

By: Representatives Robertson, Mayo,  
McBride, Woods

To: Fees and Salaries of  
Public Officers

HOUSE BILL NO. 941

1 AN ACT TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE SALARY OF THE COUNTY JUDGE IN DESOTO COUNTY; AND FOR  
3 RELATED PURPOSES.

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

5 SECTION 1. Section 9-9-11, Mississippi Code of 1972, is  
6 amended as follows:

7 9-9-11. (1) Except as otherwise provided in subsections (2)  
8 through (4), the county court judge shall receive an annual salary  
9 payable monthly out of the county treasury in an amount not to  
10 exceed One Thousand Dollars (\$1,000.00) less than the salary which  
11 is \* \* \* provided for circuit and chancery judges of this state,  
12 in the discretion of the board of supervisors of the county;  
13 \* \* \* however, \* \* \* the salary of such judge shall not be  
14 reduced during his term of office. \* \* \* The office of county  
15 court judge in any county receiving an annual salary of Thirty-six  
16 Thousand Dollars (\$36,000.00) or more shall be a full-time  
17 position, and the holder thereof shall not otherwise engage in the  
18 practice of law.

19 (2) In the event of the establishment of a county court by  
20 agreement between two (2) or more counties as provided in Section  
21 9-9-3, the county judge of the court so established shall be paid  
22 a salary equal to one and one-half (1-1/2) times that salary that  
23 he would be paid if he were the judge of the smallest of such two  
24 (2) or more counties, such salary to be paid in monthly  
25 installments as provided by law; however, such salary shall not  
26 exceed One Thousand Dollars (\$1,000.00) less than the salary of  
27 the circuit and chancery judges of this state.

28           (3) The county court judge shall receive an annual salary  
29 payable monthly out of the county treasury as follows:

30           (a) In any county having a population of seventy  
31 thousand (70,000) or more according to the 1980 federal census,  
32 the county judge shall receive an annual salary of One Thousand  
33 Dollars (\$1,000.00) less than that paid to a circuit court judge.  
34 The office of county judge shall be a full-time position, and the  
35 holder thereof shall not otherwise engage in the practice of law.

36           (b) In any county having a population of sixty thousand  
37 (60,000) or more but less than seventy thousand (70,000) according  
38 to the 1980 federal census, the county judge shall receive an  
39 annual salary of Forty Thousand Dollars (\$40,000.00). The office  
40 of county judge shall be a full-time position, and the holder  
41 thereof shall not otherwise engage in the practice of law. The  
42 county judge shall not be eligible for any additional salary  
43 except as may be authorized in subsection (4).

44           (c) In any county having a population of twenty-seven  
45 thousand (27,000) or more but less than sixty thousand (60,000)  
46 according to the 1980 federal census, the county judge shall  
47 receive an annual salary of not less than Twelve Thousand Dollars  
48 (\$12,000.00) but not more than Forty Thousand Dollars  
49 (\$40,000.00), in the discretion of the board of supervisors of the  
50 county. The county judge shall not be eligible for any additional  
51 salary except as may be authorized in subsection (4). In the  
52 event that the board of supervisors of the county elects to pay  
53 such county judge an annual salary of Thirty Thousand Dollars  
54 (\$30,000.00) or more, the office of county judge shall be a  
55 full-time position, and the holder thereof shall not otherwise  
56 engage in the practice of law.

57           (d) In any county having a population of less than  
58 twenty-seven thousand (27,000) according to the 1980 federal  
59 census, the county judge shall receive an annual salary of not  
60 less than Four Thousand Two Hundred Dollars (\$4,200.00) and not

61 more than Eight Thousand Five Hundred Dollars (\$8,500.00), in the  
62 discretion of the board of supervisors of the county. The county  
63 judge shall not be eligible for any additional salary except as  
64 may be authorized in subsection (4).

65 (4) The county judge of any county described in this  
66 subsection shall be paid the compensation, and he shall be subject  
67 to any restrictions, set forth in the following paragraphs:

68 (a) The county judge of any such Class 1 county with  
69 population according to the latest federal decennial census of  
70 forty-five thousand (45,000) or more and lying wholly within a  
71 levee district and having two (2) judicial districts shall  
72 receive, in the discretion of the board of supervisors of such  
73 county, \* \* \* an annual salary not exceeding Forty Thousand  
74 Dollars (\$40,000.00), or a sum which is One Thousand Dollars  
75 (\$1,000.00) less than the salary \* \* \* provided for circuit and  
76 chancery judges of the state, whichever is greater.

77 (b) The county judge of any Class 1 county having an  
78 area in excess of nine hundred twenty-five (925) square miles  
79 shall receive an annual salary of not less than Thirty Thousand  
80 Dollars (\$30,000.00) but, in the discretion of the board of  
81 supervisors of such county, such salary may be not more than Five  
82 Hundred Dollars (\$500.00) less than the annual salary of a circuit  
83 judge, payable monthly out of the county treasury, and the county  
84 judge shall not practice law.

85 (c) The office of county judge in any such Class 1  
86 county with a population according to the 1970 federal decennial  
87 census of greater than thirty-nine thousand (39,000), and where  
88 U.S. Highway 61 and Mississippi Highway 6 intersect, shall receive  
89 an annual salary to be paid in monthly installments of not less  
90 than an amount equal to ninety percent (90%) of the annual salary  
91 which is \* \* \* provided for circuit and chancery judges of the  
92 state, as follows: The salary of the county judge shall be  
93 increased by ten percent (10%) annually above the base salary of

94 the preceding year until such time as the judge's salary is equal  
95 to the amount that is provided by this subsection. The office of  
96 county judge shall be a full-time position and the holder thereof  
97 shall not otherwise engage in the practice of law.

98 (d) In any Class 1 county bordering on the Mississippi  
99 River and which has situated therein a national military park and  
100 national military cemetery, the office of county judge shall be a  
101 full-time position and the holder thereof shall not otherwise  
102 engage in the practice of law. The salary for the county judge in  
103 that county shall be fixed at a sum which is One Thousand Dollars  
104 (\$1,000.00) less than the salary \* \* \* provided for circuit and  
105 chancery judges of this state.

106 (e) The county judge in any county having a population  
107 of at least forty-two thousand one hundred eleven (42,111),  
108 according to the 1970 census, and where U.S. Highway 49E and U.S.  
109 Highway 82 intersect, shall receive an annual salary to be paid in  
110 monthly installments of not less than Thirty Thousand Dollars  
111 (\$30,000.00) but not more than Two Thousand Five Hundred Dollars  
112 (\$2,500.00) less than the annual salary of the circuit judge, in  
113 the discretion of the board of supervisors of that county.

114 (f) The county judge in any Class 1 county bordering on  
115 the Mississippi River and having an area of less than four hundred  
116 fifty (450) square miles wherein U.S. Highways 84 and 61 intersect  
117 shall receive an annual salary of Four Thousand Dollars  
118 (\$4,000.00) less than the annual salary of a circuit judge, and  
119 such county judge shall not practice law in any manner. The  
120 county judge in such county shall not be eligible to receive any  
121 additional salary authorized by this section or from any other  
122 source other than that set out and authorized by this paragraph.

123 (g) The county judge of any Class 1 county bordering on  
124 the Mississippi River on the west and the State of Tennessee on  
125 the north, and traversed north to south by Interstate Highway 55,  
126 shall receive an annual salary of One Thousand Dollars (\$1,000.00)

127 less than the salary of the chancery and circuit judges of this  
128 state \* \* \*.

129 (h) The county judge of any Class 1 county with a  
130 population of greater than sixty-nine thousand (69,000) according  
131 to the 1980 federal decennial census, and wherein U.S. Highway 80  
132 and Mississippi Highway 43 intersect, shall receive an annual  
133 salary in an amount not greater than the sum of Five Hundred  
134 Dollars (\$500.00) less than the salary \* \* \* provided for circuit  
135 and chancery judges of this state, in the discretion of the board  
136 of supervisors of that county.

137 (i) The county judge of any county having a population  
138 in excess of sixty-six thousand (66,000) according to the 1980  
139 federal decennial census, wherein is located a state-supported  
140 university and in which U.S. Highways 49 and 11 intersect, shall  
141 receive an annual salary of One Thousand Dollars (\$1,000.00) less  
142 than that paid to a circuit court judge. The office of such  
143 county judge shall be a full-time position, and the holder thereof  
144 shall not otherwise engage in the practice of law.

145 (j) The county judge of any county having two (2)  
146 judicial districts, having a population in excess of sixty-one  
147 thousand nine hundred (61,900) according to the 1980 federal  
148 decennial census, in which U.S. Interstate Highway 59 intersects  
149 with U.S. Highway 84, shall receive an annual salary of One  
150 Thousand Dollars (\$1,000.00) less than the salary \* \* \* to be paid  
151 circuit and chancery court judges of this state. The office of  
152 such county judge shall be a full-time position, and the holder  
153 thereof shall not otherwise engage in the practice of law.

154 (k) The office of county judge of any Class I county  
155 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a  
156 full-time position and the holder thereof shall not otherwise  
157 engage in the practice of law. The annual salary for the office  
158 of county judge in that county may be fixed, in the discretion of  
159 the board of supervisors of the county, at a sum not to exceed Two

160 Thousand Dollars (\$2,000.00) less than the salary \* \* \* provided  
161 for circuit and chancery judges of this state.

162 (l) The county judge of any county having a population  
163 of more than forty-one thousand six hundred (41,600) but less than  
164 forty-one thousand six hundred fifty (41,650) according to the  
165 1980 federal census, and wherein U.S. Highway 49 intersects with  
166 Mississippi Highway 22, shall receive an annual salary in an  
167 amount established by the board of supervisors, but in no event to  
168 exceed the salary provided \* \* \* for circuit and chancery judges  
169 of this state.

170 (m) The county judge of any county having a population  
171 of more than fifty-seven thousand (57,000) but less than  
172 fifty-seven thousand one hundred (57,100) according to the 1980  
173 federal census, wherein U.S. Highway 45 intersects with  
174 Mississippi Highway 6, shall receive an annual salary in an amount  
175 established by the board of supervisors, but in no event to exceed  
176 the salary provided \* \* \* for circuit and chancery judges of this  
177 state.

178 (n) The county judge of any county having a population  
179 of more than fifty-seven thousand three hundred (57,300) according  
180 to the 1980 federal decennial census, wherein is located a  
181 state-supported university and wherein United States Highways 82  
182 and 45 intersect, shall receive an annual salary in an amount  
183 established by the board of supervisors, but in no event to exceed  
184 the salary provided \* \* \* for circuit and chancery judges of this  
185 state.

186 (5) The salary of a county court judge or justice court  
187 judge shall not be reduced during his term of office as a result  
188 of a population decrease based upon the 1990 federal decennial  
189 census.

190 (6) The salary of a sheriff shall not be reduced during his  
191 term of office as a result of a population decrease based upon the  
192 1990 federal decennial census.

193           (7) From and after October 1, 1993, \* \* \* in addition to the  
194 salaries set forth in this section, the board of supervisors of  
195 any county, in its discretion, may pay any county court judge  
196 whose salary is not established herein in relation to the salary  
197 paid to chancery and circuit court judges, an additional amount  
198 not to exceed ten percent (10%) of the maximum allowable salary  
199 for that judge.

200           SECTION 2. The Attorney General of the State of Mississippi  
201 shall submit this act, immediately upon approval by the Governor,  
202 or upon approval by the Legislature subsequent to a veto, to the  
203 Attorney General of the United States or to the United States  
204 District Court for the District of Columbia in accordance with the  
205 provisions of the Voting Rights Act of 1965, as amended and  
206 extended.

207           SECTION 3. This act shall take effect and be in force from  
208 and after October 1, 2001, if it is effectuated on or before that  
209 date under Section 5 of the Voting Rights Act of 1965, as amended  
210 and extended. If it is effectuated under Section 5 of the Voting  
211 Rights Act of 1965, as amended and extended, after October 1,  
212 2001, this act shall take effect and be in force from and after  
213 the date it is effectuated under Section 5 of the Voting Rights  
214 Act of 1965, as amended and extended.