

By: Representative Moak

To: Penitentiary; County  
Affairs

HOUSE BILL NO. 573

1 AN ACT TO AMEND SECTION 47-5-935, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT ANY SHERIFF THAT CONTRACTS TO PROVIDE ADDITIONAL  
3 MANAGEMENT SUPPORT FOR A REGIONAL CORRECTIONAL FACILITY SHALL  
4 RECEIVE ADDITIONAL COMPENSATION EQUAL TO TWENTY-FIVE PERCENT OF  
5 THE AMOUNT PAID TO THE CHIEF CORRECTIONS OFFICER; TO AMEND SECTION  
6 47-5-937, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY OR  
7 COUNTIES CONTRACTING FOR A REGIONAL CORRECTIONAL FACILITY SHALL  
8 PROVIDE THE LAW ENFORCEMENT PERSONNEL THAT ARE NEEDED TO STAFF THE  
9 FACILITY; TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, IN  
10 CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED  
11 PURPOSES.

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

13 SECTION 1. Section 47-5-935, Mississippi Code of 1972, is  
14 amended as follows:

15 47-5-935. Concurrent with the execution of a contract for  
16 housing of state offenders as authorized by Sections 47-5-931  
17 through 47-5-941, the sheriff of a county where the facility is  
18 located is designated as the Chief Corrections Officer for the  
19 facility housing state offenders, and in that capacity, shall  
20 assume responsibility for management of the corrections facility  
21 and for the provision of the care and control of the state  
22 offenders housed therein. The sheriff shall be subject to the  
23 direction of the department for management of the correctional  
24 facility. In addition to the compensation provided by Section  
25 25-3-25, the sheriff shall receive Fifteen Thousand Six Hundred  
26 Dollars (\$15,600.00) as compensation for the duties specified in  
27 Sections 47-5-931 through 47-5-941. If the Chief Corrections  
28 Officer for a correctional facility created under Section  
29 47-5-931, contracts with a sheriff of another county to provide  
30 additional management support for the facility, then the sheriff  
31 who is providing the additional support for the facility shall



32 receive, in addition to the compensation provided by Section  
33 25-3-25, a yearly amount equal to twenty-five percent (25%) of the  
34 pay authorized in this section for the Chief Corrections Officer.

35 SECTION 2. Section 47-5-937, Mississippi Code of 1972, is  
36 amended as follows:

37 47-5-937. Sections 47-5-931 through 47-5-941 shall be full  
38 and complete authority for the exercise of all powers and  
39 authority granted herein and no requirements or restrictions of  
40 law which would otherwise be applicable to acts of the county or  
41 sheriff or the Department of Corrections shall be applicable  
42 except as expressly provided herein. The sheriff is expressly  
43 authorized to employ counsel to represent the facility to be paid  
44 a salary within the range allowed for a legal assistant to a  
45 district attorney with the employment to continue for a period of  
46 time not to exceed the duration of the indebtedness incurred for  
47 construction of the facility. The county or counties shall pay  
48 this cost and other costs incurred in the operation of the  
49 facility from the proceeds of the funds derived from the financing  
50 of the project and the housing of offenders. The county or  
51 counties also shall supply all law enforcement personnel that are  
52 needed to staff a facility created under Sections 47-5-931 through  
53 47-5-941.

54 SECTION 3. Section 25-3-25, Mississippi Code of 1972, is  
55 amended as follows:

56 25-3-25. (1) Except as otherwise provided in subsections  
57 (2) through (9) of this section and Section 47-5-935, the salaries  
58 of sheriffs of the various counties are hereby fixed as full  
59 compensation for their services.

60 From and after October 1, 1998, the annual salary for each  
61 sheriff shall be based upon the total population of his county  
62 according to the latest federal decennial census in the following  
63 categories and for the following amounts; however, no sheriff  
64 shall be paid less than the salary authorized under this section



65 to be paid the sheriff based upon the population of the county  
66 according to the 1980 federal decennial census:

67 (a) For counties with a total population of more than  
68 two hundred thousand (200,000), a salary of Seventy-five Thousand  
69 Dollars (\$75,000.00).

70 (b) For counties with a total population of more than  
71 one hundred thousand (100,000) and not more than two hundred  
72 thousand (200,000), a salary of Seventy Thousand Dollars  
73 (\$70,000.00).

74 (c) For counties with a total population of more than  
75 forty-five thousand (45,000) and not more than one hundred  
76 thousand (100,000), a salary of Sixty-five Thousand Dollars  
77 (\$65,000.00).

78 (d) For counties with a total population of more than  
79 thirty-four thousand (34,000) and not more than forty-five  
80 thousand (45,000), a salary of Sixty Thousand Dollars  
81 (\$60,000.00).

82 (e) For counties with a total population of more than  
83 twenty-five thousand (25,000) and not more than thirty-four  
84 thousand (34,000), a salary of Fifty-two Thousand Dollars  
85 (\$52,000.00).

86 (f) For counties with a total population of more than  
87 fifteen thousand (15,000) and not more than twenty-five thousand  
88 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

89 (g) For counties with a total population of more than  
90 nine thousand five hundred (9,500) and not more than fifteen  
91 thousand (15,000), a salary of Forty-seven Thousand Dollars  
92 (\$47,000.00).

93 (h) For counties with a total population of more than  
94 seven thousand five hundred (7,500) and not more than nine  
95 thousand five hundred (9,500), a salary of Forty-five Thousand  
96 Dollars (\$45,000.00).



97 (i) For counties with a total population of not more  
98 than seven thousand five hundred (7,500), a salary of Forty-two  
99 Thousand Dollars (\$42,000.00).

100 (2) In addition to the salary provided for in subsection (1)  
101 of this section, the Board of Supervisors of Leflore County may,  
102 in its discretion, pay an annual supplement to the sheriff of the  
103 county in an amount not to exceed Ten Thousand Dollars  
104 (\$10,000.00). The Legislature finds and declares that the annual  
105 supplement authorized by this subsection is justified in such  
106 county for the following reasons:

107 (a) The Mississippi Department of Corrections operates  
108 and maintains a restitution center within the county;

109 (b) The Mississippi Department of Corrections operates  
110 and maintains a community work center within the county;

111 (c) There is a resident circuit court judge in the  
112 county whose office is located at the Leflore County Courthouse;

113 (d) There is a resident chancery court judge in the  
114 county whose office is located at the Leflore County Courthouse;

115 (e) The Magistrate for the Fourth Circuit Court  
116 District is located in the county and maintains his office at the  
117 Leflore County Courthouse;

118 (f) The Region VI Mental Health-Mental Retardation  
119 Center, which serves a multicounty area, calls upon the sheriff to  
120 provide security for out-of-town mental patients, as well as  
121 patients from within the county;

122 (g) The increased activity of the Child Support  
123 Division of the Department of Human Services in enforcing in the  
124 courts parental obligations has imposed additional duties on the  
125 sheriff; and

126 (h) The dispatchers of the enhanced E-911 system in  
127 place in Leflore County has been placed under the direction and  
128 control of the sheriff.



129           (3) In addition to the salary provided for in subsection (1)  
130 of this section, the Board of Supervisors of Rankin County may, in  
131 its discretion, pay an annual supplement to the sheriff of the  
132 county in an amount not to exceed Ten Thousand Dollars  
133 (\$10,000.00). The Legislature finds and declares that the annual  
134 supplement authorized by this subsection is justified in such  
135 county for the following reasons:

136           (a) The Mississippi Department of Corrections operates  
137 and maintains the Central Mississippi Correctional Facility within  
138 the county;

139           (b) The State Hospital is operated and maintained  
140 within the county at Whitfield;

141           (c) Hudspeth Regional Center, a facility maintained for  
142 the care and treatment of the mentally retarded, is located within  
143 the county;

144           (d) The Mississippi Law Enforcement Officers Training  
145 Academy is operated and maintained within the county;

146           (e) The State Fire Academy is operated and maintained  
147 within the county;

148           (f) The Pearl River Valley Water Supply District,  
149 ordinarily known as the "Reservoir District," is located within  
150 the county;

151           (g) The Jackson International Airport is located within  
152 the county;

153           (h) The patrolling of the state properties located  
154 within the county has imposed additional duties on the sheriff;  
155 and

156           (i) The sheriff, in addition to providing security to  
157 the nearly one hundred thousand (100,000) residents of the county,  
158 has the duty to investigate, solve and assist in the prosecution  
159 of any misdemeanor or felony committed upon any state property  
160 located in Rankin County.



161 (4) In addition to the salary provided for in subsection (1)  
162 of this section, the Board of Supervisors of Neshoba County shall  
163 pay an annual supplement to the sheriff of the county an amount  
164 equal to Ten Thousand Dollars (\$10,000.00).

165 (5) In addition to the salary provided for in subsection (1)  
166 of this section, the Board of Supervisors of Tunica County may, in  
167 their discretion, pay an annual supplement to the sheriff of the  
168 county an amount equal to Ten Thousand Dollars (\$10,000.00),  
169 payable beginning April 1, 1997.

170 (6) In addition to the salary provided for in subsection (1)  
171 of this section, the Board of Supervisors of Hinds County shall  
172 pay an annual supplement to the sheriff of the county in an amount  
173 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature  
174 finds and declares that the annual supplement authorized by this  
175 subsection is justified in such county for the following reasons:

176 (a) Hinds County has the greatest population of any  
177 county, two hundred fifty-four thousand four hundred forty-one  
178 (254,441) by the 1990 census, being almost one hundred thousand  
179 (100,000) more than the next most populous county;

180 (b) Hinds County is home to the state capitol and the  
181 seat of all state government offices;

182 (c) Hinds County is the third largest county in  
183 geographic area, containing eight hundred seventy-five (875)  
184 square miles;

185 (d) Hinds County is comprised of two (2) judicial  
186 districts, each having a courthouse and county office buildings;

187 (e) There are four (4) resident circuit judges, four  
188 (4) resident chancery judges, and three (3) resident county judges  
189 in Hinds County, the most of any county, with the sheriff acting  
190 as chief executive officer and provider of bailiff services for  
191 all;

192 (f) The main offices for the clerk and most of the  
193 judges and magistrates for the United States District Court for



194 the Southern District of Mississippi are located within the  
195 county;

196 (g) The state's only urban university, Jackson State  
197 University, is located within the county;

198 (h) The University of Mississippi Medical Center,  
199 combining the medical school, dental school, nursing school and  
200 hospital, is located within the county;

201 (i) Mississippi Veterans Memorial Stadium, the state's  
202 largest sports arena, is located within the county;

203 (j) The Mississippi State Fairgrounds, including the  
204 Coliseum and Trade Mart, are located within the county;

205 (k) Hinds County has the largest criminal population in  
206 the state, such that the Hinds County Sheriff's Department  
207 operates the largest county jail system in the state, housing  
208 almost one thousand (1,000) inmates in three (3) separate  
209 detention facilities;

210 (l) The Hinds County Sheriff's Department handles more  
211 mental and drug and alcohol commitments cases than any other  
212 sheriff's department in the state;

213 (m) The Mississippi Department of Corrections maintains  
214 a restitution center within the county;

215 (n) The Mississippi Department of Corrections regularly  
216 houses as many as one hundred (100) state convicts within the  
217 Hinds County jail system; and

218 (o) The Hinds County Sheriff's Department is regularly  
219 asked to provide security services not only at the Fairgrounds and  
220 Memorial Stadium, but also for events at the Mississippi Museum of  
221 Art and Jackson City Auditorium.

222 (7) In addition to the salary provided for in subsection (1)  
223 of this section, the Board of Supervisors of Wilkinson County, in  
224 its discretion, may pay an annual supplement to the sheriff of the  
225 county in an amount not to exceed Ten Thousand Dollars  
226 (\$10,000.00). The Legislature finds and declares that the annual



227 supplement authorized by this subsection is justified in such  
228 county because the Mississippi Department of Corrections contracts  
229 for the private incarceration of state inmates at a private  
230 correctional facility within the county.

231 (8) In addition to the salary provided for in subsection (1)  
232 of this section, the Board of Supervisors of Marshall County, in  
233 its discretion, may pay an annual supplement to the sheriff of the  
234 county in an amount not to exceed Ten Thousand Dollars  
235 (\$10,000.00). The Legislature finds and declares that the annual  
236 supplement authorized by this subsection is justified in such  
237 county because the Mississippi Department of Corrections contracts  
238 for the private incarceration of state inmates at a private  
239 correctional facility within the county.

240 (9) In addition to the salary provided in subsection (1) of  
241 this section, the Board of Supervisors of Greene County, in its  
242 discretion, may pay an annual supplement to the sheriff of the  
243 county in an amount not to exceed Ten Thousand Dollars  
244 (\$10,000.00). The Legislature finds and declares that the annual  
245 supplement authorized by this subsection is justified in such  
246 county for the following reasons:

247 (a) The Mississippi Department of Corrections operates  
248 and maintains the South Mississippi Correctional Facility within  
249 the county;

250 (b) In 1996, additional facilities to house another one  
251 thousand four hundred sixteen (1,416) male offenders were  
252 constructed at the South Mississippi Correctional Facility within  
253 the county; and

254 (c) The patrolling of the state properties located  
255 within the county has imposed additional duties on the sheriff  
256 justifying additional compensation.

257 (10) The salaries herein provided shall be payable monthly  
258 on the first day of each calendar month by chancery clerk's  
259 warrant drawn on the general fund of the county; however, the





260 board of supervisors, by resolution duly adopted and entered on  
261 its minutes, may provide that such salaries shall be paid  
262 semimonthly on the first and fifteenth day of each month. If a  
263 pay date falls on a weekend or legal holiday, salary payments  
264 shall be made on the workday immediately preceding the weekend or  
265 legal holiday.

266 SECTION 4. This act shall take effect and be in force from  
267 and after July 1, 2001.

