

By: Representative Middleton

To: Fees and Salaries of
Public Officers; County
Affairs

HOUSE BILL NO. 1484

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY WITH A UNIVERSITY
3 STUDENT POPULATION OF MORE THAN 2,500 TO COMBINE THE UNIVERSITY
4 STUDENT POPULATION WITH THE TOTAL COUNTY POPULATION WHEN
5 CALCULATING THE SALARY OF THE SHERIFF; AND FOR RELATED PURPOSES.

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

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

9 25-3-25. (1) Except as otherwise provided in subsections
10 (2) through (9), the salaries of sheriffs of the various counties
11 are * * * fixed as full compensation for their services.

12 From and after October 1, 1998, the annual salary for each
13 sheriff shall be based upon the total population of his county
14 according to the latest federal decennial census in the following
15 categories and for the following amounts; however, no sheriff
16 shall be paid less than the salary authorized under this section
17 to be paid the sheriff based upon the population of the county
18 according to the 1980 federal decennial census:

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

22 (b) For counties with a total population of more than
23 one hundred thousand (100,000) and not more than two hundred
24 thousand (200,000), a salary of Seventy Thousand Dollars
25 (\$70,000.00).

26 (c) For counties with a total population of more than
27 forty-five thousand (45,000) and not more than one hundred

28 thousand (100,000), a salary of Sixty-five Thousand Dollars
29 (\$65,000.00).

30 (d) For counties with a total population of more than
31 thirty-four thousand (34,000) and not more than forty-five
32 thousand (45,000), a salary of Sixty Thousand Dollars
33 (\$60,000.00).

34 (e) For counties with a total population of more than
35 twenty-five thousand (25,000) and not more than thirty-four
36 thousand (34,000), a salary of Fifty-two Thousand Dollars
37 (\$52,000.00).

38 (f) For counties with a total population of more than
39 fifteen thousand (15,000) and not more than twenty-five thousand
40 (25,000), a salary of Fifty Thousand Dollars (\$50,000.00).

41 (g) For counties with a total population of more than
42 nine thousand five hundred (9,500) and not more than fifteen
43 thousand (15,000), a salary of Forty-seven Thousand Dollars
44 (\$47,000.00).

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

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

52 (2) In addition to the salary provided for in subsection (1)
53 of this section, the Board of Supervisors of Leflore County * * *,
54 in its discretion, may pay an annual supplement to the sheriff of
55 the county in an amount not to exceed Ten Thousand Dollars
56 (\$10,000.00). The Legislature finds and declares that the annual
57 supplement authorized by this subsection is justified in such
58 county for the following reasons:

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

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

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

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

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

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

74 (g) The increased activity of the Child Support
75 Division of the Department of Human Services in enforcing in the
76 courts parental obligations has imposed additional duties on the
77 sheriff; and

78 (h) The dispatchers of the enhanced E-911 system in
79 place in Leflore County are under the direction and control of the
80 sheriff.

81 (3) In addition to the salary provided for in subsection (1)
82 of this section, the Board of Supervisors of Rankin County * * *,
83 in its discretion, may pay an annual supplement to the sheriff of
84 the county in an amount not to exceed Ten Thousand Dollars
85 (\$10,000.00). The Legislature finds and declares that the annual
86 supplement authorized by this subsection is justified in such
87 county for the following reasons:

88 (a) The Mississippi Department of Corrections operates
89 and maintains the Central Mississippi Correctional Facility within
90 the county;

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

93 (c) Hudspeth Regional Center, a facility maintained for
94 the care and treatment of the mentally retarded, is located within
95 the county;

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

98 (e) The State Fire Academy is operated and maintained
99 within the county;

100 (f) The Pearl River Valley Water Supply District,
101 ordinarily known as the "Reservoir District," is located within
102 the county;

103 (g) The Jackson International Airport is located within
104 the county;

105 (h) The patrolling of the state properties located
106 within the county * * * imposes additional duties on the sheriff;
107 and

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

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

117 (5) In addition to the salary provided for in subsection (1)
118 of this section, the Board of Supervisors of Tunica County * * *,
119 in its discretion, may pay an annual supplement to the sheriff of
120 the county in an amount equal to Ten Thousand Dollars
121 (\$10,000.00) * * *.

122 (6) In addition to the salary provided for in subsection (1)
123 of this section, the Board of Supervisors of Hinds County shall
124 pay an annual supplement to the sheriff of the county in an amount
125 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature

126 finds and declares that the annual supplement authorized by this
127 subsection is justified in such county for the following reasons:

128 (a) Hinds County has the greatest population of any
129 county, two hundred fifty-four thousand four hundred forty-one
130 (254,441) by the 1990 census, being almost one hundred thousand
131 (100,000) more than the next most populous county;

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

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

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

139 (e) There are four (4) resident circuit judges, four
140 (4) resident chancery judges, and three (3) resident county judges
141 in Hinds County, the most of any county, with the sheriff acting
142 as chief executive officer and provider of bailiff services for
143 all;

144 (f) The main offices for the clerk and most of the
145 judges and magistrates for the United States District Court for
146 the Southern District of Mississippi are located within the
147 county;

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

150 (h) The University of Mississippi Medical Center,
151 combining the medical school, dental school, nursing school and
152 hospital, is located within the county;

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

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

157 (k) Hinds County has the largest criminal population in
158 the state, such that the Hinds County Sheriff's Department

159 operates the largest county jail system in the state, housing
160 almost one thousand (1,000) inmates in three (3) separate
161 detention facilities;

162 (l) The Hinds County Sheriff's Department handles more
163 mental and drug and alcohol commitment cases than any other
164 sheriff's department in the state;

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

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

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

174 (7) In addition to the salary provided for in subsection (1)
175 of this section, the Board of Supervisors of Wilkinson County, in
176 its discretion, may pay an annual supplement to the sheriff of the
177 county in an amount not to exceed Ten Thousand Dollars
178 (\$10,000.00). The Legislature finds and declares that the annual
179 supplement authorized by this subsection is justified in such
180 county because the Mississippi Department of Corrections contracts
181 for the private incarceration of state inmates at a private
182 correctional facility within the county.

183 (8) In addition to the salary provided for in subsection (1)
184 of this section, the Board of Supervisors of Marshall County, in
185 its discretion, may pay an annual supplement to the sheriff of the
186 county in an amount not to exceed Ten Thousand Dollars
187 (\$10,000.00). The Legislature finds and declares that the annual
188 supplement authorized by this subsection is justified in such
189 county because the Mississippi Department of Corrections contracts
190 for the private incarceration of state inmates at a private
191 correctional facility within the county.

192 (9) In addition to the salary provided for in subsection (1)
193 of this section, the Board of Supervisors of Greene County, in its
194 discretion, may pay an annual supplement to the sheriff of the
195 county in an amount not to exceed Ten Thousand Dollars
196 (\$10,000.00). The Legislature finds and declares that the annual
197 supplement authorized by this subsection is justified in such
198 county for the following reasons:

199 (a) The Mississippi Department of Corrections operates
200 and maintains the South Mississippi Correctional Facility within
201 the county;

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

206 (c) The patrolling of the state properties located
207 within the county * * * imposes additional duties on the sheriff
208 justifying additional compensation.

209 (10) The board of supervisors of any county with a
210 university student population of more than two thousand five
211 hundred (2,500.00) may combine, in its discretion, the university
212 student population with the total county population when
213 calculating the salary of the sheriff under subsection (1).

214 (11) The salaries * * * provided for in this section shall
215 be payable monthly on the first day of each calendar month by
216 chancery clerk's warrant drawn on the general fund of the county;
217 however, the board of supervisors, by resolution duly adopted and
218 entered on its minutes, may provide that such salaries shall be
219 paid semimonthly on the first and fifteenth day of each month. If
220 a pay date falls on a weekend or legal holiday, salary payments
221 shall be made on the workday immediately preceding the weekend or
222 legal holiday.

223 SECTION 2. The Attorney General of the State of Mississippi
224 shall submit this act, immediately upon approval by the Governor,

225 or upon approval by the Legislature subsequent to a veto, to the
226 Attorney General of the United States or to the United States
227 District Court for the District of Columbia in accordance with the
228 provisions of the Voting Rights Act of 1965, as amended and
229 extended.

230 SECTION 3. This act shall take effect and be in force from
231 and after the date it is effectuated under Section 5 of the Voting
232 Rights Act of 1965, as amended and extended.