

By: Representatives Yancey, Horan, Powell,
Wallace, Newman, Varner, Hurst

To: Judiciary B

HOUSE BILL NO. 1449

1 AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN THE
3 TWENTIETH CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-10,
4 MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF CRIMINAL
5 INVESTIGATORS IN THE TWENTIETH CIRCUIT COURT DISTRICT; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 25-31-5, Mississippi Code of 1972, is
9 amended as follows:

10 25-31-5. (1) The following number of full-time legal
11 assistants are authorized in the following circuit court
12 districts:

13 (a) First Circuit Court District..... ten (10)
14 legal assistants.

15 (b) Second Circuit Court District..... eleven (11)
16 legal assistants.

17 (c) Third Circuit Court District..... six (6)
18 legal assistants.

19 (d) Fourth Circuit Court District.....six (6)
20 legal assistants.



21 (e) Fifth Circuit Court District.....five (5)
22 legal assistants.

23 (f) Sixth Circuit Court District..... three (3)
24 legal assistants.

25 (g) Seventh Circuit Court District..... twelve (12)
26 legal assistants. Effective July 1, 2023, through July 1, 2025,
27 the Seventh Circuit Court District shall have fourteen (14) legal
28 assistants.

29 (h) Eighth Circuit Court District.....three (3)
30 legal assistants.

31 (i) Ninth Circuit Court District.....three (3)
32 legal assistants.

33 (j) Tenth Circuit Court District..... five (5)
34 legal assistants.

35 (k) Eleventh Circuit Court District.....five (5)
36 legal assistants.

37 (l) Twelfth Circuit Court District.....five (5)
38 legal assistants.

39 (m) Thirteenth Circuit Court District.....four (4)
40 legal assistants.

41 (n) Fourteenth Circuit Court District..... six (6)
42 legal assistants.

43 (o) Fifteenth Circuit Court District..... seven (7)
44 legal assistants.



45 (p) Sixteenth Circuit Court District..... six (6)
46 legal assistants.

47 (q) Seventeenth Circuit Court District..... four (4)
48 legal assistants.

49 (r) Eighteenth Circuit Court District.....two (2)
50 legal assistants.

51 (s) Nineteenth Circuit Court District..... seven (7)
52 legal assistants.

53 (t) Twentieth Circuit Court District.....
54 * * *thirteen (13) legal assistants.

55 (u) Twenty-first Circuit Court District..... four (4)
56 legal assistants.

57 (v) Twenty-second Circuit Court District..... three (3)
58 legal assistants.

59 (w) Twenty-third Circuit Court District five (5)
60 legal assistants.

61 (2) In addition to any legal assistants authorized pursuant
62 to subsection (1) of this section, the following number of
63 full-time legal assistants are authorized (i) in the following
64 circuit court districts if funds are appropriated by the
65 Legislature to adequately fund the salaries, expenses and fringe
66 benefits of such legal assistants, or (ii) in any of the following
67 circuit court districts in which the board of supervisors of one
68 or more of the counties in a circuit court district adopts a
69 resolution to pay all of the salaries, supplemental pay, expenses



70 and fringe benefits of legal assistants authorized in such
71 district pursuant to this subsection:

72 (a) First Circuit Court District.....two (2)
73 legal assistants.

74 (b) Second Circuit Court District.....two (2)
75 legal assistants.

76 (c) Third Circuit Court District.....two (2)
77 legal assistants.

78 (d) Fourth Circuit Court District.....two (2)
79 legal assistants.

80 (e) Fifth Circuit Court District.....two (2)
81 legal assistants.

82 (f) Sixth Circuit Court District.....two (2)
83 legal assistants.

84 (g) Seventh Circuit Court District.....two (2)
85 legal assistants.

86 (h) Eighth Circuit Court District.....two (2)
87 legal assistants.

88 (i) Ninth Circuit Court District.....two (2)
89 legal assistants.

90 (j) Tenth Circuit Court District.....two (2)
91 legal assistants.

92 (k) Eleventh Circuit Court District.....two (2)
93 legal assistants.



94 (1) Twelfth Circuit Court District.....two (2)
95 legal assistants.

96 (m) Thirteenth Circuit Court District.....two (2)
97 legal assistants.

98 (n) Fourteenth Circuit Court District.....two (2)
99 legal assistants.

100 (o) Fifteenth Circuit Court District.....two (2)
101 legal assistants.

102 (p) Sixteenth Circuit Court District.....two (2)
103 legal assistants.

104 (q) Seventeenth Circuit Court District.....two (2)
105 legal assistants.

106 (r) Eighteenth Circuit Court District.....two (2)
107 legal assistants.

108 (s) Nineteenth Circuit Court District.....two (2)
109 legal assistants.

110 (t) Twentieth Circuit Court District.....two (2)
111 legal assistants.

112 (u) Twenty-first Circuit Court District.....two (2)
113 legal assistants.

114 (v) Twenty-second Circuit Court District.....two (2)
115 legal assistants.

116 (w) Twenty-third Circuit Court District.....two (2)
117 legal assistants.



118 (3) The board of supervisors of any county may pay all or a
119 part of the salary, supplemental pay, expenses and fringe benefits
120 of any district attorney or legal assistant authorized in the
121 circuit court district to which such county belongs pursuant to
122 this section.

123 (4) The district attorney of any circuit court district may
124 employ additional legal assistants or criminal investigators, or
125 both, without regard to any limitation on the number of legal
126 assistants authorized in this section or criminal investigators
127 authorized by other provisions of law to the extent that the
128 district attorney's office receives funds from any source. Any
129 source shall include, but is not limited to, office generated
130 funds, funds from a county, a combination of counties, a
131 municipality, a combination of municipalities, federal funds,
132 private grants or foundations, or by means of an Interlocal
133 Cooperative Agreement authorized by Section 17-13-1 which may be
134 expended for those positions in an amount sufficient to pay all of
135 the salary, supplemental pay, expenses and fringe benefits of the
136 positions. Such funds may either be paid out of district attorney
137 accounts, transferred by the district attorney to the Department
138 of Finance and Administration or to one or more of the separate
139 counties comprising the circuit court district, and the funds
140 shall be disbursed to such employees in the same manner as
141 state-funded criminal investigators and full-time legal
142 assistants. The district attorney shall report to the board of



143 supervisors of each county comprising the circuit court district
144 the amount and source of the supplemental salary, expenses and
145 fringe benefits, and the board in each county shall spread the
146 same on its minutes. The district attorney shall also report such
147 information to the Department of Finance and Administration which
148 shall make such information available to the Legislative Budget
149 Office.

150 (5) The district attorney shall be authorized to assign the
151 duties of a legal assistant regardless of the source of funding
152 for such legal assistants.

153 **SECTION 2.** Section 25-31-10, Mississippi Code of 1972, is
154 amended as follows:

155 25-31-10. (1) Any district attorney may appoint a full-time
156 criminal investigator.

157 (2) The district attorneys of the Fifth, Ninth, Tenth,
158 Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth,
159 Seventeenth * * * and Twenty-first Circuit Court Districts may
160 appoint one (1) additional full-time criminal investigator for a
161 total of two (2) full-time criminal investigators.

162 (3) The district attorneys of the First, Second, Third,
163 Fourth, Nineteenth, Twentieth and Twenty-third Circuit Court
164 Districts may appoint two (2) additional full-time criminal
165 investigators for a total of three (3) full-time criminal
166 investigators.



167 (4) The district attorney of the Seventh Circuit Court
168 District may appoint one (1) additional full-time criminal
169 investigator for a total of four (4) full-time criminal
170 investigators.

171 (5) No district attorney or assistant district attorney
172 shall accept any private employment, civil or criminal, in any
173 matter investigated by such criminal investigators.

174 (6) The full and complete compensation for all public duties
175 rendered by the criminal investigators shall be not more than
176 Sixty-three Thousand Dollars (\$63,000.00) per annum, to be
177 determined at the discretion of the district attorney based upon
178 the qualifications, education and experience of the criminal
179 investigator, plus necessary travel and other expenses, to be paid
180 in accordance with Section 25-31-8. However, the maximum salary
181 under this subsection for a criminal investigator who has a law
182 degree may be supplemented by the district attorney from other
183 available funds, but not to exceed the maximum salary for a legal
184 assistant to a district attorney.

185 (7) Any criminal investigator may be designated by the
186 district attorney to attend the Law Enforcement Officers Training
187 Program set forth in Section 45-6-1 et seq. The total expenses
188 associated with attendance by criminal investigators at the Law
189 Enforcement Officers Training Program shall be paid out of the
190 funds of the appropriate district attorney.



191 (8) The district attorney shall be authorized to assign the
192 duties of criminal investigators regardless of the source of
193 funding for such criminal investigators.

194 **SECTION 3.** This act shall take effect and be in force from
195 and after July 1, 2025.

