

By: Representative Watson

To: Municipalities

HOUSE BILL NO. 1106

1 AN ACT TO AMEND SECTION 21-8-21, MISSISSIPPI CODE OF 1972, TO
2 DELETE THE REQUIREMENT THAT BEFORE ADJUSTMENTS IN THE SALARIES OF
3 MAYORS AND COUNCILMEN CAN OCCUR SUCH ADJUSTMENTS MUST TAKE PLACE
4 AT ANY TIME PRIOR TO 90 DAYS BEFORE THE NEXT GENERAL ELECTION FOR
5 THE SELECTION OF MUNICIPAL OFFICERS IN THE MAYOR-COUNCIL FORM OF
6 GOVERNMENT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 21-8-21, Mississippi Code of 1972, is
9 amended as follows:

10 21-8-21. (1) The mayor and the members of the council shall
11 be qualified electors of the municipality. The compensation for
12 the mayor and the members of the council shall be set by the
13 council. After the salaries of the first mayor and first council
14 have been determined by the council of any municipality electing
15 to come under the provision of this chapter, such salaries shall
16 be effective immediately. Thereafter, any increases or decreases
17 in the salary for the mayor or councilmen may be authorized by the
18 council at any time * * *.

19 (2) The salary of the mayor, councilmen and all employees of
20 such municipality shall be paid at such periods as may be fixed by
21 the council, but not less frequently than once a month; however,
22 no salaries or wages shall be paid to any officer or employee of
23 such municipality until after the same shall have been earned.
24 Every officer or employee of the municipality shall receive such a
25 salary of compensation as the council shall by ordinance provide,
26 and the salary compensation of all employees of such municipality
27 shall be fixed by the council from time to time, as occasion may
28 demand.

29 (3) The city council shall have the power and authority to
30 provide for and pay to any member of the police department or fire
31 department of such municipality additional compensation for
32 services and duties performed by any such member over and above
33 the usual and regular number of days and hours per week or month
34 ordinarily worked by such member. Nothing herein contained shall
35 be construed to relieve any such member of the police department
36 or fire department from being subject to call for duty on a
37 twenty-four-hour basis whether or not additional compensation is
38 paid. Provided, however, that no policeman or fireman shall
39 perform any duties or other work during regular working hours for
40 any person or association, group or drive, or during hours for
41 which he is being paid for the performance of official duties as
42 policeman or fireman.

43 **SECTION 2.** This act shall take effect and be in force from
44 and after July 1, 2007.