

By: Senator(s) Stogner

To: Judiciary

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2832

1 AN ACT TO AMEND SECTION 9-7-42, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE AN ADDITIONAL JUDGE FOR THE FIFTEENTH CIRCUIT COURT
3 DISTRICT; TO AMEND SECTION 23-15-977, MISSISSIPPI CODE OF 1972, IN
4 CONFORMITY; TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO
5 REVISE THE NUMBER OF LEGAL ASSISTANTS TO THE DISTRICT ATTORNEY OF
6 THE FIFTEENTH CIRCUIT; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE
7 OF 1972, TO REVISE THE NUMBER OF CRIMINAL INVESTIGATORS FOR THE
8 FIFTEENTH CIRCUIT; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 9-7-42, Mississippi Code of 1972, is
11 amended as follows:

12 9-7-42. (1) There shall be two (2) judges for the Fifteenth
13 Circuit Court District; however, from and after January 1, 2003,
14 there shall be three (3) judges for the Fifteenth Circuit Court
15 District.

16 (2) For the purposes of the 2002 election only, any
17 candidates for the third position of Circuit Judge of the
18 Fifteenth Circuit Court District shall file intent to be a
19 candidate not later than thirty (30) days prior to the general
20 election. The qualification and election of the three (3)
21 judgeships shall otherwise be as provided by Sections 23-15-974
22 through 23-15-985.

23 **SECTION 2.** Section 23-15-977, Mississippi Code of 1972, is
24 amended as follows:

25 23-15-977. (1) Except as may be otherwise provided by law,
26 all candidates for judicial office as defined in Section 23-15-975
27 of this subarticle shall file their intent to be a candidate with
28 the proper officials not later than 5:00 p.m. on the first Friday
29 after the first Monday in May prior to the general election for



30 judicial office and shall pay to the proper officials the
31 following amounts:

32 (a) Candidates for Supreme Court judge and Court of
33 Appeals, the sum of Two Hundred Dollars (\$200.00).

34 (b) Candidates for circuit judge and chancellor, the
35 sum of One Hundred Dollars (\$100.00).

36 (c) Candidates for county judge and family court judge,
37 the sum of Fifteen Dollars (\$15.00).

38 (2) Candidates for judicial offices listed in paragraphs (a)
39 and (b) of subsection (1) of this section shall file their intent
40 to be a candidate with, and pay the proper assessment made
41 pursuant to subsection (1) of this section to, the State Board of
42 Election Commissioners.

43 (3) Candidates for judicial offices listed in paragraph (c)
44 of subsection (1) of this section shall file their intent to be a
45 candidate with, and pay the proper assessment made pursuant to
46 subsection (1) of this section to, the circuit clerk of the proper
47 county. The circuit clerk shall notify the county commissioners
48 of election of all persons who have filed their intent to be a
49 candidate filed with, and paid the proper assessment to, such
50 clerk. Such notification shall occur within two (2) business days
51 and shall contain all necessary information.

52 **SECTION 3.** Section 25-31-5, Mississippi Code of 1972, is
53 amended as follows:

54 25-31-5. (1) The following number of full-time legal
55 assistants are authorized in the following circuit court
56 districts:

57 (a) First Circuit Court District..... seven (7)
58 legal assistants.

59 (b) Second Circuit Court District..... nine (9)
60 legal assistants.

61 (c) Third Circuit Court District..... four (4)
62 legal assistants.



63 (d) Fourth Circuit Court District..... five (5)
64 legal assistants.
65 (e) Fifth Circuit Court District..... four (4)
66 legal assistants.
67 (f) Sixth Circuit Court District..... two (2)
68 legal assistants.
69 (g) Seventh Circuit Court District..... nine (9)
70 legal assistants.
71 (h) Eighth Circuit Court District..... two (2)
72 legal assistants.
73 (i) Ninth Circuit Court District..... two (2)
74 legal assistants.
75 (j) Tenth Circuit Court District..... four (4)
76 legal assistants.
77 (k) Eleventh Circuit Court District..... five (5)
78 legal assistants.
79 (l) Twelfth Circuit Court District..... three (3)
80 legal assistants.
81 (m) Thirteenth Circuit Court District..... two (2)
82 legal assistants.
83 (n) Fourteenth Circuit Court District..... three (3)
84 legal assistants.
85 (o) Fifteenth Circuit Court District..... six(6)
86 legal assistants.
87 (p) Sixteenth Circuit Court District..... four (4)
88 legal assistants.
89 (q) Seventeenth Circuit Court District..... five (5)
90 legal assistants.
91 (r) Eighteenth Circuit Court District..... two (2)
92 legal assistants.
93 (s) Nineteenth Circuit Court District..... four (4)
94 legal assistants.
95 (t) Twentieth Circuit Court District..... four (4)



96 legal assistants.

97 (u) Twenty-first Circuit Court District..... two (2)

98 legal assistants.

99 (v) Twenty-second Circuit Court District..... two (2)

100 legal assistants.

101 (2) In addition to any legal assistants authorized pursuant
102 to subsection (1) of this section, the following number of
103 full-time legal assistants are authorized (i) in the following
104 circuit court districts if funds are appropriated by the
105 Legislature to adequately fund the salaries, expenses and fringe
106 benefits of such legal assistants, or (ii) in any of the following
107 circuit court districts in which the board of supervisors of one
108 or more of the counties in a circuit court district adopts a
109 resolution to pay all of the salaries, supplemental pay, expenses
110 and fringe benefits of legal assistants authorized in such
111 district pursuant to this subsection:

112 (a) First Circuit Court District..... two (2)

113 legal assistants.

114 (b) Second Circuit Court District..... two (2)

115 legal assistants.

116 (c) Third Circuit Court District..... two (2)

117 legal assistants.

118 (d) Fourth Circuit Court District..... two (2)

119 legal assistants.

120 (e) Fifth Circuit Court District..... two (2)

121 legal assistants.

122 (f) Sixth Circuit Court District..... two (2)

123 legal assistants.

124 (g) Seventh Circuit Court District..... two (2)

125 legal assistants.

126 (h) Eighth Circuit Court District..... two (2)

127 legal assistants.

128 (i) Ninth Circuit Court District..... two (2)



129 legal assistants.
130 (j) Tenth Circuit Court District..... two (2)
131 legal assistants.
132 (k) Eleventh Circuit Court District..... two (2)
133 legal assistants.
134 (l) Twelfth Circuit Court District..... two (2)
135 legal assistants.
136 (m) Thirteenth Circuit Court District..... two (2)
137 legal assistants.
138 (n) Fourteenth Circuit Court District..... two (2)
139 legal assistants.
140 (o) Fifteenth Circuit Court District..... two (2)
141 legal assistants.
142 (p) Sixteenth Circuit Court District..... two (2)
143 legal assistants.
144 (q) Seventeenth Circuit Court District..... two (2)
145 legal assistants.
146 (r) Eighteenth Circuit Court District..... two (2)
147 legal assistants.
148 (s) Nineteenth Circuit Court District..... two (2)
149 legal assistants.
150 (t) Twentieth Circuit Court District..... two (2)
151 legal assistants.
152 (u) Twenty-first Circuit Court District..... two (2)
153 legal assistants.
154 (v) Twenty-second Circuit Court District..... two (2)
155 legal assistants.
156 (3) The board of supervisors of any county may pay all or a
157 part of the salary, supplemental pay, expenses and fringe benefits
158 of any district attorney or legal assistant authorized in the
159 circuit court district to which such county belongs pursuant to
160 this section.



161 **SECTION 4.** Section 25-31-10, Mississippi Code of 1972, is
162 amended as follows:

163 25-31-10. (1) Any district attorney may appoint a full-time
164 criminal investigator.

165 (2) The district attorneys of the Third, Fifth, Ninth,
166 Tenth, Eleventh, Twelfth, * * * Sixteenth, Seventeenth and
167 Twentieth Circuit Court Districts may appoint one (1) additional
168 full-time criminal investigator for a total of two (2) full-time
169 criminal investigators.

170 (3) The district attorneys of the First, Second,
171 Fourth * * *, Seventh, Fifteenth and Nineteenth Circuit Court
172 Districts may appoint two (2) additional full-time criminal
173 investigators for a total of three (3) full-time criminal
174 investigators.

175 (4) No district attorney or assistant district attorney
176 shall accept any private employment, civil or criminal, in any
177 matter investigated by such criminal investigators.

178 (5) The full and complete compensation for all public duties
179 rendered by said criminal investigators shall be not more than
180 Forty-five Thousand Dollars (\$45,000.00) per annum, to be
181 determined at the discretion of the district attorney based upon
182 the qualifications, education and experience of the criminal
183 investigator, plus necessary travel and other expenses, to be paid
184 in accordance with Section 25-31-8. However, the maximum salary
185 under this subsection for a criminal investigator who has a law
186 degree may be supplemented by the district attorney from other
187 available funds, but not to exceed the maximum salary for a legal
188 assistant to a district attorney.

189 (6) Any criminal investigator may be designated by the
190 district attorney to attend the Law Enforcement Officers Training
191 Program set forth in Section 45-6-1 et seq., Mississippi Code of
192 1972. The total expenses associated with attendance by criminal
193 investigators at the Law Enforcement Officers Training Program



194 shall be paid out of the funds of the appropriate district
195 attorney.

196 **SECTION 5.** The Attorney General of the State of Mississippi
197 shall submit this act, immediately upon approval by the Governor,
198 or upon approval by the Legislature subsequent to a veto, to the
199 Attorney General of the United States or to the United States
200 District Court for the District of Columbia in accordance with the
201 provisions of the Voting Rights Act of 1965, as amended and
202 extended.

203 **SECTION 6.** This act shall take effect and be in force from
204 and after the date it is effectuated under Section 5 of the Voting
205 Rights Act of 1965, as amended and extended.

