

By: Senator(s) Wiggins

To: Judiciary, Division A;
Appropriations

SENATE BILL NO. 2550

1 AN ACT TO BRING FORWARD SECTIONS 25-31-5 AND 25-31-10,
2 MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-31-5, Mississippi Code of 1972, is
6 brought forward as follows:

7 25-31-5. (1) The following number of full-time legal
8 assistants are authorized in the following circuit court
9 districts:

10 (a) First Circuit Court District..... ten (10)
11 legal assistants.

12 (b) Second Circuit Court District..... eleven (11)
13 legal assistants.

14 (c) Third Circuit Court District..... six (6)
15 legal assistants.

16 (d) Fourth Circuit Court District.....six (6)
17 legal assistants.



18 (e) Fifth Circuit Court District.....five (5)
19 legal assistants.

20 (f) Sixth Circuit Court District..... three (3)
21 legal assistants.

22 (g) Seventh Circuit Court District..... twelve (12)
23 legal assistants. Effective July 1, 2023, through July 1, 2025,
24 the Seventh Circuit Court District shall have fourteen (14) legal
25 assistants.

26 (h) Eighth Circuit Court District.....three (3)
27 legal assistants.

28 (i) Ninth Circuit Court District.....three (3)
29 legal assistants.

30 (j) Tenth Circuit Court District..... five (5)
31 legal assistants.

32 (k) Eleventh Circuit Court District.....five (5)
33 legal assistants.

34 (l) Twelfth Circuit Court District.....five (5)
35 legal assistants.

36 (m) Thirteenth Circuit Court District.....four (4)
37 legal assistants.

38 (n) Fourteenth Circuit Court District..... six (6)
39 legal assistants.

40 (o) Fifteenth Circuit Court District..... seven (7)
41 legal assistants.



42 (p) Sixteenth Circuit Court District..... six (6)
43 legal assistants.

44 (q) Seventeenth Circuit Court District..... four (4)
45 legal assistants.

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

48 (s) Nineteenth Circuit Court District..... seven (7)
49 legal assistants.

50 (t) Twentieth Circuit Court District..... seven (7)
51 legal assistants.

52 (u) Twenty-first Circuit Court District..... four (4)
53 legal assistants.

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

56 (w) Twenty-third Circuit Court District five (5)
57 legal assistants.

58 (2) In addition to any legal assistants authorized pursuant
59 to subsection (1) of this section, the following number of
60 full-time legal assistants are authorized (i) in the following
61 circuit court districts if funds are appropriated by the
62 Legislature to adequately fund the salaries, expenses and fringe
63 benefits of such legal assistants, or (ii) in any of the following
64 circuit court districts in which the board of supervisors of one
65 or more of the counties in a circuit court district adopts a
66 resolution to pay all of the salaries, supplemental pay, expenses



67 and fringe benefits of legal assistants authorized in such
68 district pursuant to this subsection:

69 (a) First Circuit Court District.....two (2)
70 legal assistants.

71 (b) Second Circuit Court District.....two (2)
72 legal assistants.

73 (c) Third Circuit Court District.....two (2)
74 legal assistants.

75 (d) Fourth Circuit Court District.....two (2)
76 legal assistants.

77 (e) Fifth Circuit Court District.....two (2)
78 legal assistants.

79 (f) Sixth Circuit Court District.....two (2)
80 legal assistants.

81 (g) Seventh Circuit Court District.....two (2)
82 legal assistants.

83 (h) Eighth Circuit Court District.....two (2)
84 legal assistants.

85 (i) Ninth Circuit Court District.....two (2)
86 legal assistants.

87 (j) Tenth Circuit Court District.....two (2)
88 legal assistants.

89 (k) Eleventh Circuit Court District.....two (2)
90 legal assistants.



91 (l) Twelfth Circuit Court District.....two (2)
92 legal assistants.
93 (m) Thirteenth Circuit Court District.....two (2)
94 legal assistants.
95 (n) Fourteenth Circuit Court District.....two (2)
96 legal assistants.
97 (o) Fifteenth Circuit Court District.....two (2)
98 legal assistants.
99 (p) Sixteenth Circuit Court District.....two (2)
100 legal assistants.
101 (q) Seventeenth Circuit Court District.....two (2)
102 legal assistants.
103 (r) Eighteenth Circuit Court District.....two (2)
104 legal assistants.
105 (s) Nineteenth Circuit Court District.....two (2)
106 legal assistants.
107 (t) Twentieth Circuit Court District.....two (2)
108 legal assistants.
109 (u) Twenty-first Circuit Court District.....two (2)
110 legal assistants.
111 (v) Twenty-second Circuit Court District.....two (2)
112 legal assistants.
113 (w) Twenty-third Circuit Court District.....two (2)
114 legal assistants.



115 (3) The board of supervisors of any county may pay all or a
116 part of the salary, supplemental pay, expenses and fringe benefits
117 of any district attorney or legal assistant authorized in the
118 circuit court district to which such county belongs pursuant to
119 this section.

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



140 supervisors of each county comprising the circuit court district
141 the amount and source of the supplemental salary, expenses and
142 fringe benefits, and the board in each county shall spread the
143 same on its minutes. The district attorney shall also report such
144 information to the Department of Finance and Administration which
145 shall make such information available to the Legislative Budget
146 Office.

147 (5) The district attorney shall be authorized to assign the
148 duties of a legal assistant regardless of the source of funding
149 for such legal assistants.

150 **SECTION 2.** Section 25-31-10, Mississippi Code of 1972, is
151 brought forward as follows:

152 25-31-10. (1) Any district attorney may appoint a full-time
153 criminal investigator.

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

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

163 (4) The district attorney of the Seventh Circuit Court
164 District may appoint one (1) additional full-time criminal



165 investigator for a total of four (4) full-time criminal
166 investigators.

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

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

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

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



190 **SECTION 3.** This act shall take effect and be in force from
191 and after July 1, 2024.

