

By: Representatives Horan, Newman

To: Judiciary B;
Appropriations A

HOUSE BILL NO. 1509
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE SALARY OF THE DISTRICT ATTORNEY SHALL BE A
3 CERTAIN PERCENTAGE OF THE SALARY PROVIDED TO CIRCUIT AND CHANCERY
4 JUDGES OF THE STATE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is
7 amended as follows:

8 25-3-35. (1) The annual salaries of the following judges
9 are fixed as follows:

10 **Through December 31, 2022:**

11 Chief Justice of the Supreme Court.....\$174,000.00
12 Presiding Justices of the Supreme Court, each..... 169,500.00
13 Associate Justices of the Supreme Court, each..... 166,500.00

14 **From and after January 1, 2023:**

15 Chief Justice of the Supreme Court.....\$181,491.00
16 Presiding Justices of the Supreme Court, each..... 176,737.00
17 Associate Justices of the Supreme Court, each..... 173,800.00

18 There are imposed upon the Supreme Court justices the extra
19 duties of taking all necessary action to promote judicial



20 education in schools, intervention courts, electronic filing and
21 case management systems as developed by the Administrative Office
22 of Courts, or such other additional duties as may be assigned by
23 the Chief Justice of the Supreme Court. For such extra services
24 each justice, from and after January 1, 2023, shall receive a sum
25 sufficient to aggregate, per annum, the salaries set forth in this
26 subsection (1).

27 The fixed salaries in this subsection (1) shall be paid from
28 the State General Fund and from the Judicial System Operation Fund
29 created under Section 9-21-45. No less than: One Hundred Fifteen
30 Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief
31 Justice's salary in this subsection (1), One Hundred Thirteen
32 Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of
33 a presiding justice in this subsection (1), and One Hundred Twelve
34 Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary
35 of an associate justice in this subsection (1) shall be paid from
36 general fund monies; in addition, the Legislature shall
37 appropriate annually from the Judicial System Operation Fund a sum
38 sufficient to increase the salary of the Chief Justice, a
39 presiding justice and an associate justice to the levels set forth
40 in this subsection (1).

41 The fixed salaries as specified in this subsection (1) shall
42 be the exclusive and total compensation which can be reported to
43 the Public Employees' Retirement System for retirement purposes;
44 however, any judge in office on December 31, 2003, may continue to



report his expense allowance as part of his compensation for retirement purposes.

(2) The annual salaries of the judges of the Court of Appeals of Mississippi are fixed as follows:

Through December 31, 2022:

Chief Judge of the Court of Appeals.....\$161,500.00

Associate Judges of the Court of Appeals, each.... 158,500.00

From and after January 1, 2023:

Chief Judge of the Court of Appeals.....\$169,349.00

Associate Judges of the Court of Appeals, each.... 168,467.00

From and after January 1, 2023, each judge shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (2).

The fixed salaries in this subsection (2) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Eight Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief Judge's salary in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the Chief Judge's salary to the level set forth in this subsection (2). No less than One Hundred Five Thousand Fifty Dollars (\$105,050.00) of the salary of an associate judge in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the



70 Judicial System Operation Fund a sum sufficient to increase the
71 salary of an associate judge to the level set forth in this
72 subsection (2).

73 The fixed salaries as specified in this subsection (2) shall
74 be the exclusive and total compensation which can be reported to
75 the Public Employees' Retirement System for retirement purposes;
76 however, any judge in office on December 31, 2003, may continue to
77 report his expense allowance as part of his compensation for
78 retirement purposes.

79 (3) The annual salaries of the chancery and circuit court
80 judges are fixed as follows:

81 **Through December 31, 2022:**

82 Chancery Judges, each.....\$149,000.00
83 Circuit Judges, each..... 149,000.00

84 **From and after January 1, 2023:**

85 Chancery Judges, each.....\$158,000.00
86 Circuit Judges, each..... 158,000.00

87 In addition to their present official duties, the circuit and
88 chancery judges shall take necessary action to promote judicial
89 education in schools, intervention courts, electronic filing and
90 case management systems as developed by the Administrative Office
91 of Courts, or such other additional duties as may be assigned by
92 the Chief Justice of the Supreme Court. For such extra services
93 each judge, from and after January 1, 2023, shall receive a sum



sufficient to aggregate, per annum, the salaries set forth in this subsection (3).

The fixed salaries in this subsection (3) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Four Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary of a chancery or circuit judge in this subsection (3) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of a chancery or circuit judge to the levels set forth in this subsection (3).

(4) From and after January 1, 2019, and every four (4) years thereafter, the annual salaries of the judges in subsections (1), (2) and (3) shall be fixed at the level of compensation recommended by the State Personnel Board according to the board's most recent report on judicial salaries, as required under Section 25-9-115, to the extent that sufficient funds are available. The annual salaries fixed in accordance with this subsection (4) shall not become effective until the commencement of the next immediately succeeding term of office.

(5) The Supreme Court shall prepare a payroll for chancery judges and circuit judges and submit such payroll to the Department of Finance and Administration.

(6) The annual salary of the full-time district attorneys shall be:



From and after January 1, 2016, through December 31, 2022:

One Hundred Twenty-five Thousand Nine Hundred Dollars
(\$125,900.00).

From and after January 1, 2023, through December 31, 2025:

One Hundred Thirty-four Thousand Four Hundred Dollars
(\$134,400.00).

From and after January 1, 2026:

Ninety-five percent (95%) of the salary authorized by law for
circuit and chancery court judges of this state.

(7) The annual salary of the full-time legal assistants shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor more than eighty percent (80%) of the salary of the district attorney for legal assistants who have been licensed to practice law for five (5) years or less; eighty-five percent (85%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least five (5) years but less than fifteen (15) years; and ninety percent (90%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least fifteen (15) years or more.

SECTION 2. This act shall take effect and be in force from and after July 1, 2025.

