

By: Representatives Green, Cummings,
Hamilton (109th), West

To: Fees and Salaries of
Public Officers;
Appropriations

HOUSE BILL NO. 1429
(As Passed the House)

1 AN ACT TO INCREASE THE SALARIES OF CERTAIN COUNTY OFFICIALS;
2 TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO REVISE THE
3 SALARY SCALE FOR TAX COLLECTORS AND TAX ASSESSORS; TO AMEND
4 SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE
5 SALARIES OF MEMBERS OF COUNTY BOARDS OF SUPERVISORS; TO AMEND
6 SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE
7 SALARIES OF SHERIFFS; TO AMEND SECTION 25-3-36, MISSISSIPPI CODE
8 OF 1972, TO INCREASE THE SALARIES OF JUSTICE COURT JUDGES; TO
9 AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE
10 SALARY ALLOWABLE TO CHIEF COUNTY MEDICAL EXAMINERS AND CHIEF
11 COUNTY MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 9-13-19,
12 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COURT
13 REPORTERS; TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO
14 INCREASE THE DAILY COMPENSATION AUTHORIZED FOR RIDING BAILIFFS;
15 TO AMEND SECTION 25-7-27, MISSISSIPPI CODE OF 1972, TO REVISE THE
16 FEES CHARGED BY MARSHALS AND CONSTABLES; TO AMEND SECTION 25-7-13,
17 MISSISSIPPI CODE OF 1972, TO INCREASE THE CIRCUIT CLERK'S FEE FOR
18 EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM; TO AMEND
19 SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO REVISE THE FEES
20 CHARGED BY CHANCERY CLERKS; TO AMEND SECTION 9-1-43, MISSISSIPPI
21 CODE OF 1972, TO REVISE THE LIMIT ON COMPENSATION OF CHANCERY AND
22 CIRCUIT CLERKS; TO AMEND SECTION 27-105-343, MISSISSIPPI CODE OF
23 1972, TO INCREASE THE COMPENSATION OF CHANCERY CLERKS FOR THE
24 PERFORMANCE OF THEIR DUTIES AS COUNTY TREASURERS; TO AMEND SECTION
25 25-3-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF THE
26 COUNTY PROSECUTING ATTORNEYS; TO REPEAL SECTION 25-3-5,
27 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SALARIES OF TAX
28 ASSESSORS AND TAX COLLECTORS IN COUNTIES WHERE THE TWO OFFICES
29 HAVE BEEN SEPARATED; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF
30 1972, TO REMOVE THE PROVISION ALLOWING A CERTAIN REELECTED
31 GOVERNOR TO REJECT A SALARY INCREASE; TO AMEND SECTION 25-3-34,
32 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO
33 AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO INCREASE
34 MEDICAL EXAMINERS FEE FOR AN INVESTIGATION REPORT; AND FOR RELATED
35 PURPOSES.

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

37 **SECTION 1.** Section 25-3-3, Mississippi Code of 1972, is
38 amended as follows:

39 25-3-3. (1) The term "total assessed valuation" as used in
40 this section only refers to the ad valorem assessment for the
41 county and, in addition, in counties where oil or gas is produced,
42 the actual value of oil at the point of production, as certified
43 to the counties by the State Tax Commission under the provisions

44 of Sections 27-25-501 through 27-25-525, and the actual value of
45 gas as certified by the State Tax Commission under the provisions
46 of Sections 27-25-701 through 27-25-723.

47 (2) The salary of assessors and collectors of the various
48 counties is * * * fixed as full compensation for their services as
49 county assessors or tax collectors, or both if the office of
50 assessor has been combined with the office of tax collector. The
51 annual salary of each assessor or tax collector, or both if the
52 offices have been combined, shall be based upon the total assessed
53 valuation of his respective county for the preceding taxable year
54 in the following categories and for the following amounts:

55 (a) For counties having a total assessed valuation of
56 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
57 Eighty Thousand Dollars (\$80,000.00);

58 (b) For counties having a total assessed valuation of
59 at least One Billion Dollars (\$1,000,000,000.00), but less than
60 Two Billion Dollars (\$2,000,000,000.00), a salary of Seventy-five
61 Thousand Dollars (\$75,000.00);

62 (c) For counties having a total assessed valuation of
63 at least Five Hundred Million Dollars (\$500,000,000.00), but less
64 than One Billion Dollars (\$1,000,000,000.00), a salary of Seventy
65 Thousand Dollars (\$70,000.00);

66 (d) For counties having a total assessed valuation of
67 at least Two Hundred Fifty Million Dollars (\$250,000,000.00), but
68 less than Five Hundred Million Dollars (\$500,000,000.00), a salary
69 of Sixty-five Thousand Dollars (\$65,000.00);

70 (e) For counties having a total assessed valuation of
71 at least One Hundred Fifty Million Dollars (\$150,000,000.00), but
72 less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a
73 salary of Fifty-six Thousand Dollars (\$56,000.00);

74 (f) For counties having a total assessed valuation of
75 at least Seventy-five Million Dollars (\$75,000,000.00), but less

76 than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary
77 of Fifty-two Thousand Five Hundred Dollars (\$52,500.00);

78 (g) For counties having a total assessed valuation of
79 at least Thirty-five Million Dollars (\$35,000,000.00), but less
80 than Seventy-five Million Dollars (\$75,000,000.00), a salary of
81 Forty-eight Thousand Five Hundred Dollars (\$48,500.00);

82 (h) For counties having a total assessed valuation of
83 less than Thirty-five Million Dollars (\$35,000,000.00), a salary
84 of Forty-one Thousand Five Hundred Dollars (\$41,500.00).

85 (3) In addition to all other compensation paid pursuant to
86 this section, the board of supervisors shall pay to a person
87 -serving as both the tax assessor and tax collector in their county
88 an additional Seven Thousand Five Hundred Dollars (\$7,500.00) per
89 year.

90 (4) The annual salary established for * * * assessors and
91 tax collectors shall not be reduced as a result of a reduction in
92 total assessed valuation. The salaries shall be increased as a
93 result of an increase in total assessed valuation.

94 (5) In addition to all other compensation paid to assessors
95 and tax collectors in counties having two (2) judicial districts,
96 the board of supervisors shall pay such assessors and tax
97 collectors * * * an additional Three Thousand Five Hundred Dollars
98 (\$3,500.00) per year. In addition to all other compensation paid
99 to assessors or tax collectors, in counties maintaining two (2)
100 full-time offices, the board of supervisors shall pay the assessor
101 or tax collector * * * an additional Three Thousand Five Hundred
102 Dollars (\$3,500.00) per year.

103 (6) In addition to all other compensation paid to assessors
104 and tax collectors, the board of supervisors of a county shall
105 allow for such assessor or tax collector, or both, to be paid
106 additional compensation when there is a contract between the
107 county and one or more municipalities providing that the assessor
108 or tax collector, or both, shall assess * * * or collect taxes, or

109 both, for the municipality or municipalities; and such assessor or
110 tax collector, or both, shall be authorized to receive such
111 additional compensation from the county and/or the municipality or
112 municipalities in any amount allowed by the county and/or the
113 municipality or municipalities for performing those services.

114 (7) When any tax assessor holds a valid certificate of
115 educational recognition from the International Association of
116 Assessing Officers or is a licensed appraiser under Section
117 73-34-1 et seq., he shall receive an additional One Thousand Five
118 Hundred Dollars (\$1,500.00) annually beginning the next fiscal
119 year after completion. When any tax assessor is a licensed state
120 certified Residential Appraiser (RA) or licensed state certified
121 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when
122 any tax assessor holds a valid designation from the International
123 Association of Assessing Officers as a Cadastral Mapping
124 Specialist (CMS) or Personal Property Specialist (PPS) or
125 Residential Evaluation Specialist (RES), he shall receive an
126 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually
127 beginning the next fiscal year after completion. When any tax
128 assessor holds the valid designation of Certified Assessment
129 Evaluator (CAE) from the International Association of Assessing
130 Officers or is a state certified General Real Estate Appraiser
131 (GA) under Section 73-34-1 et seq., he shall receive an additional
132 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning
133 the next fiscal year after completion.

134 (8) The salaries provided for in this section shall be the
135 total funds paid to the county assessors and tax collectors and
136 shall be full compensation for their services, with any fees being
137 paid to the county general fund.

138 (9) The salaries * * * provided for in this section shall be
139 payable monthly on the first day of each calendar month by
140 chancery clerk's warrant drawn on the general fund of the county;
141 however, the board of supervisors, by resolution duly adopted and

142 entered on its minutes, may provide that such salaries shall be
143 paid semimonthly on the first and fifteenth day of each month. If
144 a pay date falls on a weekend or legal holiday, salary payments
145 shall be made on the workday immediately preceding the weekend or
146 legal holiday.

147 * * *

148 **SECTION 2.** Section 25-3-13, Mississippi Code of 1972, is
149 amended as follows:

150 25-3-13. The salaries of the members of the boards of
151 supervisors of the various counties are * * * fixed as full
152 compensation for their services.

153 The annual salary of each member of the board of supervisors
154 shall be based upon the total assessed valuation of his respective
155 county for the preceding taxable year in the following categories
156 and for the following amounts:

157 (a) For counties having a total assessed valuation of
158 less than Thirty Million Dollars (\$30,000,000.00), a salary of
159 Twenty-nine Thousand Dollars (\$29,000.00);

160 (b) For counties having a total assessed valuation of
161 at least Thirty Million Dollars (\$30,000,000.00), but less than
162 Fifty Million Dollars (\$50,000,000.00), a salary of Thirty-two
163 Thousand Three Hundred Dollars (\$32,300.00);

164 (c) For counties having a total assessed valuation of
165 at least Fifty Million Dollars (\$50,000,000.00), but less than
166 Seventy-five Million Dollars (\$75,000,000.00), a salary of
167 Thirty-three Thousand Seven Hundred Dollars (\$33,700.00);

168 (d) For counties having a total assessed valuation of
169 at least Seventy-five Million Dollars (\$75,000,000.00), but less
170 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a
171 salary of Thirty-four Thousand Seven Hundred Dollars (\$34,700.00);

172 (e) For counties having a total assessed valuation of
173 at least One Hundred Twenty-five Million Dollars
174 (\$125,000,000.00), but less than Three Hundred Million Dollars

175 (\$300,000,000.00), a salary of Forty Thousand Four Hundred Dollars
176 (\$40,400.00);

177 (f) For counties having a total assessed valuation of
178 at least Three Hundred Million Dollars (\$300,000,000.00), but less
179 than One Billion Dollars (\$1,000,000,000.00), a salary of
180 Forty-four Thousand Seven Hundred Dollars (\$44,700.00);

181 (g) For counties having a total assessed valuation of
182 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion
183 Dollars (\$2,000,000,000.00), a salary of Forty-five Thousand Seven
184 Hundred Dollars (\$45,700.00);

185 (h) For counties having a total assessed valuation of
186 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of
187 Forty-six Thousand Seven Hundred Dollars (\$46,700.00).

188 The salary of the members of the board of supervisors shall
189 not be increased under this section until the board of supervisors
190 shall have passed a resolution stating the amount of the increase
191 and spread it on its minutes.

192 **SECTION 3.** Section 25-3-25, Mississippi Code of 1972, is
193 amended as follows:

194 25-3-25. (1) Except as otherwise provided in subsections
195 (2) through (10), the salaries of sheriffs of the various counties
196 are * * * fixed as full compensation for their services.

197 From and after October 1, 1998, the annual salary for each
198 sheriff shall be based upon the total population of his county
199 according to the latest federal decennial census in the following
200 categories and for the following amounts; however, no sheriff
201 shall be paid less than the salary authorized under this section
202 to be paid the sheriff based upon the population of the county
203 according to the 1980 federal decennial census:

204 (a) For counties with a total population of more than
205 two hundred thousand (200,000), a salary of Ninety Thousand
206 Dollars (\$90,000.00).

207 (b) For counties with a total population of more than
208 one hundred thousand (100,000) and not more than two hundred
209 thousand (200,000), a salary of Eighty-four Thousand Dollars
210 (\$84,000.00).

211 (c) For counties with a total population of more than
212 forty-five thousand (45,000) and not more than one hundred
213 thousand (100,000), a salary of Seventy-eight Thousand Dollars
214 (\$78,000.00).

215 (d) For counties with a total population of more than
216 thirty-four thousand (34,000) and not more than forty-five
217 thousand (45,000), a salary of Seventy-two Thousand Dollars
218 (\$72,000.00).

219 (e) For counties with a total population of * * * not
220 more than thirty-four thousand (34,000), a salary of Sixty-five
221 Thousand Dollars (\$65,000.00).

222 * * *

223 (2) In addition to the salary provided for in subsection (1)
224 of this section, the Board of Supervisors of Leflore County * * *,
225 in its discretion, may pay an annual supplement to the sheriff of
226 the county in an amount not to exceed Ten Thousand Dollars
227 (\$10,000.00). The Legislature finds and declares that the annual
228 supplement authorized by this subsection is justified in such
229 county for the following reasons:

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

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

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

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

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

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

245 (g) The increased activity of the Child Support
246 Division of the Department of Human Services in enforcing in the
247 courts parental obligations has imposed additional duties on the
248 sheriff; and

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

252 (3) In addition to the salary provided for in subsection (1)
253 of this section, the Board of Supervisors of Rankin County * * *,
254 in its discretion, may pay an annual supplement to the sheriff of
255 the county in an amount not to exceed Ten Thousand Dollars
256 (\$10,000.00). The Legislature finds and declares that the annual
257 supplement authorized by this subsection is justified in such
258 county for the following reasons:

259 (a) The Mississippi Department of Corrections operates
260 and maintains the Central Mississippi Correctional Facility within
261 the county;

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

264 (c) Hudspeth Regional Center, a facility maintained for
265 the care and treatment of the mentally retarded, is located within
266 the county;

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

269 (e) The State Fire Academy is operated and maintained
270 within the county;

271 (f) The Pearl River Valley Water Supply District,
272 ordinarily known as the "Reservoir District," is located within
273 the county;

274 (g) The Jackson International Airport is located within
275 the county;

276 (h) The patrolling of the state properties located
277 within the county has imposed additional duties on the sheriff;
278 and

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

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

288 (5) In addition to the salary provided for in subsection (1)
289 of this section, the Board of Supervisors of Tunica County * * *,
290 in its discretion, may pay an annual supplement to the sheriff of
291 the county an amount equal to Ten Thousand Dollars (\$10,000.00),
292 payable beginning April 1, 1997.

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

299 (a) Hinds County has the greatest population of any
300 county, two hundred fifty-four thousand four hundred forty-one
301 (254,441) by the 1990 census, being almost one hundred thousand
302 (100,000) more than the next most populous county;

303 (b) Hinds County is home to the State Capitol and the
304 seat of all state government offices;

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

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

310 (e) There are four (4) resident circuit judges, four
311 (4) resident chancery judges, and three (3) resident county judges
312 in Hinds County, the most of any county, with the sheriff acting
313 as chief executive officer and provider of bailiff services for
314 all;

315 (f) The main offices for the clerk and most of the
316 judges and magistrates for the United States District Court for
317 the Southern District of Mississippi are located within the
318 county;

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

321 (h) The University of Mississippi Medical Center,
322 combining the medical school, dental school, nursing school and
323 hospital, is located within the county;

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

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

328 (k) Hinds County has the largest criminal population in
329 the state, such that the Hinds County Sheriff's Department
330 operates the largest county jail system in the state, housing
331 almost one thousand (1,000) inmates in three (3) separate
332 detention facilities;

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

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

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

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

345 (7) In addition to the salary provided for in subsection (1)
346 of this section, the Board of Supervisors of Wilkinson County, in
347 its discretion, may pay an annual supplement to the sheriff of the
348 county in an amount not to exceed Ten Thousand Dollars
349 (\$10,000.00). The Legislature finds and declares that the annual
350 supplement authorized by this subsection is justified in such
351 county because the Mississippi Department of Corrections contracts
352 for the private incarceration of state inmates at a private
353 correctional facility within the county.

354 (8) In addition to the salary provided for in subsection (1)
355 of this section, the Board of Supervisors of Marshall County, in
356 its discretion, may pay an annual supplement to the sheriff of the
357 county in an amount not to exceed Ten Thousand Dollars
358 (\$10,000.00). The Legislature finds and declares that the annual
359 supplement authorized by this subsection is justified in such
360 county because the Mississippi Department of Corrections contracts
361 for the private incarceration of state inmates at a private
362 correctional facility within the county.

363 (9) In addition to the salary provided in subsection (1) of
364 this section, the Board of Supervisors of Greene County, in its
365 discretion, may pay an annual supplement to the sheriff of the
366 county in an amount not to exceed Ten Thousand Dollars
367 (\$10,000.00). The Legislature finds and declares that the annual

368 supplement authorized by this subsection is justified in such
369 county for the following reasons:

370 (a) The Mississippi Department of Corrections operates
371 and maintains the South Mississippi Correctional Facility within
372 the county;

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

377 (c) The patrolling of the state properties located
378 within the county has imposed additional duties on the sheriff
379 justifying additional compensation.

380 (10) In addition to the salary provided for in subsection
381 (1) of this section, the Board of Supervisors of Tallahatchie
382 County, in its discretion, may pay an annual supplement to the
383 sheriff of the county in an amount not to exceed Ten Thousand
384 Dollars (\$10,000.00). The Legislature finds and declares that the
385 annual supplement authorized by this subsection is justified in
386 such county for the following reasons:

387 (a) The number of inmates in its correctional facility
388 has increased; and

389 (b) The population of the county has increased.

390 The Board of Supervisors of Coahoma County, at its
391 discretion, may provide a supplement to the Sheriff of Coahoma
392 County an amount not to exceed Ten Thousand Dollars (\$10,000.00).

393 (11) The salaries * * * provided in this section shall be
394 payable monthly on the first day of each calendar month by
395 chancery clerk's warrant drawn on the general fund of the county;
396 however, the board of supervisors, by resolution duly adopted and
397 entered on its minutes, may provide that such salaries shall be
398 paid semimonthly on the first and fifteenth day of each month. If
399 a pay date falls on a weekend or legal holiday, salary payments

400 shall be made on the workday immediately preceding the weekend or
401 legal holiday.

402 **SECTION 4.** Section 25-3-36, Mississippi Code of 1972, is
403 amended as follows:

404 25-3-36. (1) * * * Every justice court judge shall receive
405 as full compensation for his or her services and in lieu of any
406 and all other fees, costs or compensation heretofore authorized
407 for such justice court judge, an annual salary based upon the
408 number of justice court judges authorized pursuant to Section
409 9-11-2(1). The amount of which salary shall be determined as
410 follows:

411 (a) In counties in which the number of justice court
412 judges authorized pursuant to Section 9-11-2(1) is two (2), a
413 salary of Thirty-five Thousand Dollars (\$35,000.00).

414 (b) In counties in which the number of justice court
415 judges authorized pursuant to Section 9-11-2(1) is three (3), a
416 salary of Forty-one Thousand Dollars (\$41,000.00).

417 (c) In counties in which the number of justice court
418 judges authorized pursuant to Section 9-11-2(1) is four (4), a
419 salary of Forty-seven Thousand Dollars (\$47,000.00).

420 (d) In counties in which the number of justice court
421 judges authorized pursuant to Section 9-11-2(1) is five (5), a
422 salary of Fifty-three Thousand Dollars (\$53,000.00).

423 * * *

424 The board of supervisors of any county having two (2)
425 judicial districts and two (2) justice court judges for the county
426 shall pay the justice court judges an amount equal to that
427 hereinabove provided for judges in the next higher * * * category
428 per year, if the justice court judge maintains regular office
429 hours and are personally present in the office they maintain for
430 at least thirty (30) hours per week. In any county having a
431 population greater than eight thousand (8,000) but less than eight
432 thousand five hundred (8,500) according to the 1990 federal

433 decennial census and in which U.S. Highway 61 and Mississippi
434 Highway 4 intersect, the board of supervisors may, in its
435 discretion, pay such justice court judges an additional amount not
436 to exceed the sum of Eleven Thousand Five Hundred Fifty Dollars
437 (\$11,550.00) per year, payable beginning April 1, 1997.

438 In any county having a population greater than ten thousand
439 (10,000) but less than ten thousand five hundred (10,500)
440 according to the 1990 federal decennial census and in which
441 Mississippi Highway 3 and Mississippi Highway 6 intersect, the
442 board of supervisors may, in its discretion, pay such justice
443 court judges an additional amount not to exceed One Thousand Four
444 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning
445 April 1, 1997. In any county having a population greater than
446 twenty-four thousand seven hundred (24,700) and less than
447 twenty-four thousand nine hundred (24,900), according to the 1990
448 federal census, wherein Mississippi Highways 15 and 16 intersect,
449 the board of supervisors shall pay such justice court judge an
450 additional amount equal to Two Thousand Five Hundred Dollars
451 (\$2,500.00) per year.

452 (2) Notwithstanding the provisions of subsection (1) of this
453 section, in the event that the number of justice court judges
454 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to
455 the provisions of Section 9-11-2(4), the aggregate of the salaries
456 paid to the justice court judges of such a county shall not exceed
457 the amount sufficient to pay the number of justice court judges
458 authorized pursuant to Section 9-11-2(1) and such amount shall be
459 equally divided among those justice court judges continuing to
460 hold office under the provisions of Section 9-11-2(4).

461 (3) From and after January 1, 1984, all fees, costs, fines
462 and penalties charged and collected in the justice court shall be
463 paid to the clerk of the justice court for deposit, along with
464 monies from cash bonds and other monies which have been forfeited
465 in criminal cases, into the general fund of the county as provided

466 in Section 9-11-19; and the clerk of the board of supervisors
467 shall be authorized and empowered, upon approval by the board of
468 supervisors, to make disbursements and withdrawals from the
469 general fund of the county in order to pay any reasonable and
470 necessary expenses incurred in complying with this section,
471 including payment of the salaries of justice court judges as
472 provided by subsection (1) of this section. The provisions of
473 this subsection shall not, except as to cash bonds and other
474 monies which have been forfeited in criminal cases, apply to
475 monies required to be deposited in the justice court clerk
476 clearing account as provided in Section 9-11-18, Mississippi Code
477 of 1972.

478 (4) The salaries provided for in * * * this section shall be
479 payable monthly by warrant drawn by the clerk of the board of
480 supervisors on the general fund of the county; however, the board
481 of supervisors, by resolution duly adopted and entered on its
482 minutes, may provide that such salaries shall be paid semimonthly
483 on the first and fifteenth day of each month. If a pay date falls
484 on a weekend or legal holiday, salary payments shall be made on
485 the workday immediately preceding the weekend or legal holiday.

486 (5) * * * The salary of a justice court judge shall not be
487 reduced during his term of office as a result of a population
488 change following a federal decennial census or as a result of the
489 number of justice court judges authorized pursuant to Section
490 9-11-2(1).

491 (6) Any justice court judge who is unable to attend and hold
492 court by reason of being under suspension by the Commission on
493 Judicial Performance or the Mississippi Supreme Court shall not
494 receive a salary while under such suspension.

495 **SECTION 5.** Section 41-61-59, Mississippi Code of 1972, is
496 amended as follows:

497 41-61-59. (1) A person's death which affects the public
498 interest as specified in subsection (2) of this section shall be

499 promptly reported to the medical examiner by the physician in
500 attendance, any hospital employee, any law enforcement officer
501 having knowledge of the death, the embalmer or other funeral home
502 employee, any emergency medical technician, any relative or any
503 other person present. The appropriate medical examiner shall
504 notify the municipal or state law enforcement agency or sheriff
505 and take charge of the body. The appropriate medical examiner
506 shall notify the Mississippi Bureau of Narcotics within
507 twenty-four (24) hours of receipt of the body in cases of death as
508 described in subsection (2)(m) or (n) of this section.

509 (2) A death affecting the public interest includes, but is
510 not limited to, any of the following:

511 (a) Violent death, including homicidal, suicidal or
512 accidental death.

513 (b) Death caused by thermal, chemical, electrical or
514 radiation injury.

515 (c) Death caused by criminal abortion, including
516 self-induced abortion, or abortion related to or by sexual abuse.

517 (d) Death related to disease thought to be virulent or
518 contagious which may constitute a public hazard.

519 (e) Death that has occurred unexpectedly or from an
520 unexplained cause.

521 (f) Death of a person confined in a prison, jail or
522 correctional institution.

523 (g) Death of a person where a physician was not in
524 attendance within thirty-six (36) hours preceding death, or in
525 prediagnosed terminal or bedfast cases, within thirty (30) days
526 preceding death.

527 (h) Death of a person where the body is not claimed by
528 a relative or a friend.

529 (i) Death of a person where the identity of the
530 deceased is unknown.

531 (j) Death of a child under the age of two (2) years
532 where death results from an unknown cause or where the
533 circumstances surrounding the death indicate that sudden infant
534 death syndrome may be the cause of death.

535 (k) Where a body is brought into this state for
536 disposal and there is reason to believe either that the death was
537 not investigated properly or that there is not an adequate
538 certificate of death.

539 (l) Where a person is presented to a hospital emergency
540 room unconscious and/or unresponsive, with cardiopulmonary
541 resuscitative measures being performed, and dies within
542 twenty-four (24) hours of admission without regaining
543 consciousness or responsiveness, unless a physician was in
544 attendance within thirty-six (36) hours preceding presentation to
545 the hospital, or in cases in which the decedent had a prediagnosed
546 terminal or bedfast condition, unless a physician was in
547 attendance within thirty (30) days preceding presentation to the
548 hospital.

549 (m) Death which is caused by drug overdose or which is
550 believed to be caused by drug overdose, regardless of the length
551 of stay in any medical facility.

552 (n) When a stillborn fetus is delivered and the cause
553 of the demise is medically believed to be from the use by the
554 mother of any controlled substance as defined in Section
555 41-29-105.

556 (3) The State Medical Examiner is empowered to investigate
557 deaths, under the authority hereinafter conferred, in any and all
558 political subdivisions of the state. The county medical examiners
559 and county medical examiner investigators, while appointed for a
560 specific county, may serve other counties on a regular basis with
561 written authorization by the State Medical Examiner, or may serve
562 other counties on an as-needed basis upon the request of the
563 ranking officer of the investigating law enforcement agency. The

564 county medical examiner or county medical examiner investigator of
565 any county which has established a regional medical examiner
566 district under subsection (4) of Section 41-61-77 may serve other
567 counties which are parties to the agreement establishing the
568 district, in accordance with the terms of the agreement, and may
569 contract with counties which are not part of the district to
570 provide medical examiner services for such counties. If a death
571 affecting the public interest takes place in a county other than
572 the one where injuries or other substantial causal factors leading
573 to the death have occurred, jurisdiction for investigation of the
574 death may be transferred, by mutual agreement of the respective
575 medical examiners of the counties involved, to the county where
576 such injuries or other substantial causal factors occurred, and
577 the costs of autopsy or other studies necessary to the further
578 investigation of the death shall be borne by the county assuming
579 jurisdiction.

580 (4) The chief county medical examiner or chief county
581 medical examiner investigator may receive from the county in which
582 he serves a salary of Nine Hundred Dollars (\$900.00) per month, in
583 addition to the fees specified in Sections 41-61-69 and 41-61-75,
584 provided that no county shall pay the chief county medical
585 examiner or chief county medical examiner investigator less than
586 Seven Hundred Fifty Dollars (\$750.00) per month as a salary, in
587 addition to other compensation provided by law. In any county
588 having one or more deputy medical examiners or deputy medical
589 examiner investigators, each deputy may receive from the county in
590 which he serves, in the discretion of the board of supervisors, a
591 salary of not more than Nine Hundred Dollars (\$900.00) per month,
592 in addition to the fees specified in Sections 41-61-69 and
593 41-61-75. For this salary the chief shall assure twenty-four-hour
594 daily and readily available death investigators for the county,
595 and shall maintain copies of all medical examiner death
596 investigations for the county for at least the previous five (5)

597 years. He shall coordinate his office and duties and cooperate
598 with the State Medical Examiner, and the State Medical Examiner
599 shall cooperate with him.

600 (5) A body composed of the State Medical Examiner, whether
601 appointed on a permanent or interim basis, the Director of the
602 State Board of Health or his designee, the Attorney General or his
603 designee, the President of the Mississippi Coroners' Association
604 (or successor organization) or his designee, and a certified
605 pathologist appointed by the Mississippi State Medical Association
606 shall adopt, promulgate, amend and repeal rules and regulations as
607 may be deemed necessary by them from time to time for the proper
608 enforcement, interpretation and administration of Sections
609 41-61-51 through 41-61-79, in accordance with the provisions of
610 the Mississippi Administrative Procedures Law, being Section
611 25-43-1 et seq.

612 **SECTION 6.** Section 9-13-19, Mississippi Code of 1972, is
613 amended as follows:

614 9-13-19. (1) Court reporters for circuit and chancery
615 courts shall be paid an annual salary * * * payable by the
616 Administrative Office of Courts not to exceed Forty-one Thousand
617 Dollars (\$41,000.00) for court reporters with five (5) years
618 experience or less; not to exceed Forty-four Thousand Dollars
619 (\$44,000.00) for court reporters who have more than five (5) years
620 experience but less than ten (10) years; and not to exceed
621 Forty-six Thousand Six Hundred Dollars (\$46,600.00) for court
622 reporters who have ten (10) years or more experience. In
623 addition, any court reporter performing the duties of a court
624 administrator in the same judicial district in which the person is
625 employed as a court reporter may be paid additional compensation
626 for performing the court administrator duties. The annual amount
627 of the additional compensation shall be set by vote of the judges
628 and chancellors for whom the court administrator duties are
629 performed, with consideration given to the number of hours per

630 month devoted by the court reporter to performing the duties of a
631 court administrator. The additional compensation shall be
632 submitted to the Administrative Office of Courts for approval.

633 (2) The several counties in each respective court district
634 shall transfer from the general funds of those county treasuries
635 to the Administrative Office of Courts a proportionate amount to
636 be paid toward the annual compensation of the court reporter,
637 including any additional compensation paid for the performance of
638 court administrator duties. The amount to be paid by each county
639 shall be determined by the number of weeks in which court is held
640 in each county in proportion to the total number of weeks court is
641 held in the district. For purposes of this section, the term
642 "compensation" means the gross salary plus all amounts paid for
643 benefits, or otherwise, as a result of employment or as required
644 by employment, but does not include transcript fees otherwise
645 authorized to be paid by or through the counties. However, only
646 salary earned for services rendered shall be reported and credited
647 for retirement purposes. Amounts paid for transcript fees,
648 benefits or otherwise, including reimbursement for travel
649 expenses, shall not be reported or credited for retirement
650 purposes.

651 For example, if there are thirty-eight (38) scheduled court
652 weeks in a particular district, a county in which court is
653 scheduled five (5) weeks out of the year would have to pay
654 five-thirty-eighths (5/38) of the total annual compensation.

655 (3) The salary and any additional compensation for the
656 performance of court administrator duties shall be paid in twelve
657 (12) installments on the last working day of each month after it
658 has been duly authorized by the appointing judge or chancellor and
659 an order duly placed on the minutes of the court. Each county
660 shall transfer to the Administrative Office of Courts one-twelfth
661 (1/12) of the amount required to be paid pursuant to subsection
662 (2) of this section by the twentieth day of each month for the

663 salary that is to be paid on the last working day of the month.
664 The Administrative Office of Courts shall pay to the court
665 reporter the total amount of salary due for that month. Any
666 county may pay, in the discretion of the board of supervisors, by
667 the twentieth day of January of any year, the amount due for a
668 full twelve (12) months.

669 (4) From and after October 1, 1996, all circuit and chancery
670 court reporters will be employees of the Administrative Office of
671 Courts.

672 (5) No circuit or chancery court reporter shall be entitled
673 to any compensation for any special or extended term of court
674 after passage of this section.

675 (6) No chancery or circuit court reporter shall practice law
676 in the court within which he or she is the court reporter.

677 (7) For all travel required in the performance of official
678 duties, the circuit or chancery court reporter shall be paid
679 mileage by the county in which the duties were performed at the
680 same rate as provided for state employees in Section 25-3-41. The
681 court reporter shall file in the office of the clerk of the court
682 which he serves a certificate of mileage expense incurred during
683 that term and payment of such expense to the court reporter shall
684 be paid on allowance by the judge of such court.

685 **SECTION 7.** Section 19-25-31, Mississippi Code of 1972, is
686 amended as follows:

687 19-25-31. Each judge of a circuit, chancery or county court,
688 or a court of eminent domain may, in the judge's discretion, by
689 order entered on the minutes of the court, allow the sheriff
690 riding bailiffs to serve in the respective court of such judge,
691 not to exceed four (4) bailiffs. Any such person so employed
692 shall be paid by the county on allowances of the court on issuance
693 of a warrant therefor in an amount of Fifty-five Dollars (\$55.00)
694 for each day, or part thereof, for which he serves as bailiff when
695 the court is in session. No full-time deputy sheriff shall be

696 paid as a riding bailiff of any court. County court judges shall
697 be limited to one (1) bailiff per each court day.

698 **SECTION 8.** Section 25-7-27, Mississippi Code of 1972, is
699 amended as follows:

700 25-7-27. (1) Marshals and constables shall charge the
701 following fees:

702 (a) (i) A uniform total fee in all civil cases, * * *
703 whether contested or uncontested, which shall include all services
704 in connection therewith, except as * * * stated otherwise in this
705 section, each..... \$25.00

706 (ii) A uniform total fee in all criminal cases,
707 whether contested or uncontested, which shall include all services
708 in connection therewith, except as stated otherwise in this
709 section, each..... \$35.00

710 (iii) * * * In all cases where there is more than
711 one (1) defendant, for service on each additional defendant \$ 5.00

712 (iv) * * * When a complaining party has provided
713 erroneous information to the clerk of the court relating to the
714 service of process on the defendant or defendants and process
715 cannot be served after diligent search and inquiry, the uniform
716 fee shall be assessed upon subsequent successful service and an
717 additional fee shall be due in the following amount..... \$15.00

718 (b) * * * After final judgment has been enrolled,
719 further proceedings involving levy of execution on judgments, and
720 attachment and garnishment proceedings shall be a new suit for
721 which the marshal or constable shall be entitled to the following
722 fee..... \$25.00

723 (c) For conveying a person charged with a crime to
724 jail, mileage reimbursement in an amount not to exceed the rate
725 established under Section 25-3-41(2).

726 To be paid out of the county treasury on the allowance of the
727 board of supervisors, when the state fails in the prosecution, or
728 the person is convicted but is not able to pay the costs.

729 (d) For other service, the same fees allowed sheriffs
730 for similar services.

731 (e) For service as a bailiff in any court in a civil
732 case, to be paid by the county on allowance of the court on
733 issuance of a warrant therefor, an amount equal to the per diem
734 compensation provided under Section 25-3-69 for each day, or part
735 thereof, for which he serves as bailiff when the court is in
736 session.

737 (f) For serving all warrants and other process and
738 attending all trials in state cases in which the state fails in
739 the prosecution, to be paid out of the county treasury on the
740 allowance of the board of supervisors without itemization,
741 subject, however, to the condition that the marshal or constable
742 must not have overcharged in the collection of fees for costs,
743 contrary to the provisions of this section, annually * * *
744 \$1,800.00

745 (2) Marshals and constables shall be paid all uncollected
746 fees levied under subsection (1) of this section in full from the
747 first proceeds received by the court from the guilty party or from
748 any other source of payment in connection with the case.

749 (3) In addition to the fees authorized to be paid to a
750 constable under subsection (1) of this section, a constable may
751 receive payments for collecting delinquent criminal fines in
752 justice court pursuant to the provisions of Section 19-3-41(3).

753 **SECTION 9.** Section 25-7-13, Mississippi Code of 1972, is
754 amended as follows:

755 25-7-13. (1) The clerks of the circuit court shall charge
756 the following fees:

757 (a) Docketing, filing, marking and registering each
758 complaint, petition and indictment..... \$75.00

759 The fee set forth in this paragraph shall be the total fee
760 for all services performed by the clerk up to and including entry
761 of judgment with respect to each complaint, petition or

762 indictment, including all answers, claims, orders, continuances
763 and other papers filed therein, issuing each writ, summons,
764 subpoena or other such instruments, swearing witnesses, taking and
765 recording bonds and pleas, and recording judgments, orders, fiats
766 and certificates; the fee shall be payable upon filing and shall
767 accrue to the clerk at the time of collection. The clerk or his
768 successor in office shall perform all duties set forth above
769 without additional compensation or fee.

770 (b) Docketing and filing each suggestion for a writ of
771 garnishment, suggestion for a writ of execution and judgment
772 debtor actions and issuing all process, filing and recording
773 orders or other papers and swearing witnesses..... \$30.00

774 (2) Except as provided in subsection (1) of this section,
775 the clerks of the circuit court shall charge the following fees:

776 (a) Filing and marking each order or other paper and
777 recording and indexing same..... \$ 2.00

778 (b) Issuing each writ, summons, subpoena, citation,
779 capias and other such instruments..... \$ 1.00

780 (c) Administering an oath and taking bond..... \$ 2.00

781 (d) Certifying copies of filed documents, for each
782 complete document..... \$ 1.00

783 (e) Recording orders, fiats, licenses, certificates,
784 oaths and bonds:

785 First page..... \$ 2.00

786 Each additional page..... \$ 1.00

787 (f) Furnishing copies of any papers of record or on
788 file and entering marginal notations on documents of record:

789 If performed by the clerk or his employee,
790 per page..... \$ 1.00

791 If performed by any other person, per page.. \$.25

792 (g) Judgment roll entry..... \$ 5.00

793 (h) Taxing cost and certificate..... \$ 1.00

794 (i) For taking and recording application for marriage
795 license, for filing and recording consent of parents when required
796 by law, for filing and recording medical certificate, filing and
797 recording proof of age, recording and issuing license, recording
798 and filing returns..... \$20.00

799 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee
800 collected for a marriage license in the Victims of Domestic
801 Violence Fund established in Section 93-21-117, on a monthly
802 basis.

803 (j) For certified copy of marriage license and search
804 of record, the same fee charged by the Bureau of Vital Statistics
805 of the State Board of Health.

806 (k) For public service not particularly provided for,
807 the circuit court may allow the clerk, per annum, to be paid by
808 the county on presentation of the circuit court's order, the
809 following amount..... \$6,500.00

810 However, in the counties having two (2) judicial districts,
811 such above allowance shall be made for each judicial district.

812 (l) For drawing jurors and issuing venire, to be paid
813 by the county..... \$ 5.00

814 (m) For each day's attendance upon the circuit court
815 term, for himself and necessary deputies allowed by the court,
816 each to be paid by the county:

817 (i) For those clerks whose compensation is not
818 equal to the salary limitation provided in Section 9-1-43
819 \$ 50.00

820 (ii) For those clerks whose compensation is equal
821 to the salary limitation provided in Section 9-1-43..... \$ 30.00

822 (n) Summons, each juror to be paid by the county upon
823 the allowance of the court..... \$ 1.00

824 (o) For issuing each grand jury subpoena, to be paid by
825 the county on allowance by the court, not to exceed Twenty-five
826 Dollars (\$25.00) in any one (1) term of court..... \$ 1.00

827 (3) On order of the court, clerks and deputies may be
828 allowed five (5) extra days for attendance upon the court to get
829 up records.

830 (4) The clerk's fees in state cases where the state fails in
831 the prosecution, or in cases of felony where the defendant is
832 convicted and the cost cannot be made out of his estate, in an
833 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)
834 year, shall be paid out of the county treasury on approval of the
835 circuit court, and the allowance thereof by the board of
836 supervisors of the county. In counties having two (2) judicial
837 districts, such allowance shall be made in each judicial district;
838 however, the maximum thereof shall not exceed Eight Hundred
839 Dollars (\$800.00). Clerks in the circuit court, in cases where
840 appeals are taken in criminal cases and no appeal bond is filed,
841 shall be allowed by the board of supervisors of the county after
842 approval of their accounts by the circuit court, in addition to
843 the above fees, for making such transcript the rate of Two Dollars
844 (\$2.00) per page.

845 (5) The clerk of the circuit court may retain as his
846 commission on all money coming into his hands, by law or order of
847 the court, a sum to be fixed by the court not exceeding one-half
848 of one percent (1/2 of 1%) on all such sums.

849 (6) For making final records required by law, including, but
850 not limited to, circuit and county court minutes, and furnishing
851 transcripts of records, the circuit clerk shall charge Two Dollars
852 (\$2.00) per page. The same fees shall be allowed to all officers
853 for making and certifying copies of records or papers which they
854 are authorized to copy and certify.

855 (7) The circuit clerk shall prepare an itemized statement of
856 fees for services performed, cost incurred, or for furnishing
857 copies of any papers of record or on file, and shall submit the
858 statement to the parties or, if represented, to their attorneys

859 within sixty (60) days. A bill for same shall accompany the
860 statement.

861 **SECTION 10.** Section 25-7-9, Mississippi Code of 1972, is
862 amended as follows:

863 25-7-9. (1) The clerks of the chancery courts shall charge
864 the following fees:

865 (a) For the act of certifying copies of filed
866 documents, for each complete document..... \$ 1.00

867 (b) Recording deeds, wills, leases, amendments,
868 subordinations, liens, releases, cancellations, orders, decrees,
869 oaths, etc., including indexing; for the first fifteen (15) pages
870 10.00

871 Each additional page..... 1.00

872 Sectional index entries per section or subdivision.... 1.00

873 (c) Recording deeds of trust, for the first fifteen
874 (15) pages..... 15.00

875 Each additional page..... 1.00

876 Sectional index entries per section or subdivision.... 1.00

877 (d) * * * Recording oil and gas leases, cancellations,
878 assignments, etc., including indexing in general indices; for the
879 first fifteen (15) pages 18.00

880 Each additional page..... 1.00

881 Sectional index entries per section or subdivision.... 1.00

882 * * *

883 (e) Furnishing copies of any papers of record or on
884 file and entering marginal notations on documents of record:

885 If performed by the clerk or his employee, per page. .50

886 If performed by any other person, per page..... .25

887 (f) For each day's attendance on the board of
888 supervisors, for himself and one (1) deputy, each..... 20.00

889 (g) For other services as clerk of the board of
890 supervisors an allowance shall be made * * * (payable semiannually

891 at the July and January meetings) out of the county treasury, an
892 annual sum not exceeding..... 3,000.00

893 (h) For each day's attendance on the chancery court, to
894 be approved by the chancellor:

895 For the first chancellor sitting only, clerk and two (2)
896 deputies, each..... 30.00

897 For the second chancellor sitting, clerk only..... 30.00

898 Provided that the fees herein prescribed shall be the total
899 remuneration for the clerk and his deputies for attending chancery
900 court.

901 (i) On order of the court, clerks and not more than two
902 (2) deputies may be allowed five (5) extra days for each term of
903 court for attendance upon the court to get up records.

904 (j) For public service not otherwise specifically
905 provided for, the chancery court may by order allow the clerk to
906 be paid by the county on the order of the board of supervisors, an
907 annual sum not exceeding..... 5,000.00

908 The chancery clerk shall itemize on the original document a
909 detailed fee bill of all charges due or paid for filing, recording
910 and abstracting same. No person shall be required to pay such
911 fees until same have been so itemized, but said fees may be
912 demanded before the document is recorded.

913 (2) In accordance with Uniform Chancery Court Rule 9.01 as
914 approved by Order of the Mississippi Supreme Court, the following
915 fees shall be a total fee for all services performed by the clerk
916 with respect to a complaint which shall be payable upon filing and
917 shall accrue to the chancery clerk at the time of filing. The
918 clerk or his successor in office shall perform all duties set
919 forth without additional compensation or fee to wit:

920 (a) Divorce to be contested..... \$75.00

921 (b) Divorce uncontested..... 30.00

922 (c) Alteration of birth or marriage certificate. 25.00

923 (d) Removal of minority..... 25.00

924	(e)	Guardianship or conservatorship.....	75.00
925	(f)	Estate of deceased, intestate.....	75.00
926	(g)	Estate of deceased, testate.....	75.00
927	(h)	Adoption.....	75.00
928	(i)	Land dispute.....	75.00
929	(j)	Injunction.....	75.00
930	(k)	Settlement of small claim.....	30.00
931	(l)	Contempt in child support.....	75.00
932	(m)	Partition suit.....	75.00
933	(n)	Any cross-complaint.....	25.00

934 Cost of process shall be borne by the issuing party.
935 Additionally, should the attorney or person filing the pleadings
936 desire the clerk to pay the cost to the sheriff for serving
937 process on one person or more, or to pay the cost of publication,
938 the clerk shall demand the actual charges therefor, at the time of
939 filing.

940 **SECTION 11.** Section 9-1-43, Mississippi Code of 1972, is
941 amended as follows:

942 9-1-43. (1) After making deductions for employee salaries
943 and related salary expenses, and expenses allowed as deductions by
944 Schedule C of the Internal Revenue Code, no office of the chancery
945 clerk or circuit clerk of any county in the state shall receive
946 fees as compensation for the chancery clerk's or circuit clerk's
947 services in excess of Ninety Thousand Dollars (\$90,000.00). All
948 such fees received by the office of chancery or circuit clerks
949 that are in excess of the salary limitation shall be deposited by
950 such clerk into the county general fund on or before April 15 for
951 the preceding calendar year. If the chancery clerk or circuit
952 clerk serves less than one (1) year, then he shall not receive as
953 compensation any fees in excess of that portion of the salary
954 limitation that can be attributed to his time in office on a pro
955 rata basis. Upon leaving office, income earned by any clerk in
956 his last full year of office but not received until after his last

957 full year of office shall not be included in determining the
958 salary limitation of the successor clerk. There shall be exempted
959 from the provisions of this subsection any monies or commissions
960 from private or governmental sources which: (a) are to be held by
961 the chancery or circuit clerk in a trust or custodial capacity as
962 prescribed in subsections (4) and (5); or (b) are received as
963 compensation for services performed upon order of a court or board
964 of supervisors which are not required of the chancery clerk or
965 circuit clerk by statute.

966 (2) It shall be unlawful for any chancery clerk or circuit
967 clerk to use fees in excess of Ninety Thousand Dollars
968 (\$90,000.00), to pay the salaries or actual or necessary expenses
969 of employees who are related to such clerk by blood or marriage
970 within the first degree of kinship according to the civil law
971 method of computing kinship as provided in Sections 1-3-71 and
972 1-3-73. However, the prohibition of this subsection shall not
973 apply to any individual who was an employee of the clerk's office
974 prior to the date his or her relative was elected as chancery or
975 circuit clerk. The spouse and/or any children of the chancery
976 clerk or circuit clerk employed in the office of the chancery
977 clerk may be paid a salary; however, the combined annual salaries
978 of the clerk, spouse and any child of the clerk may not exceed an
979 amount equal to the salary limitation.

980 (3) The chancery clerk and the circuit clerk shall be liable
981 on their official bond for the proper deposit and accounting of
982 all monies received by his office. The State Auditor shall
983 promulgate uniform accounting methods for the accounting of all
984 sources of income by the offices of the chancery and circuit
985 clerk.

986 (4) There is created in the county depository of each county
987 a clearing account to be designated as the "chancery court clerk
988 clearing account," into which shall be deposited: (a) all such
989 monies as the clerk of the chancery court shall receive from any

990 person complying with any writ of garnishment, attachment,
991 execution or other like process authorized by law for the
992 enforcement of child support, spousal support or any other
993 judgment; (b) any portion of any fees required by law to be
994 collected in civil cases which are to pay for the service of
995 process or writs in another county; and (c) any other money as
996 shall be deposited with the court which by its nature is not, at
997 the time of its deposit, public monies, but which is to be held by
998 the court in a trust or custodial capacity in a case or proceeding
999 before the court. The clerk of the chancery court shall account
1000 for all monies deposited in and disbursed from such account and
1001 shall be authorized and empowered to draw and issue checks on such
1002 account at such times, in such amounts and to such persons as
1003 shall be proper and in accordance with law.

1004 The following monies paid to the chancery clerk shall be
1005 subject to the salary limitation prescribed under subsection (1):
1006 (a) all fees required by law to be collected for the filing,
1007 recording or abstracting of any bill, petition, pleading or decree
1008 in any civil case in chancery; (b) all fees collected for land
1009 recordings, charters, notary bonds, certification of decrees and
1010 copies of any documents; (c) all land redemption and mineral
1011 documentary stamp commissions; and (d) any other monies or
1012 commissions from private or governmental sources for statutory
1013 functions which are not to be held by the court in a trust
1014 capacity. Such fees as shall exceed the salary limitations shall
1015 be maintained in a bank account in the county depository and
1016 accounted for separately from those monies paid into the chancery
1017 court clerk clearing account.

1018 (5) There is created in the county depository in each county
1019 a clearing account to be designated as the "circuit court clerk
1020 civil clearing account," into which shall be deposited: (a) all
1021 such monies and fees as the clerk of the circuit court shall
1022 receive from any person complying with any writ of garnishment,

1023 attachment, execution or any other like process authorized by law
1024 for the enforcement of a judgment; (b) any portion of any fees
1025 required by law or court order to be collected in civil cases;
1026 (c) all fees collected for the issuance of marriage licenses; and
1027 (d) any other money as shall be deposited with the court which by
1028 its nature is not, at the time of its deposit, public monies but
1029 which is to be held by the court in a trust or custodial capacity
1030 in a case or proceeding before the court.

1031 There is created in the county depository in each county a
1032 clearing account to be designated as the "circuit court clerk
1033 criminal clearing account," into which shall be deposited: (a)
1034 all such monies as are received in criminal cases in the circuit
1035 court pursuant to any order requiring payment as restitution to
1036 the victims of criminal offenses; (b) any portion of any fees and
1037 fines required by law or court order to be collected in criminal
1038 cases; and (c) all cash bonds as shall be deposited with the
1039 court. The clerk of the circuit court shall account for all
1040 monies deposited in and disbursed from such account and shall be
1041 authorized and empowered to draw and issue checks on such account,
1042 at such times, in such amounts and to such persons as shall be
1043 proper and in accordance with law; however, such monies as are
1044 forfeited in criminal cases shall be paid by the clerk of the
1045 circuit court to the clerk of the board of supervisors for deposit
1046 in the general fund of the county.

1047 The following monies paid to the circuit clerk shall be
1048 subject to the salary limitation prescribed under subsection (1):
1049 (a) all fees required by law to be collected for the filing,
1050 recording or abstracting of any bill, petition, pleading or decree
1051 in any civil action in circuit court; (b) copies of any documents;
1052 and (c) any other monies or commissions from private or
1053 governmental sources for statutory functions which are not to be
1054 held by the court in a trust capacity.

1055 (6) The chancery clerk and the circuit clerk shall establish
1056 and maintain a cash journal for recording cash receipts from
1057 private or government sources for furnishing copies of any papers
1058 of record or on file, or for rendering services as a notary
1059 public, or other fees wherein the total fee for the transaction is
1060 Ten Dollars (\$10.00) or less. The cash journal entry shall
1061 include the date, amount and type of transaction, and the clerk
1062 shall not be required to issue a receipt to the person receiving
1063 such services. The State Auditor shall not take exception to the
1064 furnishing of copies or the rendering of services as a notary by
1065 any clerk free of charge.

1066 In any county having two (2) judicial districts, whenever the
1067 chancery clerk serves as deputy to the circuit clerk in one (1)
1068 judicial district and the circuit clerk serves as deputy to the
1069 chancery clerk in the other judicial district, the chancery clerk
1070 may maintain a cash journal, separate from the cash journal
1071 maintained for chancery clerk receipts, for recording the cash
1072 receipts paid to him as deputy circuit clerk, and the circuit
1073 clerk may maintain a cash journal, separate from the cash journal
1074 maintained for circuit clerk receipts, for recording the cash
1075 receipts paid to him as deputy chancery clerk. The cash receipts
1076 collected by the chancery clerk in his capacity as deputy circuit
1077 clerk and the cash receipts collected by the circuit clerk in his
1078 capacity as deputy chancery clerk shall be subject to the salary
1079 limitation prescribed under subsection (1).

1080 (7) Any clerk who knowingly shall fail to deposit funds or
1081 otherwise violate the provisions of this section shall be guilty
1082 of a misdemeanor in office and, upon conviction thereof, shall be
1083 fined in an amount not to exceed double the amount that he failed
1084 to deposit, or imprisoned for not to exceed six (6) months in the
1085 county jail, or be punished by both such fine and imprisonment.

1086 **SECTION 12.** Section 27-105-343, Mississippi Code of 1972, is
1087 amended as follows:

1088 27-105-343. From and after the passage of this section, all
1089 the duties except the duty of receiving and disbursing money that
1090 were imposed by law on county treasurers shall be required to be
1091 done by chancery clerks, and they shall be the custodians of all
1092 the books, records, papers, and vouchers heretofore belonging to
1093 county treasurers, and shall be custodians of all the promissory
1094 notes, bonds, and other like property belonging to or deposited
1095 with the county, and said clerks shall in all respects be liable
1096 on their official bonds for the proper care of the same.

1097 The duty of receipting for and disbursing all monies
1098 heretofore deposited with county treasurers shall be done and
1099 performed by the designated county and drainage district
1100 depositories appointed in the manner provided by law; and any
1101 person or corporation required to pay money into a county treasury
1102 shall hereafter pay the same to a properly designated depository
1103 and such depository shall issue receipts therefor in duplicate,
1104 one of which shall be filed with the chancery clerk and the other
1105 retained by the person or corporation making such payment, and
1106 such payment when made to a designated depository shall discharge
1107 the person or corporation making such payment from any further
1108 liability therefor.

1109 In the event there shall be no designated depository for any
1110 money required to be paid into a county treasury, such payment
1111 shall be made to the tax collector who shall receipt for same in
1112 duplicate as required in the preceding paragraph and shall pay the
1113 same over to a legally appointed depository within ten (10) days
1114 after one is qualified to receive the same. The tax collector
1115 shall be the custodian of all money belonging to a county or any
1116 subdivision thereof until there be appointed a depository for any
1117 such funds and the said tax collectors shall be liable on their
1118 official bond for the proper accounting and payment of any funds
1119 so paid to them.

1120 Boards of supervisors shall allow chancery clerks for their
1121 compensation for performance of the duties required of them by
1122 this section the sum of Two Thousand Five Hundred Dollars
1123 (\$2,500.00) per annum.

1124 Nothing in this section shall preclude drainage districts
1125 from selecting their treasurer or depository as now provided by
1126 law.

1127 **SECTION 13.** Section 25-3-9, Mississippi Code of 1972, is
1128 amended as follows:

1129 25-3-9. (1) Except as provided in subsections (2), (3) and
1130 (4) of this section, the county prosecuting attorney may receive
1131 for his services an annual salary to be paid by the board of
1132 supervisors as follows:

1133 (a) For counties with a total population of more than
1134 two hundred thousand (200,000), a salary not to exceed Thirty-one
1135 Thousand Three Hundred Fifty Dollars (\$31,350.00).

1136 (b) For counties with a total population of more than
1137 one hundred thousand (100,000) and not more than two hundred
1138 thousand (200,000), a salary not to exceed Twenty-nine Thousand
1139 One Hundred Fifty Dollars (\$29,150.00).

1140 (c) For counties with a total population of more than
1141 fifty thousand (50,000) and not more than one hundred thousand
1142 (100,000), a salary not to exceed Twenty-three Thousand Eight
1143 Hundred Seventy Dollars (\$23,870.00).

1144 (d) For counties with a total population of more than
1145 thirty-five thousand (35,000) and not more than fifty thousand
1146 (50,000), a salary not to exceed Twenty-two Thousand Four Hundred
1147 Forty Dollars (\$22,440.00).

1148 (e) For counties with a total population of more than
1149 twenty-five thousand (25,000) and not more than thirty-five
1150 thousand (35,000), a salary not to exceed Twenty-one Thousand Two
1151 Hundred Thirty Dollars (\$21,230.00).

1152 (f) For counties with a total population of more than
1153 fifteen thousand (15,000) and not more than twenty-five thousand
1154 (25,000), a salary not to exceed Nineteen Thousand Four Hundred
1155 Seventy Dollars (\$19,470.00).

1156 (g) For counties with a total population of more than
1157 ten thousand (10,000) and not more than fifteen thousand (15,000),
1158 a salary not to exceed Seventeen Thousand Seven Hundred Ten
1159 Dollars (\$17,710.00).

1160 (h) For counties with a total population of more than
1161 six thousand (6,000) and not more than ten thousand (10,000), a
1162 salary not to exceed Fifteen Thousand Nine Hundred Fifty Dollars
1163 (\$15,950.00).

1164 (i) For counties with a total population of six
1165 thousand (6,000) or less, the board of supervisors, in its
1166 discretion, may appoint a county prosecuting attorney, and it may
1167 pay such county prosecuting attorney an annual salary not to
1168 exceed Fourteen Thousand One Hundred Ninety Dollars (\$14,190.00).

1169 The salary of the county prosecuting attorney shall be equal
1170 to the amount of the salary provided for in this section for the
1171 respective county or the amount of the salary of the members of
1172 the county board of supervisors, whichever is greater.

1173 In all cases of conviction there shall be taxed against the
1174 convicted defendant, as an item of cost, the sum of Three Dollars
1175 (\$3.00), which shall be turned in to the county treasury as a part
1176 of the general county funds; however, the Three Dollars (\$3.00)
1177 shall not be taxed in any case in which it is not the specific
1178 duty of the county attorney to appear and prosecute.

1179 From and after October 1, 1993, in addition to the salaries
1180 provided for in this subsection, the board of supervisors of any
1181 county, in its discretion, may pay the county prosecuting attorney
1182 an additional amount not to exceed ten percent (10%) of the
1183 maximum allowable salary prescribed herein.

1184 (2) In the following counties, the county prosecuting
1185 attorney shall receive for his services an annual salary to be
1186 paid by the board of supervisors, as follows:

1187 (a) In any county bordering upon the Mississippi River
1188 and having a population of not less than thirty thousand (30,000)
1189 and not more than thirty-five thousand five hundred (35,500)
1190 according to the federal census of 1990, and in counties having a
1191 population of not more than thirty-seven thousand (37,000)
1192 according to the federal census of 1990 in which Interstate
1193 Highway 55 and U.S. Highway 98 intersect, the county prosecuting
1194 attorney shall receive a salary equal to the justice court judge
1195 of such county; and in any county wherein is located the state's
1196 oldest state-supported institution of higher learning and wherein
1197 Mississippi State Highways 7 and 6 intersect, the county
1198 prosecuting attorney shall receive an annual salary equal to that
1199 of a member of the board of supervisors of such county.

1200 (b) In counties having a population in excess of fifty
1201 thousand (50,000) in the 1960 federal census, wherein is located a
1202 state-supported university and in which U.S. Highways 49 and 11
1203 intersect, the salary of the county prosecuting attorney shall be
1204 not less than Seventeen Thousand Four Hundred Dollars (\$17,400.00)
1205 per year. The Board of Supervisors of Forrest County,
1206 Mississippi, may, in its discretion, and by agreement with the
1207 county prosecuting attorney, employ the county prosecuting
1208 attorney as a full-time elected official during his/her term of
1209 office, designate additional duties and responsibilities of the
1210 office and pay additional compensation up to, but not in excess
1211 of, ninety percent (90%) of the annual compensation and salary of
1212 the county court judge and the youth court judge of Forrest County
1213 as authorized by law and provide a reasonable office and
1214 reasonable office expenses to the county prosecuting attorney.
1215 The salary authorized by this paragraph (b) for the county
1216 prosecuting attorney shall be the sole and complete salary for

1217 such prosecuting attorney in each county to which this paragraph
1218 applies, notwithstanding any other provision of law to the
1219 contrary.

1220 (c) In any county wherein is housed the seat of state
1221 government, wherein U.S. Highways 80 and 49 intersect, and having
1222 two (2) judicial districts, the board of supervisors, in its
1223 discretion, may pay the county prosecuting attorney an annual
1224 salary equal to the annual salary of members of the board of
1225 supervisors in the county.

1226 (d) In any county which has two (2) judicial districts
1227 and wherein Highway 8 and Highway 15 intersect, having a
1228 population of greater than seventeen thousand (17,000), according
1229 to the 1980 federal decennial census, the board of supervisors
1230 shall pay the county prosecuting attorney a salary equal to that
1231 of a member of the board of supervisors of such county; provided
1232 that if such county prosecuting attorney is paid a sum for the
1233 purpose of defraying office or secretarial expenses, then the
1234 salary prescribed herein shall be reduced by that amount.

1235 (e) In any county bordering the State of Tennessee and
1236 in which Mississippi Highways No. 4 and 15 intersect, and having a
1237 population of less than twenty thousand (20,000) in the 1970
1238 federal census, the salary of the county prosecuting attorney
1239 shall be no less than Six Thousand Dollars (\$6,000.00).

1240 (f) In any county having a population of more than
1241 twenty-five thousand (25,000) and in which U.S. Highways 72 and 45
1242 intersect, the salary of the county attorney shall be * * * not
1243 less than Eight Thousand Dollars (\$8,000.00).

1244 In addition, such county prosecuting attorney shall receive
1245 the sum of One Thousand Five Hundred Dollars (\$1,500.00) per month
1246 for the purpose of defraying secretarial expense.

1247 (g) In any county wherein I-20 and State Highway 15
1248 intersect; and in any county wherein I-20 and State Highway 35

1249 intersect, the salary of the county prosecuting attorney shall be
1250 not less than Eight Thousand Four Hundred Dollars (\$8,400.00).

1251 (h) In any Class 1 county bordering on the Mississippi
1252 River, lying in whole or in part within a levee district, wherein
1253 U.S. Highways 82 and 61 intersect, bounded by the Sunflower River
1254 and Stales Bayou, the board of supervisors, in its discretion, may
1255 pay an annual salary equal to the annual salary of members of the
1256 board of supervisors in the county. In addition, such county
1257 prosecuting attorney shall receive the sum of One Thousand Dollars
1258 (\$1,000.00) per month for the purpose of defraying secretarial
1259 expenses.

1260 (i) In any county bordering on the Gulf of Mexico
1261 having two (2) judicial districts, and wherein U.S. Highways 90
1262 and 49 intersect, the salary of the county prosecuting attorney
1263 shall be not less than Nineteen Thousand Dollars (\$19,000.00) per
1264 year. The Board of Supervisors of Harrison County, Mississippi,
1265 may, in its discretion, and by agreement with the county
1266 prosecuting attorney, employ the county prosecuting attorney and
1267 his/her assistant during his/her term of office, and designate
1268 additional duties and responsibilities of the office and pay
1269 additional compensation up to, but not in excess of, ninety
1270 percent (90%) of the annual compensation and salary of the county
1271 court judges of Harrison County as authorized by law and provide
1272 adequate office space and reasonable office expenses to the county
1273 prosecuting attorney and his/her assistant. The salary authorized
1274 by this paragraph (i) for the county prosecuting attorney and
1275 his/her assistant shall be the sole and complete salary paid by
1276 the county for such prosecuting attorney and his/her assistant in
1277 each county to which this paragraph applies, notwithstanding any
1278 other provision of law to the contrary.

1279 (j) In any county bordering on the State of Alabama,
1280 having a population in excess of seventy-five thousand (75,000)
1281 according to the 1980 decennial census in which is located an

1282 institution of higher learning and a United States military
1283 installation and which is traversed by an interstate highway, the
1284 salary of the county prosecuting attorney shall not be less than
1285 Twelve Thousand Dollars (\$12,000.00) nor more than the amount of
1286 the annual salary received by a member of the board of supervisors
1287 of that county.

1288 (k) In any county with a land area wherein Mississippi
1289 Highways 8 and 9 intersect, the salary of the county prosecuting
1290 attorney shall be not less than Eight Thousand Five Hundred
1291 Dollars (\$8,500.00) per year.

1292 (l) In any Class 2 county wherein Mississippi Highways
1293 6 and 3 intersect, the salary of the county prosecuting attorney
1294 shall be not less than Twelve Thousand Dollars (\$12,000.00) per
1295 year nor more than the amount of the annual salary received by a
1296 member of the board of supervisors of that county.

1297 (m) In any county wherein Interstate Highway 55 and
1298 State Highway 8 intersect, the salary of the county prosecuting
1299 attorney shall be not less than Twelve Thousand Dollars
1300 (\$12,000.00) per year.

1301 (n) In any county wherein U.S. Highway 51 intersects
1302 Mississippi Highway 6, and having two (2) judicial districts, the
1303 salary of the county prosecuting attorney shall be not less than
1304 Three Thousand Six Hundred Dollars (\$3,600.00) per year.

1305 (o) In any county bordering on the Alabama state line,
1306 having a population of greater than fifteen thousand (15,000)
1307 according to the 1970 federal decennial census, wherein U.S.
1308 Highway 45 and Mississippi Highway 18 intersect, the salary of the
1309 county prosecuting attorney shall be not less than Three Thousand
1310 Six Hundred Dollars (\$3,600.00) nor greater than that of a member
1311 of the board of supervisors of such county. All prior acts,
1312 orders and resolutions of the board of supervisors of such county
1313 which authorized the payment of the salary in conformity with the
1314 provisions of this paragraph, whether or not heretofore

1315 specifically authorized by law are hereby ratified, approved and
1316 confirmed.

1317 (p) In any county wherein is located a state-supported
1318 institution of higher learning and wherein U.S. Highway 82 and
1319 Mississippi Highway 389 intersect, the board of supervisors, in
1320 its discretion, may pay the county prosecuting attorney an annual
1321 salary equal to the annual salary of members of the board of
1322 supervisors in the county.

1323 (q) In any county having two (2) judicial districts
1324 wherein Mississippi Highway 32 intersects U.S. Highway 49E, the
1325 salary of the county prosecuting attorney shall be not less than
1326 Twelve Thousand Seven Hundred Dollars (\$12,700.00).

1327 (r) In any county traversed by the Natchez Trace
1328 Parkway wherein U.S. Highway 45 and Mississippi Highway 4
1329 intersect, the board of supervisors, in its discretion, may pay
1330 the county prosecuting attorney an annual salary equal to the
1331 annual salary of justice court judges in the county.

1332 (s) In any county having a population of more than
1333 fourteen thousand (14,000) according to the 1970 census and which
1334 county is bordered on the north by the State of Tennessee and on
1335 the east by the State of Alabama and in which U.S. Highway No. 72
1336 and Highway No. 25 intersect, the board of supervisors, in its
1337 discretion, may pay the county prosecuting attorney an annual
1338 salary equal to the annual salary of justice court judges in the
1339 county.

1340 (t) (i) In any county wherein Interstate Highway 55
1341 and State Highway 22 intersect, and which is also traversed in
1342 whole or part by U.S. Highways 49 and 51, and State Highways 16,
1343 17, 43 and the Natchez Trace Parkway, and also containing a part
1344 of a public lake or reservoir, in excess of thirty thousand
1345 (30,000) acres, the board of supervisors, in its discretion, may
1346 pay the county prosecuting attorney an annual salary in the amount
1347 of Twenty-eight Thousand Dollars (\$28,000.00).

1348 (ii) From and after October 1, 1993, in addition
1349 to the salary provided for in subparagraph (i) of this paragraph,
1350 the board of supervisors, in its discretion, may pay the county
1351 prosecuting attorney an additional amount not to exceed ten
1352 percent (10%) of the maximum allowable salary prescribed herein.

1353 (u) In any county having a population in the 1970
1354 census in excess of thirty-five thousand (35,000) and in which
1355 U.S. Highways 49W and 82 intersect, and in which is located a
1356 state penitentiary, the annual salary of a county prosecuting
1357 attorney shall be Thirty Thousand Four Hundred Twenty Dollars
1358 (\$30,420.00).

1359 (v) In any county wherein Mississippi Highway 50
1360 intersects U.S. Highway 45-Alternate, and having a population
1361 greater than twenty thousand (20,000) according to the 1980
1362 federal decennial census, a salary equal to that of a member of
1363 the board of supervisors of such county; provided that if such
1364 county prosecuting attorney is paid a sum for the purpose of
1365 defraying office or secretarial expenses, then the salary
1366 prescribed herein shall be reduced by that amount.

1367 (w) In any county in which the 1975 assessed valuation
1368 was Forty Million Seven Hundred Thirty-nine Thousand Four Hundred
1369 Sixty-six Dollars (\$40,739,466.00) and wherein U.S. Highway 45 and
1370 Mississippi Highway 8 intersect, the salary of the county
1371 prosecuting attorney shall be equal to that of a member of the
1372 board of supervisors of such county.

1373 (x) In any county bordering on the Mississippi River
1374 having a population greater than fifty thousand (50,000) according
1375 to the 1980 federal decennial census and also having a national
1376 military park and national cemetery, an annual salary of
1377 Twenty-five Thousand Dollars (\$25,000.00) or a salary equal to
1378 that of a member of the board of supervisors in such county,
1379 whichever is greater. In addition, such county prosecuting

1380 attorney shall receive the sum of One Thousand Dollars (\$1,000.00)
1381 per month for the purpose of defraying secretarial expenses.

1382 (y) In any county bordering on the Alabama state line,
1383 traversed by the Chickasawhay River, and wherein U.S. Highway 45
1384 and U.S. Highway 84 intersect, a salary that shall be equal to the
1385 annual salary of a member of the board of supervisors of such
1386 county. All prior acts, orders and resolutions of the board of
1387 supervisors of such county which authorize the payment of the
1388 salary of the county prosecuting attorney in conformity with the
1389 provisions of this section as it existed immediately prior to the
1390 effective date of Chapter 506, Laws of 1985, are hereby ratified,
1391 approved, confirmed and validated.

1392 (z) In any county having a population greater than
1393 sixty-five thousand five hundred eighty (65,580) but less than
1394 sixty-five thousand five hundred ninety (65,590) according to the
1395 1990 federal decennial census, wherein U.S. Highway 45 intersects
1396 with Mississippi Highway 6, an annual salary equal to Thirty
1397 Thousand Dollars (\$30,000.00).

1398 (aa) In any county where an institution of higher
1399 learning is located and wherein U.S. Highway 82 and U.S. Highway
1400 45 intersect, the salary of the county prosecuting attorney shall
1401 be not less than that of a member of the board of supervisors in
1402 such county, and the board of supervisors may, in its discretion,
1403 pay such county prosecuting attorney a salary in an amount not to
1404 exceed the amount of the salary of the District Attorney for the
1405 Sixteenth Judicial District of Mississippi.

1406 (bb) In any county having a population greater than six
1407 thousand (6,000) according to the federal decennial census and
1408 wherein U.S. Highway 61 and Highway 24 intersect, the board of
1409 supervisors, in its discretion, may pay the county prosecuting
1410 attorney an annual salary equal to the annual salary of members of
1411 the board of supervisors in the county.

1412 (cc) In any county having a population greater than
1413 thirty-one thousand (31,000) according to the 1990 federal
1414 decennial census and wherein U.S. Highway 61 and U.S. Highway 49
1415 intersect, a salary of not less than the annual salary of justice
1416 court judges in the county.

1417 (dd) (i) The Rankin County prosecuting attorney, if
1418 such person is not employed on a full-time basis, shall receive an
1419 annual salary of Twenty-nine Thousand Dollars (\$29,000.00).

1420 (ii) The Board of Supervisors of Rankin County, in
1421 its discretion, may employ the elected county prosecuting attorney
1422 and an assistant on a full-time basis during his or her term of
1423 office and may pay compensation to such full-time prosecuting
1424 attorney in an amount of not more than ninety percent (90%) of the
1425 annual compensation and salary of the county court judges of the
1426 county as authorized by law, and may provide adequate office space
1427 and reasonable office expenses to the county prosecuting attorney
1428 and his/her assistant. The Board of Supervisors of Rankin County,
1429 in its discretion, may also employ a full-time assistant county
1430 prosecuting attorney and may pay such person an annual salary in
1431 such amount as determined by the board of supervisors. The salary
1432 authorized by this subparagraph (dd)(ii) for the elected county
1433 prosecuting attorney and an assistant shall be the sole and
1434 complete salary paid by the county for the elected prosecuting
1435 attorney and assistant in Rankin County, notwithstanding any other
1436 provisions of law to the contrary.

1437 (ee) In any county having a population greater than
1438 eight thousand (8,000) but less than eight thousand two hundred
1439 (8,200) according to the 1990 federal census, and in which U.S.
1440 Highway 61 and Mississippi Highway 4 intersect, the board of
1441 supervisors may, in its discretion, pay the county prosecuting
1442 attorney an amount not to exceed Fourteen Thousand Dollars
1443 (\$14,000.00), in addition to the maximum allowable salary for that
1444 attorney under subsection (1), beginning on April 1, 1997.

1445 (ff) In any county having a population greater than
1446 thirty thousand three hundred (30,300) but less than thirty
1447 thousand four hundred (30,400) according to the 1990 federal
1448 census, and in which U.S. Highway 78 and Mississippi Highway 7
1449 intersect, a salary of not less than the annual salary of a member
1450 of the board of supervisors in such county.

1451 (gg) In any county having a population greater than
1452 thirteen thousand three hundred (13,300) but less than thirteen
1453 thousand four hundred (13,400) according to the 1990 federal
1454 census, and in which Mississippi Highway 24 and Mississippi
1455 Highway 48 intersect, the board of supervisors may, in its
1456 discretion, pay the county prosecuting attorney an additional
1457 amount not to exceed ten percent (10%) of the maximum allowable
1458 salary for that attorney under subsection (1).

1459 (hh) In any county having a population greater than
1460 eight thousand three hundred (8,300) but less than eight thousand
1461 four hundred (8,400) according to the 1990 federal census, and in
1462 which U.S. Highway 84 and U.S. Highway 98 intersect, the board of
1463 supervisors may, in its discretion, pay the county prosecuting
1464 attorney an additional amount not to exceed ten percent (10%) of
1465 the maximum allowable salary for that attorney under subsection
1466 (1).

1467 (ii) In any county having a population of more than
1468 thirty thousand four hundred (30,400) and which is traversed in
1469 whole or part by I-59, U.S. Highways 98 and 11 and State Highway
1470 13, the annual salary of the county prosecuting attorney shall be
1471 Twenty-five Thousand Dollars (\$25,000.00).

1472 (jj) In any county having a population greater than
1473 twenty thousand (20,000) according to the 1990 federal census and
1474 wherein U.S. Highway 78 and Mississippi Highway 25 intersect, the
1475 board of supervisors, in its discretion, may pay the county
1476 prosecuting attorney an annual salary equal to the annual salary
1477 of justice court judges in the county.

1478 (kk) In any county having a population greater than
1479 twelve thousand four hundred (12,400) but less than twelve
1480 thousand five hundred (12,500) according to the 1990 federal
1481 census, and in which U.S. Highway 84 and Mississippi Highway 27
1482 intersect, the board of supervisors may, in its discretion, pay
1483 the county prosecuting attorney an additional amount not to exceed
1484 ten percent (10%) of the maximum allowable salary for that
1485 attorney under subsection (1).

1486 (ll) In any county having a population greater than
1487 thirty thousand two hundred (30,200) but less than thirty thousand
1488 three hundred (30,300) according to the 1990 federal census, and
1489 in which U.S. Interstate 55 and Mississippi Highway 84 intersect,
1490 the board of supervisors may, in its discretion, pay the county
1491 prosecuting attorney an additional amount not to exceed ten
1492 percent (10%) of the maximum allowable salary for that attorney
1493 under subsection (1).

1494 (mm) In any county on the Mississippi River levee,
1495 having a population greater than forty-one thousand eight hundred
1496 (41,800) but less than forty-one thousand nine hundred (41,900)
1497 according to the 1990 federal census wherein U.S. Highway 61 and
1498 Mississippi Highway 8 intersect, the board of supervisors, in its
1499 discretion, may pay the county prosecuting attorney an annual
1500 salary equal to the annual salary of members of the board of
1501 supervisors in the county. In addition, the board of supervisors,
1502 in its discretion, may pay the county prosecuting attorney the sum
1503 of One Thousand Dollars (\$1,000.00) per month for the purpose of
1504 defraying secretarial expenses.

1505 (nn) In any county having a population greater than
1506 twenty-four thousand seven hundred (24,700) and less than
1507 twenty-four thousand nine hundred (24,900) according to the 1990
1508 federal census, wherein Mississippi Highways 15 and 16 intersect,
1509 the board of supervisors, in its discretion, may pay the county

1510 prosecuting attorney an annual salary equal to the annual salary
1511 of members of the board of supervisors in the county.

1512 (oo) In any county having a population greater than
1513 thirty-seven thousand (37,000) but less than thirty-eight thousand
1514 (38,000) according to the 1990 federal census, in which is located
1515 a state supported institution of higher learning, and in which
1516 U.S. Highway 82 and Mississippi Highway 7 intersect, the board of
1517 supervisors may, in its discretion, pay the county prosecuting
1518 attorney a salary in an amount not to exceed the amount of the
1519 salary of the District Attorney for the Fourth Judicial District
1520 of Mississippi.

1521 (pp) In any county in which U.S. Highway 78 and
1522 Mississippi Highway 15 intersect and which is traversed by the
1523 Tallahatchie River, a salary equal to that of members of the board
1524 of supervisors of the county, which salary shall be in addition to
1525 any sums received for the purpose of defraying office or
1526 secretarial expenses and sums received as youth court prosecutor
1527 fees.

1528 (qq) In any county bordering on the State of Tennessee
1529 and the State of Arkansas, wherein Interstate Highway 55 and
1530 Mississippi Highway 302 intersect, the board of supervisors, in
1531 its discretion, may pay the county prosecuting attorney an annual
1532 salary equal to the annual salary of justice court judges in the
1533 county.

1534 (rr) In any county that is traversed by the Natchez
1535 Trace Parkway and in which Mississippi Highway 35 and Mississippi
1536 Highway 12 intersect, the board of supervisors, in its discretion,
1537 may pay the county prosecuting attorney an annual salary in the
1538 amount of the annual salary of justice court judges in the county.

1539 (ss) In any county in which Mississippi Highway 14 and
1540 Mississippi Highway 25 intersect, the board of supervisors, in its
1541 discretion, may pay the county prosecuting attorney an annual
1542 salary in the amount of Twenty-two Thousand Dollars (\$22,000.00).

1543 (tt) In any county in which Interstate Highway 59 and
1544 U.S. Highway 84 intersect, the board of supervisors, in its
1545 discretion, may pay the county prosecuting attorney an annual
1546 salary equal to the annual salary of members of the board of
1547 supervisors in the county.

1548 (uu) In addition to the salary provided for in
1549 subsection (1) of this section, the Board of Supervisors of
1550 Tallahatchie County, in its discretion, may pay a monthly
1551 supplement to the county prosecuting attorney in an amount not to
1552 exceed One Thousand Dollars (\$1,000.00). The Legislature finds
1553 and declares that the monthly supplement authorized by this
1554 subsection is justified in such county for the following reasons:

1555 (i) The population of the county has increased;
1556 and

1557 (ii) The number of inmates in its correctional
1558 facility has increased.

1559 (vv) In addition to the salary provided for in
1560 subsection (1) of this section, the board of supervisors of any
1561 county that is not authorized to pay a supplemental or additional
1562 salary amount under this section, in its discretion, may pay a
1563 monthly supplement to the county prosecuting attorney in an amount
1564 not to exceed One Thousand Dollars (\$1,000.00).

1565 (3) In any case where a salary, expense allowance or other
1566 sum is authorized or paid by the board of supervisors pursuant to
1567 this section, that salary, expense allowance or other sum shall
1568 not be reduced or terminated during the term for which the county
1569 attorney was elected.

1570 **SECTION 14.** Section 41-61-75, Mississippi Code of 1972, is
1571 amended as follows:

1572 41-61-75. (1) For each investigation with the preparation
1573 and submission of the required reports, the following fees shall
1574 be billed to and paid by the county for which the service is
1575 provided:

1576 (a) A medical examiner or his deputy shall receive One
1577 Hundred Dollars (\$100.00) for each completed report of
1578 investigation of death, plus the examiner's actual expenses.

1579 (b) The pathologist performing autopsies as provided in
1580 Section 41-61-65 shall receive Five Hundred Fifty Dollars
1581 (\$550.00) per completed autopsy, plus mileage expenses to and from
1582 the site of the autopsy.

1583 (2) Any medical examiner, physician or pathologist who is
1584 subpoenaed for appearance and testimony before a grand jury,
1585 courtroom trial or deposition shall be entitled to an expert
1586 witness hourly fee to be set by the court and mileage expenses to
1587 and from the site of the testimony, and such amount shall be paid
1588 by the jurisdiction or party issuing the subpoena.

1589 **SECTION 15.** Section 25-3-31, Mississippi Code of 1972, is
1590 amended as follows:

1591 25-3-31. The annual salaries of the following elected state
1592 and district officers are fixed as follows:

1593	Governor.....	\$122,160.00
1594	Attorney General.....	108,960.00
1595	Secretary of State.....	90,000.00
1596	Commissioner of Insurance.....	90,000.00
1597	State Treasurer.....	90,000.00
1598	State Auditor of Public Accounts.....	90,000.00
1599	Commissioner of Agriculture and Commerce.....	90,000.00
1600	Transportation Commissioners.....	78,000.00
1601	Public Service Commissioners.....	78,000.00

1602 * * *

1603 The above fixed salary of the Governor shall be the reference
1604 amount utilized in computing average compensation and earned
1605 compensation pursuant to Section 25-11-103(f) and Section
1606 25-11-103(k) and to related sections which require such
1607 computations.

1608 *This act shall stand repealed from and after January 1, 2007.*

1609 **SECTION 16.** Section 25-3-34, Mississippi Code of 1972, is
1610 amended as follows:

1611 25-3-34. (1) In addition to the salary provided in Section
1612 25-3-31, any elected state or district official, except members of
1613 the State Legislature, provided therein shall receive the award of
1614 an education benchmark as defined in State Personnel Board rules
1615 for the possession or attainment of any of the following:

1616 (a) The Certified Public Manager designation;

1617 (b) A job-related Ph.D (Doctor of Philosophy) degree
1618 which is not required as a minimum qualification of the position;

1619 (c) A job related certification, licensure or
1620 registration requiring the passage of an examination, which is not
1621 required as a minimum qualification of the position.

1622 (2) No such official or employee may receive more than a
1623 total of three (3) eligible benchmarks, only one of which may be
1624 for a job related certification, licensure or registration.

1625 (3) The State Personnel Board shall promulgate rules and
1626 regulations to carry out the provisions of this section.

1627 **SECTION 17.** Section 25-3-5, Mississippi Code of 1972, which
1628 establishes the salaries of tax assessors and tax collectors in
1629 counties where the two offices have been separated, is repealed.

1630 **SECTION 18.** The Attorney General of the State of Mississippi
1631 shall submit this act, immediately upon approval by the Governor,
1632 or upon approval by the Legislature subsequent to a veto, to the
1633 Attorney General of the United States or to the United States
1634 District Court for the District of Columbia in accordance with the
1635 provisions of the Voting Rights Act of 1965, as amended and
1636 extended.

1637 **SECTION 19.** Sections 1 through 14 and Section 17 shall take
1638 effect and be in force from and after October 1, 2004, or from and
1639 after the date that such sections are effectuated under Section 5
1640 of the Voting Rights Act of 1965, as amended and extended,
1641 whichever date is later. Sections 15 and 16 shall take effect and

1642 be in force from and after July 1, 2004, or from and after the
1643 date that such sections are effectuated under Section 5 of the
1644 Voting Rights Act of 1965, as amended and extended, whichever date
1645 is later.