

By: Senator(s) Ross, Michel

To: Fees, Salaries and Administration

SENATE BILL NO. 2513

1 AN ACT TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE SALARY PROVISIONS FOR THE COUNTY COURT JUDGESHIPS IN
3 MADISON COUNTY; AND FOR RELATED PURPOSES.

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

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

7 9-9-11. (1) Except as otherwise provided in subsections
8 (2), (3) and (4), the county court judge shall receive an annual
9 salary payable monthly out of the county treasury in an amount not
10 to exceed One Thousand Dollars (\$1,000.00) less than the salary
11 which is now or shall hereafter be provided for circuit and
12 chancery judges of this state, in the discretion of the board of
13 supervisors of said county; provided, however, that the salary of
14 such judge shall not be reduced during his term of office.

15 Provided further, that the office of county court judge in any
16 county receiving an annual salary of Thirty-six Thousand Dollars
17 (\$36,000.00) or more shall be a full-time position, and the holder
18 thereof shall not otherwise engage in the practice of law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

124 (g) The county judge of any Class 1 county bordering on
125 the Mississippi River on the west and the State of Tennessee on
126 the north, and traversed north to south by Interstate Highway 55,

127 shall receive an annual salary of ninety percent (90%) of the
128 salary which is now or shall hereafter be provided for chancery
129 and circuit judges of this state, but in any event not less than
130 Sixty Thousand Two Hundred Dollars (\$60,200.00).

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

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

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

158 (k) The office of county judge of any Class I county
159 wherein U.S. Highway 51 and U.S. Highway 98 intersect shall be a

160 full-time position and the holder thereof shall not otherwise
161 engage in the practice of law. The annual salary for the office
162 of county judge in said county may be fixed, in the discretion of
163 the board of supervisors of said county, at a sum not to exceed
164 Two Thousand Dollars (\$2,000.00) less than the salary which is now
165 or shall hereafter be provided for circuit and chancery judges of
166 this state.

167 (l) The county judge of any county having a population
168 of more than forty-one thousand six hundred (41,600) but less than
169 forty-one thousand six hundred fifty (41,650) according to the
170 1980 federal census, and wherein U.S. Highway 49 intersects with
171 Mississippi Highway 22, shall receive an annual salary payable
172 monthly out of the county treasury of One Thousand Dollars
173 (\$1,000.00) less than the salary provided now or hereafter for
174 circuit and chancery judges of this state.

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

183 (n) The county judge of any county having a population
184 of more than fifty-seven thousand three hundred (57,300) according
185 to the 1980 federal decennial census, wherein is located a
186 state-supported university and wherein U.S. Highways 82 and 45
187 intersect, shall receive an annual salary in an amount established
188 by the board of supervisors, but in no event to exceed the salary
189 provided now or hereafter for circuit and chancery judges of this
190 state.

191 (5) The salary of a county court judge or justice court
192 judge shall not be reduced during his term of office as a result

193 of a population decrease based upon the 1990 federal decennial
194 census.

195 (6) The salary of a sheriff shall not be reduced during his
196 term of office as a result of a population decrease based upon the
197 1990 federal decennial census.

198 (7) Notwithstanding any provision of this section to the
199 contrary, the board of supervisors of any county, in its
200 discretion, may pay its county court judge an annual salary of One
201 Thousand Dollars (\$1,000.00) less than that paid to a circuit
202 court judge. The office of county judge shall be a full-time
203 position, and the holder thereof shall not otherwise engage in the
204 practice of law.

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

212 **SECTION 3.** This act shall take effect and be in force from
213 and after the date it is effectuated under Section 5 of the Voting
214 Rights Act of 1965, as amended and extended, or October 1, 2006,
215 whichever occurs later.