 or compensation reduced during the term of office of the
516 appointing judge or chancellor without the consent and approval of
517 the appointing judge or chancellor.

518 **SECTION 18.** Section 9-13-19, Mississippi Code of 1972, is
519 amended as follows:

520 9-13-19. (1) Court reporters for circuit, county and
521 chancery courts may be paid an annual salary payable by the
522 Administrative Office of Courts not to exceed Forty-nine Thousand
523 Five Hundred Dollars (\$49,500.00) for court reporters with five
524 (5) years' experience or less; not to exceed Fifty-eight Thousand
525 Five Hundred Dollars (\$58,500.00) for court reporters who have
526 more than five (5) years' experience but less than ten (10) years;
527 and not to exceed Sixty-four Thousand Dollars (\$64,000,00) for
528 court reporters who have ten (10) years or more experience. No
529 amount of the increase in the maximum salary authorized by this
530 section shall be paid from the State General Fund. The board of
531 supervisors of any county is authorized to pay its court reporters
532 the applicable amount of the maximum salary authorized by this
533 section. In addition, any court reporter performing the duties of
534 a court administrator in the same judicial district in which the
535 person is employed as a court reporter may be paid additional

536 compensation for performing the court administrator duties. The
537 annual amount of the additional compensation shall be set by vote
538 of the judges and chancellors for whom the court administrator
539 duties are performed, with consideration given to the number of
540 hours per month devoted by the court reporter to performing the
541 duties of a court administrator. The additional compensation
542 shall be submitted to the Administrative Office of Courts for
543 approval.

544 (2) The several counties in each respective court district
545 shall transfer from the general funds of those county treasuries
546 to the Administrative Office of Courts a proportionate amount to
547 be paid toward the annual compensation of the court reporter,
548 including any additional compensation paid for the performance of
549 court administrator duties. The amount to be paid by each county
550 shall be determined by the number of weeks in which court is held
551 in each county in proportion to the total number of weeks court is
552 held in the district. For purposes of this section, the term
553 "compensation" means the gross salary plus all amounts paid for
554 benefits, or otherwise, as a result of employment or as required
555 by employment, but does not include transcript fees otherwise
556 authorized to be paid by or through the counties. However, only
557 salary earned for services rendered shall be reported and credited
558 for retirement purposes. Amounts paid for transcript fees,
559 benefits or otherwise, including reimbursement for travel
560 expenses, shall not be reported or credited for retirement
561 purposes.

562 For example, if there are thirty-eight (38) scheduled court
563 weeks in a particular district, a county in which court is
564 scheduled five (5) weeks out of the year would have to pay
565 five-thirty-eighths (5/38) of the total annual compensation.

566 (3) The salary and any additional compensation for the
567 performance of court administrator duties shall be paid in twelve
568 (12) installments on the last working day of each month after it
569 has been duly authorized by the appointing judge or chancellor and
570 an order duly placed on the minutes of the court. Each county
571 shall transfer to the Administrative Office of Courts one-twelfth
572 (1/12) of the amount required to be paid pursuant to subsection
573 (2) of this section by the twentieth day of each month for the
574 salary that is to be paid on the last working day of the month.
575 The Administrative Office of Courts shall pay to the court
576 reporter the total amount of salary due for that month. Any
577 county may pay, in the discretion of the board of supervisors, by
578 the twentieth day of January of any year, the amount due for a
579 full twelve (12) months.

580 (4) From and after October 1, 1996, all circuit, county and
581 chancery court reporters will be employees of the Administrative
582 Office of Courts.

583 (5) No circuit, county or chancery court reporter shall be
584 entitled to any compensation for any special or extended term of
585 court after passage of this section.

586 (6) No * * * circuit, county or chancery court reporter
587 shall practice law in the court within which he or she is the
588 court reporter.

589 (7) For all travel required in the performance of official
590 duties, the circuit, county or chancery court reporter shall be
591 paid mileage by the county in which the duties were performed at
592 the same rate as provided for state employees in Section 25-3-41.
593 The court reporter shall file in the office of the clerk of the
594 court which he serves a certificate of mileage expense incurred
595 during that term and payment of such expense to the court reporter
596 shall be paid on allowance by the judge of such court.

597 **SECTION 19.** In counties in which a county court existed on
598 December 31, 2022, the clerk of the youth court shall be the
599 circuit clerk of the county. In counties in which a county court
600 did not exist on December 31, 2022, the clerk of the youth court
601 shall be the chancery clerk of the county. The clerk of the
602 county court shall otherwise be the clerk of the circuit court.

603 **SECTION 20.** Section 43-21-111, Mississippi Code of 1972, is
604 amended as follows:

605 43-21-111. * * * All youth court judges are required to
606 receive judicial training approved by the Mississippi Judicial
607 College and * * * to receive regular annual continuing education
608 in the field of juvenile justice. The amount of judicial training
609 and annual continuing education which shall be satisfactory to
610 fulfill the requirements of this section shall conform with the
611 amount prescribed by the Rules and Regulations for Mandatory

612 Continuing Judicial Education promulgated by the Supreme Court.
613 The Administrative Office of Courts shall * * * enforce the
614 provisions of this * * * section and * * * maintain records * * *
615 of all * * * judges regarding * * * this training. * * *

616 **SECTION 21.** Section 43-21-123, Mississippi Code of 1972, is
617 amended as follows:

618 43-21-123. Except for expenses provided by state funds
619 and * * * other monies, the board of supervisors * * * shall
620 adequately provide funds for the operation of the youth court
621 division of the * * * county * * * court. * * * Every year the
622 youth court judge or administrator shall prepare and submit to the
623 board of supervisors * * * an annual budget which will identify
624 the number, staff position, title and amount of annual or monthly
625 compensation of each position as well as provide for other
626 expenditures necessary to the functioning and operation of the
627 youth court. When the budget of the youth court or youth court
628 judge is approved by the board of supervisors * * *, then the
629 youth court or youth court judge may employ such persons as
630 provided in the budget from time to time.

631 The board of supervisors of any county in which there is
632 located a youth court * * * are each authorized to reimburse the
633 youth court judges and other youth court employees or personnel
634 for reasonable travel and expenses incurred in the performance of
635 their duties and in attending educational meetings offering
636 professional training to such persons as budgeted.

637 **SECTION 22.** Section 43-21-125, Mississippi Code of 1972, is
638 amended as follows:

639 43-21-125. (1) There shall be a Mississippi Council of
640 Youth Court Judges which shall be the official organization of the
641 judges having youth court jurisdiction in this state. The
642 membership of the council shall consist of all the county court
643 judges * * * in the State of Mississippi.

644 (2) The Mississippi Council of Youth Court Judges is
645 authorized to adopt and, from time to time, amend such rules,
646 regulations or bylaws as it considers necessary to the conduct of
647 its affairs.

648 (3) The council may elect officers and provide for such
649 meetings of the council as it deems necessary. The council shall
650 meet at least annually for the consideration of:

651 (a) Any and all matters pertaining to the discharge of
652 the official duties and obligations of its members; and

653 (b) Problems that have arisen in connection with the
654 operation of the youth courts in any county or in all counties in
655 order to improve the administration of juvenile justice in the
656 state.

657 (4) The council shall publish and submit to the Governor,
658 the Chief Justice of the Supreme Court, and the Mississippi
659 Judicial Council an annual report of the operations which shall
660 include financial and statistical data and may include suggestions
661 and recommendations for legislation.

662 (5) The council is authorized to receive and expend any
663 funds which may become available from the federal government to
664 carry out any of the purposes of this chapter, and to this end the
665 council may meet any federal requirements not contrary to state
666 law which may be conditions precedent to receiving such federal
667 funds.

668 (6) The council may cooperate with the federal government in
669 a program for training personnel employed or preparing for
670 employment by the youth court and may receive and expend funds
671 from federal or state sources or from private donations for such
672 purposes. The council may contract with public or nonprofit
673 institutions of higher learning for the training of such
674 personnel, may conduct short-term training courses of its own, may
675 hire experts on a temporary basis for such purpose and may
676 cooperate with the department of youth services or other state
677 departments or agencies in personnel training programs.

678 **SECTION 23.** Section 43-21-801, Mississippi Code of 1972, is
679 amended as follows:

680 43-21-801. (1) There is established the Youth Court Support
681 Program. The purpose of the program shall be to ensure that all
682 youth courts have sufficient support funds to carry on the
683 business of the youth court. * * *

684 * * *

685 (* * *2) * * * Each county court is eligible for youth
686 court support funds. The Administrative Office of Courts shall
687 allocate Sixty Thousand Dollars (\$60,000.00) per year to each

688 county court district. The funds shall be utilized to provide
689 compensation to an intake officer who shall be responsible for
690 ensuring that all intake and case information for the Division of
691 Youth Services, truancy matters and the Division of Family and
692 Children's Services is entered into the Mississippi Youth Court
693 Information Delivery System (MYCIDS) in an accurate and timely
694 manner. If the county court already has an intake officer or
695 other staff person responsible for entering all cases of the
696 Division of Youth Services, truancy matters and the Division of
697 Family and Children's Services into MYCIDS, the senior county
698 court judge may certify that such a person is already on staff.
699 In such a case, the senior county court judge shall have
700 discretion to direct the expenditure of those funds in hiring
701 other support staff to carry on the business of the court.

702 (* * *a) For the purposes of this paragraph, "support
703 staff" means court administrators, law clerks, legal research
704 assistants, secretaries, resource administrators or case managers
705 appointed by a youth court judge, or any combination thereof, but
706 shall not mean school attendance officers.

707 (* * *b) The appointment of support staff shall be
708 evidenced by the entry of an order on the minutes of the court.
709 The support staff so appointed shall serve at the will and
710 pleasure of the senior county court judge but shall be * * *
711 employees of the county.

712 (* * *c) The Administrative Office of Courts must
713 approve the positions, job descriptions and salaries before the

714 positions may be filled. The Administrative Office of Courts
715 shall not approve any plan that does not first require the
716 expenditure of funds from the Youth Court Support Fund before
717 expenditure of county funds is authorized for that purpose.

718 (* * *d) The Administrative Office of Courts may
719 approve expenditure from the fund for additional equipment for
720 support staff appointed pursuant to this paragraph if funds are
721 available for the additional expenditure * * *. Title to any
722 tangible property procured with funds authorized under this
723 paragraph shall be and forever remain in the county to be used by
724 the youth court and support staff.

725 * * *

726 (* * *3) Application to receive funds under this section
727 shall be submitted in accordance with procedures established by
728 the Administrative Office of Courts. * * * Approval of the use of
729 any of the youth court support funds distributed under this
730 section shall be made by the Administrative Office of Courts in
731 accordance with procedures established by the Administrative
732 Office of Courts.

733 (* * *4) (a) There is created in the State Treasury a
734 special fund to be designated as the "Youth Court Support Fund,"
735 which shall consist of funds appropriated or otherwise made
736 available by the Legislature in any manner and funds from any
737 other source designated for deposit into such fund. Unexpended
738 amounts remaining in the fund at the end of a fiscal year shall
739 not lapse into the State General Fund, and any investment earnings

740 or interest earned on amounts in the fund shall be deposited to
741 the credit of the fund. Monies in the fund shall be distributed
742 to the youth courts by the Administrative Office of Courts for the
743 purposes described in this section.

744 (b) * * * During each regular legislative
745 session * * *, the Legislature shall appropriate * * * Two Million
746 Six Hundred Forty Thousand Dollars (\$2,640,000.00) to the Youth
747 Court Support Fund.

748 (c) No youth court judge * * * shall be eligible to
749 receive funding from the Youth Court Support Fund who has not
750 received annual continuing education in the field of juvenile
751 justice in an amount to conform with the requirements of the Rules
752 and Regulations for Mandatory Continuing Judicial Education
753 promulgated by the Supreme Court. The Administrative Office of
754 Courts shall maintain records of all * * * youth court judges
755 regarding such training and shall not disburse funds to any
756 county * * * or county court district for the budget of a youth
757 court judge * * * who is not in compliance with the judicial
758 training requirements.

759 (* * *5) Any recipient of funds from the Youth Court
760 Support Fund shall not be eligible for continuing disbursement of
761 funds if the recipient is not in compliance with the terms,
762 conditions and reporting requirements set forth in the procedures
763 promulgated by the Administrative Office of Courts.

764 **SECTION 24.** Section 99-35-1, Mississippi Code of 1972, is
765 amended as follows:

766 99-35-1. In all cases of conviction of a criminal offense
767 against the laws of the state by the judgment of a justice court,
768 or by a municipal court, for the violation of an ordinance
769 thereof, an appeal may be taken within forty (40) days from the
770 date of such judgment of conviction to the county court of the
771 county * * * which shall stay the judgment appealed from. Any
772 person appealing a judgment of a justice court or a municipal
773 court under this section shall post bond for court costs relating
774 to such appeal. The amount of such bond shall be determined by
775 the justice court judge or municipal judge, payable to the state
776 in an amount of not less than One Hundred Dollars (\$100.00) nor
777 more than One Thousand Dollars (\$1,000.00).

778 On appearance of the appellant in the * * * county court the
779 case shall be tried anew and disposed of as other cases pending
780 therein.

781 **SECTION 25.** Section 9-13-61, Mississippi Code of 1972, is
782 amended as follows:

783 9-13-61. There shall be an official court reporter for each
784 county * * * court judge in the State of Mississippi, to be
785 appointed by such judge, for the purpose of performing the
786 necessary and required stenographic work of the court or division
787 thereof over which the appointing judge is presiding, said work to
788 be performed under the direction of such judge and in the same
789 manner and to the same effect as is provided in the chapter on
790 court reporting.

791 Except as hereinafter provided, the reporters of said courts
792 shall receive an annual salary of not less than Twenty-four
793 Thousand Dollars (\$24,000.00) and may, at the discretion of the
794 board of supervisors, receive a monthly salary equal to that of
795 the reporter of the circuit court district wherein the county
796 lies, the same to be paid monthly by the county out of its general
797 fund.

798 Provided, however, that in any Class 1 county having a
799 population in excess of fifty-six thousand (56,000) persons
800 according to the 1970 federal decennial census, the reporter shall
801 receive a monthly salary equal to that of the reporter of the
802 circuit court district wherein the county or family court lies,
803 the same to be paid monthly by the county out of its general fund.

804 Provided further, that in any Class 1 county bordering on the
805 Mississippi River and which has situated therein a national
806 military park and national military cemetery, and having a
807 population in excess of forty-four thousand (44,000) according to
808 the 1970 federal decennial census, the reporter shall receive a
809 monthly salary equal to that of the reporter of the circuit court
810 district wherein the county lies, the same to be paid monthly by
811 the county out of its general fund.

812 Provided further, that in any Class 1 county bordering on the
813 Mississippi River wherein U.S. Highways 61 and 84 intersect, and
814 having a population in excess of thirty-seven thousand (37,000) in
815 the 1960 federal decennial census, the reporter shall receive a
816 monthly salary equal to that of the reporter of the circuit court

817 district wherein the county lies, the same to be paid monthly by
818 the county out of its general fund.

819 Provided further, that in addition to the foregoing
820 compensation, all county * * * court reporters shall be paid the
821 same fees for transcript of the record on appeals as are now or
822 hereafter paid circuit court reporters for like or similar work.

823 **SECTION 26.** Section 9-9-3, Mississippi Code of 1972, which
824 allows for establishment by agreement of a county court by two or
825 more counties, is repealed.

826 **SECTION 27.** Section 9-9-9, Mississippi Code of 1972, which
827 restricts the practice of law by county court judges, is repealed.

828 **SECTION 28.** Section 9-9-13, Mississippi Code of 1972, which
829 allows municipalities to supplement county court judge salaries,
830 is repealed.

831 **SECTION 29.** Section 9-9-14, Mississippi Code of 1972, which
832 allows an additional county court judge for Harrison County, is
833 repealed.

834 **SECTION 30.** Section 9-9-15, Mississippi Code of 1972, which
835 allows additional county court judges for Hinds County, is
836 repealed.

837 **SECTION 31.** Section 9-9-16, Mississippi Code of 1972, which
838 allows an additional county court judge for Washington County, is
839 repealed.

840 **SECTION 32.** Section 9-9-17, Mississippi Code of 1972, which
841 allows an additional judge for Jackson County, is repealed.

842 **SECTION 33.** Section 9-9-18, Mississippi Code of 1972, which
843 allows an additional county court judge for Rankin County, is
844 repealed.

845 **SECTION 34.** Section 9-9-18.1, Mississippi Code of 1972,
846 which allows an additional county court judge for Madison County,
847 is repealed.

848 **SECTION 35.** Section 9-9-18.2, Mississippi Code of 1972,
849 which allows a county court judge for Pearl River County, is
850 repealed.

851 **SECTION 36.** Section 9-9-18.3, Mississippi Code of 1972,
852 which allows an additional county court judge for Lauderdale
853 County, is repealed.

854 **SECTION 37.** Section 9-9-18.5, Mississippi Code of 1972,
855 which allows an additional county court judge for DeSoto County,
856 is repealed.

857 **SECTION 38.** Section 9-9-18.6, Mississippi Code of 1972,
858 which allows an additional county court judge for Lee County, is
859 repealed.

860 **SECTION 39.** Sections 9-9-37, 9-9-39, 9-9-41, 9-9-43 and
861 9-9-45, Mississippi Code of 1972, which allow counties to
862 establish or abolish a county court, are repealed.

863 **SECTION 40.** (1) Candidates for the county court judgeships
864 created by this act shall run for those offices in a special
865 election to be conducted in November 2023. Candidates shall
866 qualify as provided by Section 23-15-977 and shall run for office

867 and be elected as provided in Sections 23-15-974 through 23-15-985
868 (Nonpartisan Judicial Election Act).

869 (2) The initial terms of offices of the county court
870 judgeships created by this act shall begin on January 1, 2024, and
871 their terms of office shall continue for three (3) years.

872 (3) After the initial terms set forth in subsection (2) of
873 this section, the subsequent terms of the offices of the county
874 court judgeships created by this act shall begin on January 1,
875 2027, and their terms shall continue for four (4) years.

876 **SECTION 41.** Section 1 of this act shall take effect and be
877 in force from and after July 1, 2023; Section 40 of this act shall
878 take effect and be in force from and after its passage; and the
879 remainder of this act shall take effect and be in force from and
880 after January 1, 2024.

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

1 AN ACT TO AMEND SECTION 93-15-105, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE YOUTH COURT, IN ABUSE OR NEGLECT PROCEEDINGS, TO HAVE
3 ORIGINAL, EXCLUSIVE JURISDICTION OF BOTH VOLUNTARY AND INVOLUNTARY
4 TERMINATION OF PARENTAL RIGHTS ACTIONS; TO CREATE A COUNTY COURT
5 IN AND FOR EVERY COUNTY; TO AMEND SECTION 9-9-1, MISSISSIPPI CODE
6 OF 1972, TO CREATE COUNTY COURT DISTRICTS; TO AMEND SECTION 9-9-5,
7 MISSISSIPPI CODE OF 1972, TO SET FORTH THE QUALIFICATIONS OF
8 JUDGES OF THE COUNTY COURTS; TO AMEND SECTION 9-9-11, MISSISSIPPI
9 CODE OF 1972, TO SET FORTH THE SALARY OF THE COUNTY COURT JUDGES;
10 TO AMEND SECTION 9-9-19, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR
11 TERMS OF COURT; TO AMEND SECTION 9-9-21, MISSISSIPPI CODE OF 1972,
12 TO SET FORTH THE JURISDICTION OF THE COUNTY COURT; TO AMEND
13 SECTIONS 9-9-23, 9-1-19, 9-1-23, 9-1-25 AND 9-1-35, MISSISSIPPI
14 CODE OF 1972, TO CONFORM; TO AMEND SECTION 43-21-107, MISSISSIPPI
15 CODE OF 1972, TO CONFORM YOUTH COURT JURISDICTION; TO AMEND
16 SECTION 43-21-123, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING
17 FOR THE COUNTY COURTS; TO AMEND SECTIONS 23-15-973 AND 23-15-975,
18 MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-1,

19 9-13-17 AND 9-13-19, MISSISSIPPI CODE OF 1972, TO PROVIDE A COURT
20 REPORTER AND CONFORM PROVISIONS CONCERNING COURT REPORTERS; TO
21 DESIGNATE THE CLERK OF THE COUNTY COURT AND THE CLERK OF THE YOUTH
22 COURT; TO AMEND SECTIONS 43-21-111, 43-21-123, 43-21-125,
23 43-21-801 and 99-35-1, MISSISSIPPI CODE OF 1972, TO CONFORM; TO
24 AMEND SECTION 9-13-61, MISSISSIPPI CODE OF 1972, TO DELETE ARCHAIC
25 REFERENCE TO FAMILY COURTS; TO REPEAL SECTION 9-9-3, MISSISSIPPI
26 CODE OF 1972, WHICH ALLOWS FOR ESTABLISHMENT OF A COUNTY COURT BY
27 AGREEMENT OF TWO OR MORE COUNTIES; TO REPEAL SECTION 9-9-9,
28 MISSISSIPPI CODE OF 1972, WHICH RESTRICTS THE PRACTICE OF LAW BY
29 COUNTY COURT JUDGES; TO REPEAL SECTION 9-9-13, MISSISSIPPI CODE OF
30 1972, WHICH ALLOWS MUNICIPALITIES TO SUPPLEMENT COUNTY COURT JUDGE
31 SALARIES; TO REPEAL SECTION 9-9-14, MISSISSIPPI CODE OF 1972,
32 WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR HARRISON COUNTY;
33 TO REPEAL SECTION 9-9-15, MISSISSIPPI CODE OF 1972, WHICH ALLOWS
34 ADDITIONAL COUNTY COURT JUDGES FOR HINDS COUNTY; TO REPEAL SECTION
35 9-9-16, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL
36 COUNTY COURT JUDGE FOR WASHINGTON COUNTY; TO REPEAL SECTION
37 9-9-17, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL JUDGE
38 FOR JACKSON COUNTY; TO REPEAL SECTION 9-9-18, MISSISSIPPI CODE OF
39 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR RANKIN
40 COUNTY; TO REPEAL SECTION 9-9-18.1, MISSISSIPPI CODE OF 1972,
41 WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR MADISON COUNTY;
42 TO REPEAL SECTION 9-9-18.2, MISSISSIPPI CODE OF 1972, WHICH ALLOWS
43 A COUNTY COURT JUDGE FOR PEARL RIVER COUNTY; TO REPEAL SECTION
44 9-9-18.3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL
45 COUNTY COURT JUDGE FOR LAUDERDALE COUNTY; TO REPEAL SECTION
46 9-9-18.5, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL
47 COUNTY COURT JUDGE FOR DESOTO COUNTY; TO REPEAL SECTION 9-9-18.6,
48 MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT
49 JUDGE FOR LEE COUNTY; TO REPEAL SECTIONS 9-9-37, 9-9-39, 9-9-41,
50 9-9-43 AND 9-9-45, MISSISSIPPI CODE OF 1972, WHICH ALLOW COUNTIES
51 TO ESTABLISH OR ABOLISH A COUNTY COURT; AND FOR RELATED PURPOSES.

SS26\HB1111A.1J

Eugene S. Clarke
Secretary of the Senate