

By: Senator(s) Burton, Moran, Simmons  
(13th), Younger, Carter, Jackson (32nd)

To: Appropriations

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2827

1 AN ACT TO AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE LIMIT ON COMPENSATION OF CHANCERY CLERKS AND CIRCUIT  
3 CLERKS; TO AMEND SECTION 23-15-225, MISSISSIPPI CODE OF 1972, TO  
4 INCREASE THE COMPENSATION OF COUNTY REGISTRARS OF ELECTION; TO  
5 AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
6 SALARIES OF COUNTY TAX ASSESSORS AND COLLECTORS; TO BRING FORWARD  
7 SECTION 25-3-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A CAP ON  
8 THE SALARIES OF TAX ASSESSORS, FOR THE PURPOSE OF POSSIBLE  
9 AMENDMENT; TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO  
10 INCREASE THE SALARIES OF COUNTY SUPERVISORS; TO AMEND SECTION  
11 25-7-9, MISSISSIPPI CODE OF 1972, TO INCREASE CERTAIN FILING FEES  
12 CHARGED BY CHANCERY CLERKS FOR THE RECORDING OF DOCUMENTS; TO  
13 AMEND SECTION 25-7-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
14 FEE PAID TO THE CIRCUIT CLERK FOR EACH DAY'S ATTENDANCE UPON THE  
15 CIRCUIT COURT TERM; TO AMEND SECTION 25-7-19, MISSISSIPPI CODE OF  
16 1972, TO INCREASE THE FEES CHARGED BY SHERIFFS; TO AMEND SECTION  
17 25-7-27, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEES CHARGED BY  
18 MARSHALS AND CONSTABLES; TO AMEND SECTION 41-61-59, MISSISSIPPI  
19 CODE OF 1972, TO INCREASE THE SALARIES OF THE COUNTY MEDICAL  
20 EXAMINERS, DEPUTY MEDICAL EXAMINERS AND DEPUTY MEDICAL EXAMINER  
21 INVESTIGATORS; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF  
22 1972, TO INCREASE THE FEES PAID BY THE COUNTY TO A MEDICAL  
23 EXAMINER OR HIS DEPUTY FOR FILING CERTAIN INVESTIGATION REPORTS,  
24 AND TO EXTEND THE DATE OF REPEAL THEREON; TO BRING FORWARD SECTION  
25 25-60-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A FILING FEE  
26 FOR CERTAIN DOCUMENTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND  
27 FOR RELATED PURPOSES.

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

29 **SECTION 1.** Section 9-1-43, Mississippi Code of 1972, is  
30 amended as follows:



31 9-1-43. (1) After making deductions for employer  
32 contributions paid by the chancery or circuit clerk to the Public  
33 Employees' Retirement System under Sections 25-11-106.1 and  
34 25-11-123(f)(4), employee salaries and related salary expenses,  
35 and expenses allowed as deductions by Schedule C of the Internal  
36 Revenue Code, no office of the chancery clerk or circuit clerk of  
37 any county in the state shall receive fees as compensation for the  
38 chancery clerk's or circuit clerk's services in excess  
39 of \* \* \*~~Ninety Thousand Dollars (\$90,000.00)~~ Ninety-nine Thousand  
40 Dollars (\$99,000.00). All such fees received by the office of  
41 chancery or circuit clerks that are in excess of the salary  
42 limitation shall be deposited by such clerk into the county  
43 general fund on or before April 15 for the preceding calendar  
44 year. If the chancery clerk or circuit clerk serves less than one  
45 (1) year, then he shall not receive as compensation any fees in  
46 excess of that portion of the salary limitation that can be  
47 attributed to his time in office on a pro rata basis. Upon  
48 leaving office, income earned by any clerk in his last full year  
49 of office but not received until after his last full year of  
50 office shall not be included in determining the salary limitation  
51 of the successor clerk. There shall be exempted from the  
52 provisions of this subsection any monies or commissions from  
53 private or governmental sources which: (a) are to be held by the  
54 chancery or circuit clerk in a trust or custodial capacity as  
55 prescribed in subsections (4) and (5); or (b) are received as



56 compensation for services performed upon order of a court or board  
57 of supervisors which are not required of the chancery clerk or  
58 circuit clerk by statute.

59 (2) It shall be unlawful for any chancery clerk or circuit  
60 clerk to use fees in excess of \* \* \*~~Ninety Thousand Dollars~~  
61 ~~(\$90,000.00)~~ Ninety-nine Thousand Dollars (\$99,000.00), to pay the  
62 salaries or actual or necessary expenses of employees who are  
63 related to such clerk by blood or marriage within the first degree  
64 of kinship according to the civil law method of computing kinship  
65 as provided in Sections 1-3-71 and 1-3-73. However, the  
66 prohibition of this subsection shall not apply to any individual  
67 who was an employee of the clerk's office prior to the date his or  
68 her relative was elected as chancery or circuit clerk. The spouse  
69 and/or any children of the chancery clerk or circuit clerk  
70 employed in the office of the chancery clerk may be paid a salary;  
71 however, the combined annual salaries of the clerk, spouse and any  
72 child of the clerk may not exceed an amount equal to the salary  
73 limitation.

74 (3) The chancery clerk and the circuit clerk shall be liable  
75 on their official bond for the proper deposit and accounting of  
76 all monies received by his office. The State Auditor shall  
77 promulgate uniform accounting methods for the accounting of all  
78 sources of income by the offices of the chancery and circuit  
79 clerk.



80 (4) There is created in the county depository of each county  
81 a clearing account to be designated as the "chancery court clerk  
82 clearing account," into which shall be deposited: (a) all such  
83 monies as the clerk of the chancery court shall receive from any  
84 person complying with any writ of garnishment, attachment,  
85 execution or other like process authorized by law for the  
86 enforcement of child support, spousal support or any other  
87 judgment; (b) any portion of any fees required by law to be  
88 collected in civil cases which are to pay for the service of  
89 process or writs in another county; and (c) any other money as  
90 shall be deposited with the court which by its nature is not, at  
91 the time of its deposit, public monies, but which is to be held by  
92 the court in a trust or custodial capacity in a case or proceeding  
93 before the court. The clerk of the chancery court shall account  
94 for all monies deposited in and disbursed from such account and  
95 shall be authorized and empowered to draw and issue checks on such  
96 account at such times, in such amounts and to such persons as  
97 shall be proper and in accordance with law.

98 The following monies paid to the chancery clerk shall be  
99 subject to the salary limitation prescribed under subsection (1):

100 (a) all fees required by law to be collected for the filing,  
101 recording or abstracting of any bill, petition, pleading or decree  
102 in any civil case in chancery; (b) all fees collected for land  
103 recordings, charters, notary bonds, certification of decrees and  
104 copies of any documents; (c) all land redemption and mineral



105 documentary stamp commissions; and (d) any other monies or  
106 commissions from private or governmental sources for statutory  
107 functions which are not to be held by the court in a trust  
108 capacity. Such fees as shall exceed the salary limitations shall  
109 be maintained in a bank account in the county depository and  
110 accounted for separately from those monies paid into the chancery  
111 court clerk clearing account.

112 (5) There is created in the county depository in each county  
113 a clearing account to be designated as the "circuit court clerk  
114 civil clearing account," into which shall be deposited: (a) all  
115 such monies and fees as the clerk of the circuit court shall  
116 receive from any person complying with any writ of garnishment,  
117 attachment, execution or any other like process authorized by law  
118 for the enforcement of a judgment; (b) any portion of any fees  
119 required by law or court order to be collected in civil cases;  
120 (c) all fees collected for the issuance of marriage licenses; and  
121 (d) any other money as shall be deposited with the court which by  
122 its nature is not, at the time of its deposit, public monies but  
123 which is to be held by the court in a trust or custodial capacity  
124 in a case or proceeding before the court.

125 There is created in the county depository in each county a  
126 clearing account to be designated as the "circuit court clerk  
127 criminal clearing account," into which shall be deposited: (a)  
128 all such monies as are received in criminal cases in the circuit  
129 court pursuant to any order requiring payment as restitution to



130 the victims of criminal offenses; (b) any portion of any fees and  
131 fines required by law or court order to be collected in criminal  
132 cases; and (c) all cash bonds as shall be deposited with the  
133 court. The clerk of the circuit court shall account for all  
134 monies deposited in and disbursed from such account and shall be  
135 authorized and empowered to draw and issue checks on such account,  
136 at such times, in such amounts and to such persons as shall be  
137 proper and in accordance with law; however, such monies as are  
138 forfeited in criminal cases shall be paid by the clerk of the  
139 circuit court to the clerk of the board of supervisors for deposit  
140 in the general fund of the county.

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

149 (6) The chancery clerk and the circuit clerk shall establish  
150 and maintain a cash journal for recording cash receipts from  
151 private or government sources for furnishing copies of any papers  
152 of record or on file, or for rendering services as a notary  
153 public, or other fees wherein the total fee for the transaction is  
154 Ten Dollars (\$10.00) or less. The cash journal entry shall



155 include the date, amount and type of transaction, and the clerk  
156 shall not be required to issue a receipt to the person receiving  
157 such services. The State Auditor shall not take exception to the  
158 furnishing of copies or the rendering of services as a notary by  
159 any clerk free of charge.

160 In any county having two (2) judicial districts, whenever the  
161 chancery clerk serves as deputy to the circuit clerk in one (1)  
162 judicial district and the circuit clerk serves as deputy to the  
163 chancery clerk in the other judicial district, the chancery clerk  
164 may maintain a cash journal, separate from the cash journal  
165 maintained for chancery clerk receipts, for recording the cash  
166 receipts paid to him as deputy circuit clerk, and the circuit  
167 clerk may maintain a cash journal, separate from the cash journal  
168 maintained for circuit clerk receipts, for recording the cash  
169 receipts paid to him as deputy chancery clerk. The cash receipts  
170 collected by the chancery clerk in his capacity as deputy circuit  
171 clerk and the cash receipts collected by the circuit clerk in his  
172 capacity as deputy chancery clerk shall be subject to the salary  
173 limitation prescribed under subsection (1).

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



180           **SECTION 2.** Section 23-15-225, Mississippi Code of 1972, is  
181 amended as follows:

182           23-15-225. (1) The registrar shall be entitled to such  
183 compensation, payable monthly out of the county treasury, which  
184 the board of supervisors of the county shall allow on an annual  
185 basis in the following amounts:

186           (a) For counties with a total population of more than  
187 two hundred thousand (200,000), an amount not to  
188 exceed \* \* \*~~Twenty-nine Thousand Nine Hundred Dollars (\$29,900.00)~~  
189 Thirty-two Thousand Five Hundred Ninety-one Dollars (\$32,591.00),  
190 but not less than \* \* \*~~Nine Thousand Two Hundred Dollars~~  
191 ~~(\$9,200.00)~~ Ten Thousand Twenty-eight Dollars (\$10,028.00).

192           (b) For counties with a total population of more than  
193 one hundred thousand (100,000) and not more than two hundred  
194 thousand (200,000), an amount not to exceed \* \* \*~~Twenty-five~~  
195 ~~Thousand Three Hundred Dollars (\$25,300.00)~~ Twenty-seven Thousand  
196 Five Hundred Seventy-seven Dollars (\$27,577.00), but not less  
197 than \* \* \*~~Nine Thousand Two Hundred Dollars (\$9,200.00)~~ Ten  
198 Thousand Twenty-eight Dollars (\$10,028.00).

199           (c) For counties with a total population of more than  
200 fifty thousand (50,000) and not more than one hundred thousand  
201 (100,000), an amount not to exceed \* \* \*~~Twenty-three Thousand~~  
202 ~~Dollars (\$23,000.00)~~ Twenty-five Thousand Seventy Dollars  
203 (\$25,070.00), but not less than \* \* \*~~Nine Thousand Two Hundred~~





204 ~~Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight Dollars  
205 (\$10,028.00).

206 (d) For counties with a total population of more than  
207 thirty-five thousand (35,000) and not more than fifty thousand  
208 (50,000), an amount not to exceed \* \* \*~~Twenty Thousand Seven~~  
209 ~~Hundred Dollars (\$20,700.00)~~ Twenty-two Thousand Five Hundred  
210 Sixty-three Dollars (\$22,563.00), but not less than \* \* \*~~Nine~~  
211 ~~Thousand Two Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight  
212 Dollars (\$10,028.00).

213 (e) For counties with a total population of more than  
214 twenty-five thousand (25,000) and not more than thirty-five  
215 thousand (35,000), an amount not to exceed \* \* \*~~Eighteen Thousand~~  
216 ~~Four Hundred Dollars (\$18,400.00)~~ Twenty Thousand Fifty-six  
217 Dollars (\$20,056.00), but not less than \* \* \*~~Nine Thousand Two~~  
218 ~~Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight Dollars  
219 (\$10,028.00).

220 (f) For counties with a total population of more than  
221 fifteen thousand (15,000) and not more than twenty-five thousand  
222 (25,000), an amount not to exceed \* \* \*~~Sixteen Thousand One~~  
223 ~~Hundred Dollars (\$16,100.00)~~ Seventeen Thousand Five Hundred  
224 Forty-nine Dollars (\$17,549.00), but not less than \* \* \*~~Nine~~  
225 ~~Thousand Two Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight  
226 Dollars (\$10,028.00).

227 (g) For counties with a total population of more than  
228 ten thousand (10,000) and not more than fifteen thousand (15,000),



229 an amount not to exceed \* \* \*~~Thirteen Thousand Eight Hundred~~  
230 ~~Dollars (\$13,800.00)~~ Fifteen Thousand Forty-two Dollars  
231 (\$15,042.00), but not less than \* \* \*~~Eight Thousand Fifty Dollars~~  
232 ~~(\$8,050.00)~~ Eight Thousand Seven Hundred Seventy-four Dollars  
233 (\$8,774.00).

234 (h) For counties with a total population of more than  
235 six thousand (6,000) and not more than ten thousand (10,000), an  
236 amount not to exceed \* \* \*~~Eleven Thousand Five Hundred Dollars~~  
237 ~~(\$11,500.00)~~ Twelve Thousand Five Hundred Thirty-five Dollars  
238 (\$12,535.00), but not less than \* \* \*~~Eight Thousand Fifty Dollars~~  
239 ~~(\$8,050.00)~~ Eight Thousand Seven Hundred Seventy-four Dollars  
240 (\$8,774.00).

241 (i) For counties with a total population of not more  
242 than six thousand (6,000), an amount not to exceed \* \* \*~~Nine~~  
243 ~~Thousand Two Hundred Dollars (\$9,200.00)~~ Ten Thousand Twenty-eight  
244 Dollars (\$10,028.00) but not less than \* \* \*~~Six Thousand Three~~  
245 ~~Hundred Twenty-five Dollars (\$6,325.00)~~ Six Thousand Eight Hundred  
246 Ninety-four Dollars (\$6,894.00).

247 (j) For counties having two (2) judicial districts, the  
248 board of supervisors of the county may allow, in addition to the  
249 sums prescribed herein, in its discretion, an amount not to exceed  
250 Eleven Thousand Five Hundred Dollars (\$11,500.00).

251 (2) In the event of a reregistration within such county, or  
252 a redistricting that necessitates the hiring of additional deputy  
253 registrars, the board of supervisors, in its discretion, may by



254 contract compensate the county registrar amounts in addition to  
255 the sums prescribed herein.

256 (3) As compensation for their services in assisting the  
257 county election commissioners in performance of their duties in  
258 the revision of the voter roll as electronically maintained by the  
259 Statewide Elections Management System and in assisting the  
260 election commissioners, executive committees or boards of  
261 supervisors in connection with any election, the registrar shall  
262 receive the same daily per diem and limitation on meeting days as  
263 provided for the board of election commissioners as set out in  
264 Sections 23-15-153 and 23-15-227 to be paid from the general fund  
265 of the county.

266 (4) In any case where an amount has been allowed by the  
267 board of supervisors pursuant to this section, such amount shall  
268 not be reduced or terminated during the term for which the  
269 registrar was elected.

270 (5) The circuit clerk shall, in addition to any other  
271 compensation provided for by law, be entitled to receive as  
272 compensation from the board of supervisors the amount of Two  
273 Thousand Five Hundred Dollars (\$2,500.00) per year. This payment  
274 shall be for the performance of his or her duties in regard to the  
275 conduct of elections and the performance of his or her other  
276 duties.

277 (6) The municipal clerk shall, in addition to any other  
278 compensation for performance of duties, be eligible to receive as



279 compensation from the municipality's governing authorities a  
280 reasonable amount of additional compensation for reimbursement of  
281 costs and for additional duties associated with mail-in  
282 registration of voters.

283 (7) The board of supervisors shall not allow any additional  
284 compensation authorized under this section for services as county  
285 registrar to any circuit clerk who is receiving fees as  
286 compensation for his or her services equal to the limitation on  
287 compensation prescribed in Section 9-1-43.

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

290 25-3-3. (1) The term "total assessed valuation" as used in  
291 this section only refers to the ad valorem assessment for the  
292 county and, in addition, in counties where oil or gas is produced,  
293 the actual value of oil at the point of production, as certified  
294 to the counties by the \* \* \*~~State Tax Commission~~ Department of  
295 Revenue under the provisions of Sections 27-25-501 through  
296 27-25-525, and the actual value of gas as certified by  
297 the \* \* \*~~State Tax Commission~~ Department of Revenue under the  
298 provisions of Sections 27-25-701 through 27-25-723.

299 (2) The salary of assessors and collectors of the various  
300 counties is fixed as full compensation for their services as  
301 county assessors or tax collectors, or both if the office of  
302 assessor has been combined with the office of tax collector. The  
303 annual salary of each assessor or tax collector, or both if the



304 offices have been combined, shall be based upon the total assessed  
305 valuation of his respective county for the preceding taxable year  
306 in the following categories and for the following amounts:

307 (a) For counties having a total assessed valuation of  
308 Three Billion Dollars (\$3,000,000,000.00) or more, a salary of  
309 Seventy-six Thousand Two Hundred Fifty Dollars (\$76,250.00);

310 ( \* \* \* ab) For counties having a total assessed  
311 valuation of at least Two Billion Dollars  
312 (\$2,000,000,000.00) \* \* \* ~~or more~~ but less than Three Billion  
313 Dollars (\$3,000,000,000.00), a salary of \* \* \* ~~Sixty-four Thousand~~  
314 ~~Dollars \$64,000.00~~ Seventy-three Thousand Five Hundred Dollars  
315 (\$73,500.00);

316 ( \* \* \* bc) For counties having a total assessed  
317 valuation of at least One Billion Dollars (\$1,000,000,000.00) but  
318 less than Two Billion Dollars (\$2,000,000,000.00), a salary  
319 of \* \* \* ~~Sixty-one Thousand Five Hundred Dollars (\$61,500.00~~  
320 Seventy Thousand Seven Hundred Fifty Dollars (\$70,750.00);

321 ( \* \* \* ed) For counties having a total assessed  
322 valuation of at least Five Hundred Million Dollars  
323 (\$500,000,000.00) but less than One Billion Dollars  
324 (\$1,000,000,000.00), a salary of \* \* \* ~~Fifty-eight Thousand Five~~  
325 ~~Hundred Dollars (\$58,500.00)~~ Sixty-seven Thousand Two Hundred  
326 Fifty Dollars (\$67,250.00);

327 ( \* \* \* de) For counties having a total assessed  
328 valuation of at least Two Hundred Fifty Million Dollars



329 (\$250,000,000.00) but less than Five Hundred Million Dollars  
330 (\$500,000,000.00), a salary of \* \* \*~~Fifty-six Thousand~~  
331 ~~Dollars~~(\$56,000.00) Sixty-four Thousand Two Hundred Fifty Dollars  
332 (\$64,250.00);

333 ( \* \* \*~~ef~~) For counties having a total assessed  
334 valuation of at least One Hundred Fifty Million Dollars  
335 (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars  
336 (\$250,000,000.00), a salary of \* \* \*~~Fifty-four Thousand Dollars~~  
337 ~~(\$54,000.00)~~ Sixty-two Thousand Dollars (\$62,000.00);

338 ( \* \* \*~~fg~~) For counties having a total assessed  
339 valuation of at least Seventy-five Million Dollars  
340 (\$75,000,000.00) but less than One Hundred Fifty Million Dollars  
341 (\$150,000,000.00), a salary of \* \* \*~~Fifty-two Thousand Five~~  
342 ~~Hundred Dollars~~(\$52,500.00) Sixty Thousand Two Hundred Fifty  
343 Dollars (\$60,250.00);

344 \* \* \*~~g~~ For counties having a total assessed valuation  
345 ~~of at least Thirty-five Million Dollars (\$35,000,000.00) but less~~  
346 ~~than Seventy-five Million Dollars (\$75,000,000.00), a salary of~~  
347 ~~Forty-eight Thousand Five Hundred Dollars (\$48,500.00);~~

348 (h) For counties having a total assessed valuation of  
349 less than \* \* \* ~~Thirty-five Million Dollars (\$35,000,000.00)~~  
350 Seventy-five Million Dollars (\$75,000,000.00), a salary  
351 of \* \* \*~~Forty-one Thousand Five Hundred Dollars (41,500.00)~~  
352 Fifty-five Thousand Seven Hundred Fifty Dollars (\$55,750.00).



353 (3) In addition to all other compensation paid pursuant to  
354 this section, the board of supervisors shall pay to a person  
355 serving as both the tax assessor and tax collector in their county  
356 an additional Five Thousand Dollars (\$5,000.00) per year.

357 (4) The annual salary established for assessors and tax  
358 collectors shall not be reduced as a result of a reduction in  
359 total assessed valuation. The salaries shall be increased as a  
360 result of an increase in total assessed valuation.

361 (5) In addition to all other compensation paid to assessors  
362 and tax collectors in counties having two (2) judicial districts,  
363 the board of supervisors shall pay such assessors and tax  
364 collectors an additional Three Thousand Five Hundred Dollars  
365 (\$3,500.00) per year. In addition to all other compensation paid  
366 to assessors or tax collectors, in counties maintaining two (2)  
367 full-time offices, the board of supervisors shall pay the assessor  
368 or tax collector an additional Three Thousand Five Hundred Dollars  
369 (\$3,500.00) per year.

370 (6) In addition to all other compensation paid to assessors  
371 and tax collectors, the board of supervisors of a county shall  
372 allow for such assessor or tax collector, or both, to be paid  
373 additional compensation when there is a contract between the  
374 county and one or more municipalities providing that the assessor  
375 or tax collector, or both, shall assess or collect taxes, or both,  
376 for the municipality or municipalities; and such assessor or tax  
377 collector, or both, shall be authorized to receive such additional



378 compensation from the county and/or the municipality or  
379 municipalities in any amount allowed by the county and/or the  
380 municipality or municipalities for performing those services.

381 (7) When any tax assessor holds a valid certificate of  
382 educational recognition from the International Association of  
383 Assessing Officers or is a licensed appraiser under Section  
384 73-34-1 et seq., he shall receive an additional One Thousand Five  
385 Hundred Dollars (\$1,500.00) annually beginning the next fiscal  
386 year after completion. When any tax assessor is a licensed state  
387 certified Residential Appraiser (RA) or licensed state certified  
388 Timberland Appraiser (TA) under Section 73-34-1 et seq., or when  
389 any tax assessor holds a valid designation from the International  
390 Association of Assessing Officers as a Cadastral Mapping  
391 Specialist (CMS) or Personal Property Specialist (PPS) or  
392 Residential Evaluation Specialist (RES), he shall receive an  
393 additional Six Thousand Five Hundred Dollars (\$6,500.00) annually  
394 beginning the next fiscal year after completion. When any tax  
395 assessor holds the valid designation of Certified Assessment  
396 Evaluator (CAE) from the International Association of Assessing  
397 Officers or is a state certified General Real Estate Appraiser  
398 (GA) under Section 73-34-1 et seq., he shall receive an additional  
399 Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning  
400 the next fiscal year after completion.

401 (8) The salaries provided for in this section shall be the  
402 total funds paid to the county assessors and tax collectors and





403 shall be full compensation for their services, with any fees being  
404 paid to the county general fund.

405 (9) The salaries provided for in this section shall be  
406 payable monthly on the first day of each calendar month by  
407 chancery clerk's warrant drawn on the general fund of the county;  
408 however, the board of supervisors, by resolution duly adopted and  
409 entered on its minutes, may provide that such salaries shall be  
410 paid semimonthly on the first and fifteenth day of each month. If  
411 a pay date falls on a weekend or legal holiday, salary payments  
412 shall be made on the workday immediately preceding the weekend or  
413 legal holiday.

414 **SECTION 4.** Section 25-3-7, Mississippi Code of 1972, is  
415 brought forward as follows:

416 25-3-7. From the State Treasury shall be paid up to  
417 one-fourth (1/4) of the salary of each county assessor, but in no  
418 instance shall the payment exceed the figure paid for the fiscal  
419 year of 1970-1971 to the assessor, whether or not the offices of  
420 assessor and tax collector are combined.

421 **SECTION 5.** Section 25-3-13, Mississippi Code of 1972, is  
422 amended as follows:

423 25-3-13. (1) The salaries of the members of the boards of  
424 supervisors of the various counties are fixed as full compensation  
425 for their services.

426 The annual salary of each member of the board of supervisors  
427 shall be based upon the total assessed valuation of his respective



428 county for the preceding taxable year in the following categories  
429 and for the following amounts:

430 (a) For counties having a total assessed valuation of  
431 less than Thirty Million Dollars (\$30,000,000.00), a salary  
432 of \* \* \* ~~Twenty-nine Thousand Dollars (\$29,000.00)~~ Thirty-nine  
433 Thousand Dollars (\$39,000.00);

434 (b) For counties having a total assessed valuation of  
435 at least Thirty Million Dollars (\$30,000,000.00), but less than  
436 Fifty Million Dollars (\$50,000,000.00), a salary of \* \* \*  
437 ~~Thirty-two Thousand Three Hundred Dollars (\$32,300.00)~~ Forty-two  
438 Thousand Three Hundred Dollars (\$42,300.00);

439 (c) For counties having a total assessed valuation of  
440 at least Fifty Million Dollars (\$50,000,000.00), but less than  
441 Seventy-five Million Dollars (\$75,000,000.00), a salary of \* \* \*  
442 ~~Thirty-three Thousand Seven Hundred Dollars (\$33,700.00)~~  
443 Forty-three Thousand Seven Hundred Dollars (\$43,700.00);

444 (d) For counties having a total assessed valuation of  
445 at least Seventy-five Million Dollars (\$75,000,000.00), but less  
446 than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a  
447 salary of \* \* \* ~~Thirty-four Thousand Seven Hundred Dollars~~  
448 ~~(\$34,700.00)~~ Forty-four Thousand Seven Hundred Dollars  
449 (\$44,700.00);

450 (e) For counties having a total assessed valuation of  
451 at least One Hundred Twenty-five Million Dollars  
452 (\$125,000,000.00), but less than Three Hundred Million Dollars



453 (\$300,000,000.00), a salary of \* \* \* ~~Forty Thousand Four Hundred~~  
454 ~~Dollars (\$40,400.00)~~ Fifty Thousand Four Hundred Dollars  
455 (\$50,400.00);

456 (f) For counties having a total assessed valuation of  
457 at least Three Hundred Million Dollars (\$300,000,000.00), but less  
458 than One Billion Dollars (\$1,000,000,000.00), a salary of \* \* \*  
459 ~~Forty-four Thousand Seven Hundred Dollars (\$44,700.00)~~ Fifty-four  
460 Thousand Seven Hundred Dollars (\$54,700.00);

461 (g) For counties having a total assessed valuation of  
462 One Billion Dollars (\$1,000,000,000.00), but less than Two Billion  
463 Dollars (\$2,000,000,000.00), a salary of \* \* \* ~~Forty-five Thousand~~  
464 ~~Seven Hundred Dollars (\$45,700.00)~~ Fifty-five Thousand Seven  
465 Hundred Dollars (\$55,700.00);

466 (h) For counties having a total assessed valuation of  
467 Two Billion Dollars (\$2,000,000,000.00) or more, a salary of \* \* \*  
468 ~~Forty-six Thousand Seven Hundred Dollars (\$46,700.00)~~ Fifty-six  
469 Thousand Seven Hundred Dollars (\$56,700.00).

470 (2) The annual salary established for the members of the  
471 board of supervisors shall not be reduced as a result of a  
472 reduction in total assessed valuation.

473 (3) The salary of the members of the board of supervisors  
474 shall not be increased under this section until the board of  
475 supervisors shall have passed a resolution stating the amount of  
476 the increase and spread it on its minutes.



477           **SECTION 6.** Section 25-7-9, Mississippi Code of 1972, is  
478 amended as follows:

479           25-7-9. (1) The clerks of the chancery courts shall charge  
480 the following fees:

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

483           (b) \* \* \*~~(i)~~ Recording each deed, will, lease,  
484 amendment, subordination, lien, release, cancellation, order,  
485 decree, oath, etc., per book and page listed where  
486 applicable \* \* \*~~;~~ each deed of trust, or any other document, for  
487 the first \* \* \*~~fifteen (15)~~ five (5) pages....\$ \* \* \*~~10.00~~     25.00

488                     Each additional page.....\$     1.00

489     \* \* \*~~(ii)~~ ~~Sectional index entries per section or subdivision~~  
490 ~~lot~~.....\$     ~~1.00~~

491     ~~(c) Recording each deed of trust, for the first~~  
492                     ~~fifteen (15) pages.....\$     15.00~~

493     .....~~Each additional~~  
494     ~~page.....\$     1.00~~

495           ( \* \* \*~~dc~~) (i) Recording oil and gas leases,  
496 cancellations, etc., including indexing in general indices; for  
497 the first fifteen (15) pages.....\$     18.00

498                     Each additional page.....\$     1.00

499           (ii) Sectional index entries per section or  
500 subdivision lot.....\$     1.00

501           (iii) Recording each oil and gas assignment



502 per assignee per each book and page listed.....\$ 18.00

503 ( \* \* \*ed) (i) Furnishing copies of any papers of

504 record or on file:

505 If performed by the clerk or his employee,

506 per page.....\$ .50

507 If performed by any other person,

508 per page.....\$ .25

509 (ii) Entering marginal notations on

510 documents of record.....\$ 1.00

511 ( \* \* \*fe) For each day's attendance on the board of

512 supervisors, for himself and one (1) deputy, each.....\$ 20.00

513 ( \* \* \*gf) For other services as clerk of the board of

514 supervisors an allowance shall be made to him (payable

515 semiannually at the July and January meetings) out of the county

516 treasury, an annual sum not exceeding.....\$3,000.00

517 ( \* \* \*hg) For each day's attendance on the chancery

518 court, to be approved by the chancellor:

519 For the first chancellor sitting only, clerk and

520 two (2) deputies, each.....\$ \* \* \*~~50.00~~ 85.00

521 For the second chancellor sitting,

522 clerk only.....\$ \* \* \*~~50.00~~ 85.00

523 Provided that the fees herein prescribed shall be the total

524 remuneration for the clerk and his deputies for attending chancery

525 court.



526 ( \* \* \*~~h~~) On order of the court, clerks and not more  
527 than two (2) deputies may be allowed five (5) extra days for each  
528 term of court for attendance upon the court to get up records.

529 ( \* \* \*~~j~~i) For public service not otherwise  
530 specifically provided for, the chancery court may by order allow  
531 the clerk to be paid by the county on the order of the board of  
532 supervisors, an annual sum not exceeding.....\$5,000.00

533 ( \* \* \*~~k~~j) For each civil filing, to be deposited into  
534 the Civil Legal Assistance Fund.....\$ 5.00

535 The chancery clerk shall itemize on the original document a  
536 detailed fee bill of all charges due or paid for filing, recording  
537 and abstracting same. No person shall be required to pay such  
538 fees until same have been so itemized, but those fees may be  
539 demanded before the document is recorded.

540 (2) The following \* \* \*~~fees~~ fee shall be a total fee for all  
541 services performed by the clerk with respect to \* \* \*~~a complaint~~  
542 any civil case filed that includes, but is not limited to,  
543 divorce, alteration of birth or marriage certificate, removal of  
544 minority, guardianship or conservatorship, estate of deceased,  
545 adoption, land dispute injunction, settlement of small claim,  
546 contempt, modification, partition suit, or commitment, which shall  
547 be payable upon filing and shall accrue to the chancery clerk at  
548 the time of filing. The clerk or his successor in office shall  
549 perform all duties set forth without additional compensation or



550 fee \* \* \* ..... ~~to wit(a)~~

551 ~~Divorce to be contested \$75.00 (b) Divorce uncontested \$30.00~~

552 ~~(c) Alteration of birth or marriage certificate.. \$25.00~~

553 ~~(d) Removal of minority..... \$25.00~~

554 ~~(e) Guardianship or conservatorship..... \$75.00~~

555 ~~(f) Estate of deceased, intestate..... \$75.00~~

556 ~~(g) Estate of deceased, testate..... \$75.00~~

557 ~~(h) Adoption..... \$75.00~~

558 ~~(i) Land dispute..... \$75.00~~

559 ~~(j) Injunction..... \$75.00~~

560 ~~(k) Settlement of small claim..... \$30.00~~

561 ~~(l) Contempt in child support..... \$75.00~~

562 ~~(m) Partition suit..... \$75.00~~

563 ~~(n) Any cross-complaint..... \$25.00~~

564 ~~(o) Commitment \$75.00\$ 85.00~~

565 (3) For every civil case filed:

566 (a) An additional fee to be deposited to the credit of

567 the Comprehensive Electronic Court Systems Fund established in

568 Section 9-21-14.....\$ 10.00

569 (b) An additional fee to be deposited to the

570 credit of the Judicial System Operation Fund established in

571 Section 9-21-45.....\$ 40.00

572 (4) Cost of process shall be borne by the issuing party.

573 Additionally, should the attorney or person filing the pleadings

574 desire the clerk to pay the cost to the sheriff for serving



575 process on one (1) person or more, or to pay the cost of  
576 publication, the clerk shall demand the actual charges therefor,  
577 at the time of filing.

578 **SECTION 7.** Section 25-7-13, Mississippi Code of 1972, is  
579 amended as follows:

580 25-7-13. (1) The clerks of the circuit court shall charge  
581 the following fees:

582 (a) Docketing, filing, marking and registering each  
583 complaint, petition and indictment.....\$ 85.00

584 The fee set forth in this paragraph shall be the total fee  
585 for all services performed by the clerk up to and including entry  
586 of judgment with respect to each complaint, petition or  
587 indictment, including all answers, claims, orders, continuances  
588 and other papers filed therein, issuing each writ, summons,  
589 subpoena or other such instruments, swearing witnesses, taking and  
590 recording bonds and pleas, and recording judgments, orders, fiats  
591 and certificates; the fee shall be payable upon filing and shall  
592 accrue to the clerk at the time of collection. The clerk or his  
593 successor in office shall perform all duties set forth above  
594 without additional compensation or fee.

595 (b) Docketing and filing each motion to renew judgment,  
596 notice of renewal of judgment, suggestion for a writ of  
597 garnishment, suggestion for a writ of execution and judgment  
598 debtor actions and issuing all process, filing and recording  
599 orders or other papers and swearing witnesses.....\$ 35.00





600 (c) For every civil case filed, an additional fee to be  
601 deposited to the credit of the Comprehensive Electronic Court  
602 Systems Fund established in Section 9-21-14.....\$ 10.00

603 (d) For every civil case filed, an additional fee to be  
604 deposited to the credit of the Judicial System Operation Fund  
605 established in Section 9-21-45.....\$ 40.00

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

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

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

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

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

615 (e) Recording orders, fiats, licenses, certificates,  
616 oaths and bonds:

617 First page.....\$ 2.00

618 Each additional page.....\$ 1.00

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

621 If performed by the clerk or his employee,  
622 per page.....\$ 1.00

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

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



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

626 (i) For taking and recording application for marriage  
627 license, for filing and recording consent of parents when required  
628 by law, for filing and recording medical certificate, filing and  
629 recording proof of age, recording and issuing license, recording  
630 and filing returns.....\$ 20.00

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

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

638 (k) For public service not particularly provided for,  
639 the circuit court may allow the clerk, per annum, to be paid by  
640 the county on presentation of the circuit court's order, the  
641 following amount.....\$5,000.00

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

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

646 (m) For each day's attendance upon the circuit court  
647 term, for himself and necessary deputies allowed by the court,  
648 each to be paid by the county.....\$ \* \* \*~~50.00~~ 75.00



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

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

654 (p) For each civil filing, to be deposited into the  
655 Civil Legal Assistance Fund.....\$ 5.00

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

659 (4) The clerk's fees in state cases where the state fails in  
660 the prosecution, or in cases of felony where the defendant is  
661 convicted and the cost cannot be made out of his estate, in an  
662 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)  
663 year, shall be paid out of the county treasury on approval of the  
664 circuit court, and the allowance thereof by the board of  
665 supervisors of the county. In counties having two (2) judicial  
666 districts, such allowance shall be made in each judicial district;  
667 however, the maximum thereof shall not exceed Eight Hundred  
668 Dollars (\$800.00). Clerks in the circuit court, in cases where  
669 appeals are taken in criminal cases and no appeal bond is filed,  
670 shall be allowed by the board of supervisors of the county after  
671 approval of their accounts by the circuit court, in addition to  
672 the above fees, for making such transcript the rate of Two Dollars  
673 (\$2.00) per page.



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

678 (6) For making final records required by law, including, but  
679 not limited to, circuit and county court minutes, and furnishing  
680 transcripts of records, the circuit clerk shall charge Two Dollars  
681 (\$2.00) per page. The same fees shall be allowed to all officers  
682 for making and certifying copies of records or papers which they  
683 are authorized to copy and certify.

684 (7) The circuit clerk shall prepare an itemized statement of  
685 fees for services performed, cost incurred, or for furnishing  
686 copies of any papers of record or on file, and shall submit the  
687 statement to the parties or, if represented, to their attorneys  
688 within sixty (60) days. A bill for same shall accompany the  
689 statement.

690 **SECTION 8.** Section 25-7-19, Mississippi Code of 1972, is  
691 amended as follows:

692 25-7-19. (1) The sheriffs of the various counties of the  
693 State of Mississippi shall charge the following fees:

694 (a) A uniform total fee in all criminal and civil cases  
695 for the service or attempted service of any process, summons,  
696 warrant, writ or other notice as may be required by law or the  
697 court, each.....\$ \* \* \*~~35.00~~ 45.00



698 (b) In all cases where there is more than one (1)  
699 defendant residing at the same household, service on each  
700 additional defendant.....\$ 5.00

701 (c) After final judgment has been enrolled, notice of  
702 further proceedings involving levy of execution on judgments, and  
703 attachment and garnishment proceedings, shall be deemed a new suit  
704 and the sheriff shall be entitled to the  
705 following fee .....\$ \* \* \*~~35.00~~ 45.00

706 (d) Taking bonds of every kind (for purposes of this  
707 fee multiple bonds for criminal charges arising out of a single  
708 incident or transaction shall be considered a single  
709 bond).....\$ 25.00

710 (e) Attendance in habeas corpus proceeding in vacation,  
711 eminent domain court and commitment cases.....\$ 25.00

712 (f) On all money made by virtue of any decree,  
713 execution or attachment, or other process, the following  
714 commissions, to wit:

715 On the first One Hundred Dollars (\$100.00), five  
716 percent (5%),

717 On the second One Hundred Dollars (\$100.00), four  
718 percent (4%),

719 On all sums over Two Hundred Dollars (\$200.00),  
720 three percent (3%).



721 (g) For all service of all process of every kind and  
722 nature issued from without the county wherein it is to be served,  
723 a fee of.....\$ \* \* \*~~35.00~~ 45.00

724 In civil cases, all process sent out of the county, where  
725 issued to another county for service, shall be accompanied by a  
726 fee of \* \* \*~~Thirty-five Dollars (\$35.00)~~ Forty-five Dollars  
727 (\$45.00) to pay the sheriff's fee for his execution of such  
728 process unless the clerk or justice shall endorse on the process  
729 that the party at whose instance it issued had filed an affidavit  
730 of inability to pay costs thereof. All fees sent and unearned,  
731 and the whole of it, shall be unearned if the writ be not legally  
732 and properly executed and returned, and shall be remitted by the  
733 sheriff with the writ at his own expense.

734 (2) (a) The sheriff shall keep a complete account of every  
735 fee of every nature, commission or charge collected by him, and  
736 shall file an itemized statement thereof monthly, under oath, with  
737 the clerk of the board of supervisors of his county who shall  
738 preserve same as a part of the records of his office, and he shall  
739 make a remittance to the clerk of the board of supervisors of his  
740 county on or before the fifteenth of each month for deposit into  
741 the general fund of the county of all said fees, commissions and  
742 charges collected during the preceding month. A fee for attempted  
743 service of process is unearned absent two (2) documented actual  
744 attempts to serve the process.



745 (b) At least Ten Dollars (\$10.00) from each fee  
746 collected and deposited into the county's general fund under the  
747 provisions of paragraphs (a), (c) and (g) of subsection (1) of  
748 this section shall be used for the sheriffs' salaries authorized  
749 in Section 25-3-25, as such Ten Dollar (\$10.00) amount was  
750 authorized during the 2007 Regular Session in Chapter 331, Laws of  
751 2007, for the purpose of providing additional monies to the  
752 counties for sheriffs' salaries.

753 (3) Any sheriff who shall knowingly fail to collect any fee  
754 established by law which was in fact collectible by him or having  
755 collected the fee shall fail to keep account of such fee or fail  
756 to deposit the fee with the clerk of the board of supervisors as  
757 provided by subsection (2), or such other person or office  
758 entitled thereto, shall be guilty of a misdemeanor in office and,  
759 upon conviction therefor, shall be fined in an amount not to  
760 exceed double the amount he failed to collect or pay over, or  
761 imprisoned for not to exceed six (6) months in the county jail, or  
762 be punished by both such fine and imprisonment.

763 This provision shall in no way lessen the sheriff's civil  
764 liability on his bond, but shall be an additional penalty for  
765 misfeasance or nonfeasance in office.

766 **SECTION 9.** Section 25-7-27, Mississippi Code of 1972, is  
767 amended as follows:

768 25-7-27. (1) Marshals and constables shall charge the  
769 following fees:



770 (a) (i) ~~\*\*\*~~ A uniform total fee In all civil and  
771 criminal cases, ~~\*\*\*~~ ~~whether contested or uncontested, which~~  
772 ~~shall include all services in connection therewith, except as~~  
773 ~~stated otherwise in this section, each~~ for each service of  
774 process, summons, warrant, writ or  
775 other notice.....\$35.00 ~~\*\*\*~~40.00 45.00

776 ~~\*\*\*~~ (ii) A uniform total fee in all criminal cases, whether  
777 ~~contested or uncontested, which shall include all services in~~  
778 ~~connection therewith, except as stated otherwise in this section,~~  
779 ~~each~~.....\$35.00

780 ( ~~\*\*\*~~ ~~iiii~~) In all cases where there is more  
781 than one (1) defendant residing at the same household, for service  
782 on each additional defendant.....\$ 5.00

783 (iii) For service of each process of every kind  
784 and nature issued from outside the county where it is to be  
785 served, the fees provided in subparagraphs (i) and (ii) of this  
786 paragraph, as applicable, shall be assessed.

787 (iv) When a complaining party has provided  
788 erroneous information to the clerk of the court relating to the  
789 service of process on the defendant or defendants and process  
790 cannot be served after diligent search and inquiry on oath thereof  
791 of the marshal or constable, as the case may be, charged with  
792 serving such process, the ~~\*\*\*~~ uniform fees provided in  
793 subparagraphs (i) and (ii) of this paragraph, as applicable, shall





794 be assessed \* \* \* ~~upon subsequent successful service and an~~  
795 ~~additional fee shall be due in the following amount.....\$15.00.~~

796 (v) When \* \* \* ~~a complaining party has provided~~  
797 ~~erroneous information to the clerk of the court relating to the~~  
798 ~~service of process on the defendant or defendants and process~~  
799 ~~cannot be served after diligent search and inquiry, process has~~  
800 ~~been attempted in one (1) county but the defendant is not found,~~  
801 ~~and process must be served on that defendant in another county,~~  
802 ~~the clerk shall notify the complaining party that an additional~~  
803 ~~fee or fees must be paid before the process can be delivered to~~  
804 ~~the other county.~~

805 (b) After final judgment has been enrolled, further  
806 proceedings involving levy of execution on judgments, and  
807 attachment and garnishment proceedings shall be a new suit for  
808 which the marshal or constable shall be entitled to the following  
809 fee.....\$ \* \* \* ~~35.00~~ 45.00

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

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

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



818 (e) For service as a bailiff in any court in a civil  
819 case, to be paid by the county on allowance of the court on  
820 issuance of a warrant therefor, an amount equal to the \* \* \* ~~per~~  
821 ~~diem compensation~~ amount provided under Section \* \* \* ~~25-3-69~~  
822 19-25-31 for each day, or part thereof, for which he serves as  
823 bailiff when the court is in session.

824 (f) For serving all warrants and other process and  
825 attending all trials in state cases in which the state fails in  
826 the prosecution, to be paid out of the county treasury on the  
827 allowance of the board of supervisors without itemization,  
828 subject, however, to the condition that the marshal or constable  
829 must not have overcharged in the collection of fees for costs,  
830 contrary to the provisions of this section,  
831 annually .....\$ \* \* \* ~~1,800.00~~ 2,500.00

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

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

840 **SECTION 10.** Section 41-61-59, Mississippi Code of 1972, is  
841 amended as follows:



842           41-61-59. (1) A person's death that affects the public  
843 interest as specified in subsection (2) of this section shall be  
844 promptly reported to the medical examiner by the physician in  
845 attendance, any hospital employee, any law enforcement officer  
846 having knowledge of the death, the embalmer or other funeral home  
847 employee, any emergency medical technician, any relative or any  
848 other person present. The appropriate medical examiner shall  
849 notify the municipal or state law enforcement agency or sheriff  
850 and take charge of the body. When the medical examiner has  
851 received notification under Section 41-39-15(6) that the deceased  
852 is medically suitable to be an organ and/or tissue donor, the  
853 medical examiner's authority over the body shall be subject to the  
854 provisions of Section 41-39-15(6). The appropriate medical  
855 examiner shall notify the Mississippi Bureau of Narcotics within  
856 twenty-four (24) hours of receipt of the body in cases of death as  
857 described in subsection (2)(m) or (n) of this section.

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

860                   (a) Violent death, including homicidal, suicidal or  
861 accidental death.

862                   (b) Death caused by thermal, chemical, electrical or  
863 radiation injury.

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



866 (d) Death related to disease thought to be virulent or  
867 contagious that may constitute a public hazard.

868 (e) Death that has occurred unexpectedly or from an  
869 unexplained cause.

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

872 (g) Death of a person where a physician was not in  
873 attendance within thirty-six (36) hours preceding death, or in  
874 prediagnosed terminal or bedfast cases, within thirty (30) days  
875 preceding death.

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

878 (i) Death of a person where the identity of the  
879 deceased is unknown.

880 (j) Death of a child under the age of two (2) years  
881 where death results from an unknown cause or where the  
882 circumstances surrounding the death indicate that sudden infant  
883 death syndrome may be the cause of death.

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

888 (l) Where a person is presented to a hospital emergency  
889 room unconscious and/or unresponsive, with cardiopulmonary  
890 resuscitative measures being performed, and dies within



891 twenty-four (24) hours of admission without regaining  
892 consciousness or responsiveness, unless a physician was in  
893 attendance within thirty-six (36) hours preceding presentation to  
894 the hospital, or in cases in which the decedent had a prediagnosed  
895 terminal or bedfast condition, unless a physician was in  
896 attendance within thirty (30) days preceding presentation to the  
897 hospital.

898 (m) Death that is caused by drug overdose or which is  
899 believed to be caused by drug overdose.

900 (n) When a stillborn fetus is delivered and the cause  
901 of the demise is medically believed to be from the use by the  
902 mother of any controlled substance as defined in Section  
903 41-29-105.

904 (3) The State Medical Examiner is empowered to investigate  
905 deaths, under the authority hereinafter conferred, in any and all  
906 political subdivisions of the state. The county medical examiners  
907 and county medical examiner investigators, while appointed for a  
908 specific county, may serve other counties on a regular basis with  
909 written authorization by the State Medical Examiner, or may serve  
910 other counties on an as-needed basis upon the request of the  
911 ranking officer of the investigating law enforcement agency. If a  
912 death affecting the public interest takes place in a county other  
913 than the one where injuries or other substantial causal factors  
914 leading to the death have occurred, jurisdiction for investigation  
915 of the death may be transferred, by mutual agreement of the



916 respective medical examiners of the counties involved, to the  
917 county where the injuries or other substantial causal factors  
918 occurred, and the costs of autopsy or other studies necessary to  
919 the further investigation of the death shall be borne by the  
920 county assuming jurisdiction.

921 (4) The chief county medical examiner or chief county  
922 medical examiner investigator may receive from the county in which  
923 he serves a salary of \* \* \*~~Nine Hundred Dollars (\$900.00)~~ One  
924 Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in  
925 addition to the fees specified in Sections 41-61-69 and 41-61-75,  
926 provided that no county shall pay the chief county medical  
927 examiner or chief county medical examiner investigator less  
928 than \* \* \*~~One Hundred Dollars (\$100.00)~~ Three Hundred Dollars  
929 (\$300.00) per month as a salary, in addition to other compensation  
930 provided by law. In any county having one or more deputy medical  
931 examiners or deputy medical examiner investigators, each deputy  
932 may receive from the county in which he serves, in the discretion  
933 of the board of supervisors, a salary of not more than Nine  
934 Hundred Dollars (\$900.00) per month, in addition to the fees  
935 specified in Sections 41-61-69 and 41-61-75; however, no county  
936 shall pay the deputy medical examiners or deputy medical examiner  
937 investigators less than Three Hundred Dollars (\$300.00) per month  
938 as a salary in addition to other compensation provided by law.  
939 For this salary the chief shall assure twenty-four-hour daily and  
940 readily available death investigators for the county, and shall



941 maintain copies of all medical examiner death investigations for  
942 the county for at least the previous five (5) years. He shall  
943 coordinate his office and duties and cooperate with the State  
944 Medical Examiner, and the State Medical Examiner shall cooperate  
945 with him.

946         **SECTION 11.** Section 41-61-75, Mississippi Code of 1972, is  
947 amended as follows:

948         41-61-75. (1) For each investigation with the preparation  
949 and submission of the required reports, the following fees shall  
950 be billed to and paid by the county for which the service is  
951 provided:

952             (a) A medical examiner or his deputy shall  
953 receive \* \* \*~~One Hundred Twenty-five Dollars (\$125.00)~~ One Hundred  
954 Seventy-five Dollars (\$175.00) for each completed report of  
955 investigation of death, plus the examiner's actual expenses. In  
956 addition to that fee, in cases where the cause of death was sudden  
957 infant death syndrome (SIDS) and the medical examiner provides a  
958 SIDS Death Scene Investigation report, the medical examiner shall  
959 receive for completing that report an additional Fifty Dollars  
960 (\$50.00), or an additional One Hundred Dollars (\$100.00) if the  
961 medical examiner has received advanced training in child death  
962 investigations and presents to the county a certificate of  
963 completion of that advanced training. The State Medical Examiner  
964 shall develop and prescribe a uniform format and list of matters  
965 to be contained in SIDS/Child Death Scene Investigation reports,



966 which shall be used by all county medical examiners and county  
967 medical examiner investigators in the state.

968 (b) The pathologist performing autopsies as provided in  
969 Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00)  
970 per completed autopsy, plus mileage expenses to and from the site  
971 of the autopsy, and shall be reimbursed for any out-of-pocket  
972 expenses for third-party testing, not to exceed One Hundred  
973 Dollars (\$100.00) per autopsy.

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

980 (3) This section shall stand repealed on July 1, \* \* \* ~~2017~~  
981 2021.

982 **SECTION 12.** Section 25-60-5, Mississippi Code of 1972, is  
983 brought forward as follows:

984 25-60-5. (1) Except as provided in subsection (2) of this  
985 section, any county or municipal official or employee who accepts  
986 documents for filing as public records shall, in addition to any  
987 other fee provided elsewhere by law, collect a fee of One Dollar  
988 (\$1.00) for each document so filed. In municipalities and  
989 counties that collect Three Hundred Dollars (\$300.00) or more per  
990 month from the filing fee, the official or employee collecting the





991 fee shall, on or before the last day of each month, deposit the  
992 avails of Fifty Cents (50¢) of the fee into the general fund of  
993 the county or municipality, as appropriate, and remit the  
994 remainder to the State Treasurer who shall deposit it to the  
995 credit of a statewide local government records management fund  
996 which is hereby created in the State Treasury. In municipalities  
997 and counties that collect less than Three Hundred Dollars  
998 (\$300.00) per month from the filing fee, the avails of Fifty Cents  
999 (50¢) of the fee shall be remitted to the State Treasurer on a  
1000 quarterly basis for deposit as provided in the previous sentence.  
1001 Any monies remaining in the fund at the end of a fiscal year shall  
1002 not lapse into the General Fund of the State Treasury. Counties  
1003 and municipalities shall expend monies derived from the fee  
1004 hereinabove imposed solely to support proper management of their  
1005 official records in accordance with records management standards  
1006 established by the Department of Archives and History. Monies in  
1007 the Local Government Records Management Fund shall be expended by  
1008 the Department of Archives and History, pursuant to legislative  
1009 appropriation, to support the Local Government Records Office of  
1010 the department and to support a local records management grant  
1011 program as funds permit.

1012 (2) The fee provided in subsection (1) of this section shall  
1013 not be collected in any county until the board of supervisors, by  
1014 resolution spread upon its minutes, determines that it will  
1015 collect the fee.



1016 (3) Each municipality and participating county may collect  
1017 the filing fee provided for in this section on filings in any  
1018 court subject to their respective jurisdiction.

1019 **SECTION 13.** This act shall take effect and be in force from  
1020 and after January 1, 2020, and shall stand repealed from and after  
1021 December 31, 2019.

