

By: Senator(s) Tollison

To: County Affairs

SENATE BILL NO. 2516
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 19-25-13, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY, IN ITS
3 DISCRETION, TO INCLUDE IN ITS ANNUAL BUDGET FOR THE SHERIFF'S
4 OFFICE AN AMOUNT NOT TO EXCEED \$1,000.00 FOR EXPENDITURE BY THE
5 SHERIFF TO PROVIDE FOOD, WATER AND BEVERAGES FOR THE SHERIFF, THE
6 SHERIFF'S DEPUTIES, STATE, NATIONAL AND LOCAL LAW ENFORCEMENT
7 OFFICERS, EMERGENCY PERSONNEL, COUNTY EMPLOYEES AND MEMBERS OF THE
8 GENERAL PUBLIC WHO THE SHERIFF REQUESTS TO ASSIST HIM AND HIS
9 OFFICE WHILE IN THE PERFORMANCE OF SEARCH AND RESCUE MISSIONS,
10 DISASTERS OR OTHER EMERGENCY OPERATIONS; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 19-25-13, Mississippi Code of 1972, is
13 amended as follows:

14 19-25-13. The sheriff shall, at the July meeting of the
15 board of supervisors, submit a budget of estimated expenses of his
16 office for the ensuing fiscal year beginning October 1 in such
17 form as shall be prescribed by the Director of the State
18 Department of Audit. The board shall examine this proposed budget
19 and determine the amount to be expended by the sheriff in the
20 performance of his duties for the fiscal year and may increase or
21 reduce said amount as it deems necessary and proper.

22 The budget shall include amounts for compensating the
23 deputies and other employees of the sheriff's office, for
24 insurance providing protection for the sheriff and his deputies in
25 case of disability, death and other similar coverage, for travel
26 and transportation expenses of the sheriff and deputies, for
27 feeding prisoners and inmates of the county jail, and for such
28 other expenses as may be incurred in the performance of the duties
29 of the office of sheriff. In addition, the budget shall include
30 amounts for the payment of premiums on bonds and insurance for the
31 sheriff and his deputies which, in the opinion of the board of

32 supervisors, are deemed necessary to protect the interests of the
33 county or the sheriff and his deputies. Such amounts may include
34 official bonds and any bonds required of his deputies by the
35 sheriff; liability insurance; insurance against false arrest
36 charges; insurance against false imprisonment charges; theft, fire
37 and other hazards insurance; and hospitalization insurance as
38 provided for in Sections 25-15-101 and 25-15-103. The board may
39 authorize the reimbursement of the sheriff and deputies for the
40 use of privately owned automobiles or other motor vehicles in the
41 performance of official duties at the rate provided by law for
42 state officers and employees, or may authorize the purchase by the
43 sheriff of such motor vehicles and such equipment as may be needed
44 for operation of the sheriff's office, such vehicles and equipment
45 to be owned by the county. In counties which have elected to
46 purchase the motor vehicles and such equipment for the operation
47 of the sheriff's office, if a sheriff or deputy shall be required
48 in the performance of his official duties, in the event of an
49 emergency, to use his privately owned automobile or other motor
50 vehicle, the board of supervisors may, in its discretion,
51 authorize the reimbursement for such use at the rate per mile
52 provided by law for state officers and employees. This shall not
53 be construed as giving an officer a choice of whether to use his
54 own or the county's vehicle, but shall be construed so as not to
55 penalize an officer who must use his own vehicle because the
56 county's vehicle was not available.

57 The board of supervisors, in its discretion, may include in
58 its annual budget for the sheriff's office an amount not to exceed
59 One Thousand Dollars (\$1,000.00), which may be expended by the
60 sheriff to provide food, water and beverages for the sheriff, the
61 sheriff's deputies, state, national and local law enforcement
62 officers, emergency personnel, county employees and members of the
63 general public who the sheriff requests to assist him and his

64 office while in the performance of search and rescue missions,
65 disasters or other emergency operations.

66 The board of supervisors may acquire one or more credit cards
67 which may be used by the sheriff and his deputies to pay expenses
68 incurred by them when traveling in or out of state in the
69 performance of their official duties. The chancery clerk or
70 county purchase clerk shall maintain complete records of all
71 credit card numbers and all receipts and other documents relating
72 to the use of such credit cards. The sheriff shall furnish
73 receipts for the use of such credit cards each month to the
74 chancery clerk or purchase clerk who shall submit a written report
75 monthly to the board of supervisors, which report shall include an
76 itemized list of all expenditures and use of the credit cards for
77 the month, and such expenditures may be allowed for payment by the
78 county in the same manner as other items on the claims docket. The
79 issuance of a credit card to a sheriff or his deputy under the
80 provisions of this section shall not be construed to authorize
81 such sheriff or deputy sheriff to use such credit card to make any
82 expenditure which is not otherwise authorized by law.

83 The board of supervisors is hereby authorized and empowered,
84 in its discretion, to appropriate and pay a sum not to exceed Four
85 Hundred Dollars (\$400.00) annually as a clothing allowance to each
86 plainclothes investigator employed by the sheriff's office of such
87 county. The board of supervisors of any county bordering on the
88 Gulf of Mexico and having a population of more than thirty-one
89 thousand seven hundred (31,700) but less than thirty-one thousand
90 eight hundred (31,800) according to the 1990 Federal Census may
91 appropriate and pay a sum not to exceed Four Hundred Dollars
92 (\$400.00) annually as a clothing allowance to the administrator of
93 the county jail.

94 The board of supervisors shall, at its first meeting of each
95 quarter beginning on October 1, January 1, April 1 and July 1,
96 appropriate a lump sum for the sheriff for the expenses of his

97 office during the current quarter. The quarterly appropriation
98 shall be one-fourth (1/4) of the amount approved in the annual
99 budget unless the sheriff requests a different amount. Except in
100 case of emergency, as provided in the county budget law, the
101 appropriation for the quarter beginning in October of the last
102 year of the sheriff's term shall not exceed one-fourth (1/4) of
103 the annual budget.

104 The sheriff shall file a report of all expenses of his office
105 incurred during the preceding month with the board of supervisors
106 for approval at its regular monthly meeting in a form to be
107 prescribed by the Director of the State Department of Audit, and
108 upon filing thereof, and approval by the board, the clerk of the
109 board shall issue warrants in payment thereof but not to exceed
110 the budget appropriation for that quarter. Any appropriated funds
111 which are unexpended at the end of the fiscal year shall remain in
112 the county general fund.

113 The budget for the sheriff's office may be revised at any
114 regular meeting by the board of supervisors. Upon recommendation
115 of the sheriff, the board may at any regular meeting make
116 supplemental appropriations to the sheriff's office.

117 Any fees previously required to be paid by a sheriff shall be
118 paid by the board of supervisors by including the estimates
119 therefor in the sheriff's budget. All fees and charges for
120 services heretofore collected by sheriffs shall be collected by
121 said sheriff and paid monthly into the general fund of the
122 concerned county. However, any fees heretofore collected by such
123 sheriffs from the county shall not be paid.

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