

House Amendments to Senate Bill No. 2516

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

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

23 The budget shall include amounts for compensating the
24 deputies and other employees of the sheriff's office, for
25 insurance providing protection for the sheriff and his deputies in
26 case of disability, death and other similar coverage, for travel
27 and transportation expenses of the sheriff and deputies, for
28 feeding prisoners and inmates of the county jail, and for such
29 other expenses as may be incurred in the performance of the duties
30 of the office of sheriff. In addition, the budget shall include
31 amounts for the payment of premiums on bonds and insurance for the
32 sheriff and his deputies which, in the opinion of the board of
33 supervisors, are deemed necessary to protect the interests of the
34 county or the sheriff and his deputies. Such amounts may include
35 official bonds and any bonds required of his deputies by the
36 sheriff; liability insurance; insurance against false arrest
37 charges; insurance against false imprisonment charges; theft, fire
38 and other hazards insurance; and hospitalization insurance as

39 provided for in Sections 25-15-101 and 25-15-103. The board may
40 authorize the reimbursement of the sheriff and deputies for the
41 use of privately owned automobiles or other motor vehicles in the
42 performance of official duties at the rate provided by law for
43 state officers and employees, or may authorize the purchase by the
44 sheriff of such motor vehicles and such equipment as may be needed
45 for operation of the sheriff's office, such vehicles and equipment
46 to be owned by the county. In counties which have elected to
47 purchase the motor vehicles and such equipment for the operation
48 of the sheriff's office, if a sheriff or deputy shall be required
49 in the performance of his official duties, in the event of an
50 emergency, to use his privately owned automobile or other motor
51 vehicle, the board of supervisors may, in its discretion,
52 authorize the reimbursement for such use at the rate per mile
53 provided by law for state officers and employees. This shall not
54 be construed as giving an officer a choice of whether to use his
55 own or the county's vehicle, but shall be construed so as not to
56 penalize an officer who must use his own vehicle because the
57 county's vehicle was not available.

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

67 The board of supervisors may acquire one or more credit cards
68 which may be used by the sheriff and his deputies to pay expenses
69 incurred by them when traveling in or out of state in the
70 performance of their official duties. The chancery clerk or
71 county purchase clerk shall maintain complete records of all
72 credit card numbers and all receipts and other documents relating
73 to the use of such credit cards. The sheriff shall furnish

74 receipts for the use of such credit cards each month to the
75 chancery clerk or purchase clerk who shall submit a written report
76 monthly to the board of supervisors, which report shall include an
77 itemized list of all expenditures and use of the credit cards for
78 the month, and such expenditures may be allowed for payment by the
79 county in the same manner as other items on the claims docket. The
80 issuance of a credit card to a sheriff or his deputy under the
81 provisions of this section shall not be construed to authorize
82 such sheriff or deputy sheriff to use such credit card to make any
83 expenditure which is not otherwise authorized by law.

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

95 The board of supervisors shall, at its first meeting of each
96 quarter beginning on October 1, January 1, April 1 and July 1,
97 appropriate a lump sum for the sheriff for the expenses of his
98 office during the current quarter. The quarterly appropriation
99 shall be one-fourth (1/4) of the amount approved in the annual
100 budget unless the sheriff requests a different amount. Except in
101 case of emergency, as provided in the county budget law, the
102 appropriation for the quarter beginning in October of the last
103 year of the sheriff's term shall not exceed one-fourth (1/4) of
104 the annual budget.

105 The sheriff shall file a report of all expenses of his office
106 incurred during the preceding month with the board of supervisors
107 for approval at its regular monthly meeting in a form to be
108 prescribed by the Director of the State Department of Audit, and

109 upon filing thereof, and approval by the board, the clerk of the
110 board shall issue warrants in payment thereof but not to exceed
111 the budget appropriation for that quarter. Any appropriated funds
112 which are unexpended at the end of the fiscal year shall remain in
113 the county general fund.

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

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

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 ONE THOUSAND DOLLARS FOR
5 EXPENDITURE BY THE SHERIFF TO PROVIDE FOOD, WATER AND BEVERAGES
6 FOR THE SHERIFF, THE SHERIFF'S DEPUTIES, STATE, NATIONAL AND LOCAL
7 LAW ENFORCEMENT OFFICERS, EMERGENCY PERSONNEL, COUNTY EMPLOYEES
8 AND MEMBERS OF THE GENERAL PUBLIC WHO THE SHERIFF REQUESTS TO
9 ASSIST HIM AND HIS OFFICE WHILE IN THE PERFORMANCE OF SEARCH AND
10 RESCUE MISSIONS, DISASTERS OR OTHER EMERGENCY OPERATIONS; AND FOR
11 RELATED PURPOSES.

HR07\SB2516A.J

Don Richardson
Clerk of the House of Representatives