

By: Representative Coleman (29th)

To: Fees and Salaries of  
Public Officers;  
AppropriationsHOUSE BILL NO. 859  
(As Passed the House)

1 AN ACT TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE SALARIES OF TAX ASSESSORS AND COLLECTORS; TO AMEND  
3 SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
4 SALARIES OF BOARDS OF SUPERVISORS; TO AMEND SECTION 25-3-25,  
5 MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF COUNTY  
6 SHERIFFS; TO AMEND SECTION 25-3-36, MISSISSIPPI CODE OF 1972, TO  
7 INCREASE THE SALARIES OF JUSTICE COURT JUDGES; TO AMEND SECTION  
8 41-61-59, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF  
9 COUNTY MEDICAL EXAMINERS; TO AMEND SECTION 9-1-43, MISSISSIPPI  
10 CODE OF 1972, TO INCREASE THE SALARIES OF THE CHANCERY AND CIRCUIT  
11 CLERKS; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO  
12 INCREASE THE SALARIES OF ELECTED STATE AND DISTRICT OFFICERS; TO  
13 AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
14 SALARIES OF THE JUSTICES OF THE SUPREME COURT, JUDGES OF THE COURT  
15 OF APPEALS, CHANCERY AND CIRCUIT JUDGES AND DISTRICT ATTORNEYS; TO  
16 AMEND SECTION 5-1-41, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
17 COMPENSATION OF MEMBERS OF THE LEGISLATURE; TO AMEND SECTION  
18 5-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF THE  
19 LIEUTENANT GOVERNOR AND OF THE SPEAKER OF THE HOUSE OF  
20 REPRESENTATIVES; TO AMEND SECTION 5-1-45, MISSISSIPPI CODE OF  
21 1972, TO INCREASE THE SALARY OF THE PRESIDENT PRO TEMPORE OF THE  
22 SENATE; TO AMEND SECTION 5-1-46, MISSISSIPPI CODE OF 1972, TO  
23 INCREASE THE SALARY OF THE SPEAKER PRO TEMPORE OF THE HOUSE OF  
24 REPRESENTATIVES; AND FOR RELATED PURPOSES.

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

26 **SECTION 1.** Section 25-3-3, Mississippi Code of 1972, is  
27 amended as follows:

28 25-3-3. (1) The term "total assessed valuation" as used in  
29 this section only refers to the ad valorem assessment for the  
30 county and, in addition, in counties where oil or gas is produced,  
31 the actual value of oil at the point of production, as certified  
32 to the counties by the State Tax Commission under the provisions  
33 of Sections 27-25-501 through 27-25-525, and the actual value of  
34 gas as certified by the State Tax Commission under the provisions  
35 of Sections 27-25-701 through 27-25-723.



(2) The salary of assessors and collectors of the various counties is fixed as full compensation for their services as county assessors or tax collectors, or both if the office of assessor has been combined with the office of tax collector. The annual salary of each assessor or tax collector, or both if the offices have been combined, shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

(a) For counties having a total assessed valuation of Two Billion Dollars (\$2,000,000,000.00) or more, a salary of Seventy Thousand Four Hundred Dollars (\$70,400.00);

(b) For counties having a total assessed valuation of at least One Billion Dollars (\$1,000,000,000.00) but less than Two Billion Dollars (\$2,000,000,000.00), a salary of Sixty-seven Thousand Six Hundred Fifty Dollars (\$67,650.00);

(c) For counties having a total assessed valuation of at least Five Hundred Million Dollars (\$500,000,000.00) but less than One Billion Dollars (\$1,000,000,000.00), a salary of Sixty-four Thousand Three Hundred Fifty Dollars (\$64,350.00);

(d) For counties having a total assessed valuation of at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but less than Five Hundred Million Dollars (\$500,000,000.00), a salary of Sixty-one Thousand Six Hundred Dollars (\$61,600.00);

(e) For counties having a total assessed valuation of at least One Hundred Fifty Million Dollars (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a salary of Fifty-nine Thousand Four Hundred Dollars (\$59,400.00);

(f) For counties having a total assessed valuation of at least Seventy-five Million Dollars (\$75,000,000.00) but less than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary of Fifty-seven Thousand Seven Hundred Fifty Dollars (\$57,750.00);

(g) For counties having a total assessed valuation of at least Thirty-five Million Dollars (\$35,000,000.00) but less



69 than Seventy-five Million Dollars (\$75,000,000.00), a salary of  
70 Fifty-three Thousand Three Hundred Fifty Dollars (\$53,350.00);

71 (h) For counties having a total assessed valuation of  
72 less than Thirty-five Million Dollars (\$35,000,000.00), a salary  
73 of Forty-five Thousand Six Hundred Fifty Dollars (\$45,650.00).

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

78 (4) The annual salary established for assessors and tax  
79 collectors shall not be reduced as a result of a reduction in  
80 total assessed valuation. The salaries shall be increased as a  
81 result of an increase in total assessed valuation.

82 (5) In addition to all other compensation paid to assessors  
83 and tax collectors in counties having two (2) judicial districts,  
84 the board of supervisors shall pay such assessors and tax  
85 collectors an additional Three Thousand Five Hundred Dollars  
86 (\$3,500.00) per year. In addition to all other compensation paid  
87 to assessors or tax collectors, in counties having one (1)  
88 judicial district maintaining two (2) different, separate  
89 full-time offices, the board of supervisors shall pay the assessor  
90 or tax collector an additional Three Thousand Five Hundred Dollars  
91 (\$3,500.00) per year.

92 (6) In addition to all other compensation paid to assessors  
93 and tax collectors, the board of supervisors of a county shall  
94 allow for such assessor or tax collector, or both, to be paid  
95 additional compensation when there is a contract between the  
96 county and one or more municipalities providing that the assessor  
97 or tax collector, or both, shall assess or collect taxes, or both,  
98 for the municipality or municipalities; and such assessor or tax  
99 collector, or both, shall be authorized to receive such additional  
100 compensation from the county and/or the municipality or



municipalities in any amount allowed by the county and/or the municipality or municipalities for performing those services.

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

(8) The salaries provided for in this section shall be the total funds paid to the county assessors and tax collectors and shall be full compensation for their services, with any fees being paid to the county general fund.

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



shall be made on the workday immediately preceding the weekend or legal holiday.

**SECTION 2.** Section 25-3-13, Mississippi Code of 1972, is amended as follows:

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

The annual salary of each member of the board of supervisors shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

(a) For counties having a total assessed valuation of less than Thirty Million Dollars (\$30,000,000.00), a salary of Thirty-one Thousand Nine Hundred Dollars (\$31,900.00);

(b) For counties having a total assessed valuation of at least Thirty Million Dollars (\$30,000,000.00), but less than Fifty Million Dollars (\$50,000,000.00), a salary of Thirty-five Thousand Five Hundred Thirty Dollars (\$35,530.00);

(c) For counties having a total assessed valuation of at least Fifty Million Dollars (\$50,000,000.00), but less than Seventy-five Million Dollars (\$75,000,000.00), a salary of Thirty-seven Thousand Seventy Dollars (\$37,070.00);

(d) For counties having a total assessed valuation of at least Seventy-five Million Dollars (\$75,000,000.00), but less than One Hundred Twenty-five Million Dollars (\$125,000,000.00), a salary of Thirty-eight Thousand One Hundred Seventy Dollars (\$38,170.00);

(e) For counties having a total assessed valuation of at least One Hundred Twenty-five Million Dollars (\$125,000,000.00), but less than Three Hundred Million Dollars (\$300,000,000.00), a salary of Forty-four Thousand Four Hundred Forty Dollars (\$44,440.00);



(f) For counties having a total assessed valuation of at least Three Hundred Million Dollars (\$300,000,000.00), but less than One Billion Dollars (\$1,000,000,000.00), a salary of Forty-nine Thousand One Hundred Seventy Dollars (\$49,170.00);

(g) For counties having a total assessed valuation of One Billion Dollars (\$1,000,000,000.00), but less than Two Billion Dollars (\$2,000,000,000.00), a salary of Fifty Thousand Two Hundred Seventy Dollars (\$50,270.00);

(h) For counties having a total assessed valuation of Two Billion Dollars (\$2,000,000,000.00) or more, a salary of Fifty-one Thousand Three Hundred Seventy Dollars (\$51,370.00).

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

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

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

25-3-25. (1) Except as otherwise provided in subsections (2) through (9), the salaries of sheriffs of the various counties are fixed as full compensation for their services.

From and after October 1, 1998, the annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the 1980 federal decennial census:

(a) For counties with a total population of more than two hundred thousand (200,000), a salary of One Hundred Thousand Dollars (\$100,000.00).



199                   (b) For counties with a total population of more than  
200 one hundred thousand (100,000) and not more than two hundred  
201 thousand (200,000), a salary of Ninety-four Thousand Dollars  
202 (\$94,000.00).

203                   (c) For counties with a total population of more than  
204 forty-five thousand (45,000) and not more than one hundred  
205 thousand (100,000), a salary of Eighty-eight Thousand Dollars  
206 (\$88,000.00).

207                   (d) For counties with a total population of more than  
208 thirty-four thousand (34,000) and not more than forty-five  
209 thousand (45,000), a salary of Eighty-two Thousand Dollars  
210 (\$82,000.00).

211                   (e) For counties with a total population of more than  
212 twenty-five thousand (25,000) and not more than thirty-four  
213 thousand (34,000), a salary of Seventy-two Thousand Four Hundred  
214 Dollars (\$72,400.00).

215                   (f) For counties with a total population of more than  
216 fifteen thousand (15,000) and not more than twenty-five thousand  
217 (25,000), a salary of Seventy Thousand Dollars (\$70,000.00).

218                   (g) For counties with a total population of more than  
219 nine thousand five hundred (9,500) and not more than fifteen  
220 thousand (15,000), a salary of Sixty-six Thousand Four Hundred  
221 Dollars (\$66,400.00).

222                   (h) For counties with a total population of not more  
223 than nine thousand five hundred (9,500), a salary of Sixty-five  
224 Thousand Dollars (\$65,000.00).

225                   (2) In addition to the salary provided for in subsection (1)  
226 of this section, the Board of Supervisors of Leflore County, in  
227 its discretion, may pay an annual supplement to the sheriff of the  
228 county in an amount not to exceed Ten Thousand Dollars  
229 (\$10,000.00). The Legislature finds and declares that the annual  
230 supplement authorized by this subsection is justified in such  
231 county for the following reasons:



232 (a) The Mississippi Department of Corrections operates  
233 and maintains a restitution center within the county;

234 (b) The Mississippi Department of Corrections operates  
235 and maintains a community work center within the county;

236 (c) There is a resident circuit court judge in the  
237 county whose office is located at the Leflore County Courthouse;

238 (d) There is a resident chancery court judge in the  
239 county whose office is located at the Leflore County Courthouse;

240 (e) The Magistrate for the Fourth Circuit Court  
241 District is located in the county and maintains his office at the  
242 Leflore County Courthouse;

243 (f) The Region VI Mental Health-Mental Retardation  
244 Center, which serves a multicounty area, calls upon the sheriff to  
245 provide security for out-of-town mental patients, as well as  
246 patients from within the county;

247 (g) The increased activity of the Child Support  
248 Division of the Department of Human Services in enforcing in the  
249 courts parental obligations has imposed additional duties on the  
250 sheriff; and

251 (h) The dispatchers of the enhanced E-911 system in  
252 place in Leflore County has been placed under the direction and  
253 control of the sheriff.

254 (3) In addition to the salary provided for in subsection (1)  
255 of this section, the Board of Supervisors of Rankin County, in its  
256 discretion, may pay an annual supplement to the sheriff of the  
257 county in an amount not to exceed Ten Thousand Dollars  
258 (\$10,000.00). The Legislature finds and declares that the annual  
259 supplement authorized by this subsection is justified in such  
260 county for the following reasons:

261 (a) The Mississippi Department of Corrections operates  
262 and maintains the Central Mississippi Correctional Facility within  
263 the county;





264                   (b) The State Hospital is operated and maintained  
265 within the county at Whitfield;

266                   (c) Hudspeth Regional Center, a facility maintained for  
267 the care and treatment of the mentally retarded, is located within  
268 the county;

269                   (d) The Mississippi Law Enforcement Officers Training  
270 Academy is operated and maintained within the county;

271                   (e) The State Fire Academy is operated and maintained  
272 within the county;

273                   (f) The Pearl River Valley Water Supply District,  
274 ordinarily known as the "Reservoir District," is located within  
275 the county;

276                   (g) The Jackson International Airport is located within  
277 the county;

278                   (h) The patrolling of the state properties located  
279 within the county has imposed additional duties on the sheriff;  
280 and

281                   (i) The sheriff, in addition to providing security to  
282 the nearly one hundred thousand (100,000) residents of the county,  
283 has the duty to investigate, solve and assist in the prosecution  
284 of any misdemeanor or felony committed upon any state property  
285 located in Rankin County.

286                   (4) In addition to the salary provided for in subsection (1)  
287 of this section, the Board of Supervisors of Neshoba County shall  
288 pay an annual supplement to the sheriff of the county an amount  
289 equal to Ten Thousand Dollars (\$10,000.00).

290                   (5) In addition to the salary provided for in subsection (1)  
291 of this section, the Board of Supervisors of Tunica County, in its  
292 discretion, may pay an annual supplement to the sheriff of the  
293 county an amount equal to Ten Thousand Dollars (\$10,000.00),  
294 payable beginning April 1, 1997.

295                   (6) In addition to the salary provided for in subsection (1)  
296 of this section, the Board of Supervisors of Hinds County shall



297 pay an annual supplement to the sheriff of the county in an amount  
298 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature  
299 finds and declares that the annual supplement authorized by this  
300 subsection is justified in such county for the following reasons:

301 (a) Hinds County has the greatest population of any  
302 county, two hundred fifty-four thousand four hundred forty-one  
303 (254,441) by the 1990 census, being almost one hundred thousand  
304 (100,000) more than the next most populous county;

305 (b) Hinds County is home to the State Capitol and the  
306 seat of all state government offices;

307 (c) Hinds County is the third largest county in  
308 geographic area, containing eight hundred seventy-five (875)  
309 square miles;

310 (d) Hinds County is comprised of two (2) judicial  
311 districts, each having a courthouse and county office buildings;

312 (e) There are four (4) resident circuit judges, four  
313 (4) resident chancery judges, and three (3) resident county judges  
314 in Hinds County, the most of any county, with the sheriff acting  
315 as chief executive officer and provider of bailiff services for  
316 all;

317 (f) The main offices for the clerk and most of the  
318 judges and magistrates for the United States District Court for  
319 the Southern District of Mississippi are located within the  
320 county;

321 (g) The state's only urban university, Jackson State  
322 University, is located within the county;

323 (h) The University of Mississippi Medical Center,  
324 combining the medical school, dental school, nursing school and  
325 hospital, is located within the county;

326 (i) Mississippi Veterans Memorial Stadium, the state's  
327 largest sports arena, is located within the county;

328 (j) The Mississippi State Fairgrounds, including the  
329 Coliseum and Trade Mart, are located within the county;



(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitments cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts



for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a



pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

**SECTION 4.** Section 25-3-36, Mississippi Code of 1972, is amended as follows:

25-3-36. (1) Every justice court judge shall receive as full compensation for his or her services and in lieu of any and all other fees, costs or compensation heretofore authorized for such justice court judge, an annual salary based upon the population of his or her county according to the latest federal decennial census; however, no justice court judge shall be paid less than the salary authorized under this section to be paid the justice court judge based upon the population of the county according to the 1980 federal decennial census. The amount of which salary shall be determined as follows:

(a) In counties with a population of more than two hundred thousand (200,000), a salary of Sixty-one Thousand One Hundred Fifteen Dollars (\$61,115.00).

(b) In counties with a population of more than one hundred fifty thousand (150,000) but not more than two hundred thousand (200,000), a salary of Fifty-six Thousand One Hundred Six Dollars (\$56,106.00).

(c) In counties with a population of more than seventy-five thousand (75,000) but not more than one hundred fifty thousand (150,000), a salary of Fifty-one Thousand Ninety-six Dollars (\$51,096.00).

(d) In counties with a population of more than forty-nine thousand (49,000) but not more than seventy-five thousand (75,000), a salary of Forty-four Thousand Eighty-three Dollars (\$44,083.00).

(e) In counties with a population of more than thirty-four thousand (34,000) but not more than forty-nine



428 thousand (49,000), a salary of Thirty-eight Thousand Seventy-one  
429 Dollars (\$38,071.00).

430 (f) In counties with a population of more than  
431 twenty-four thousand five hundred (24,500) but not more than  
432 thirty-four thousand (34,000), a salary of Thirty-six Thousand  
433 Sixty-eight Dollars (\$36,068.00).

434 (g) In counties with a population of more than  
435 twenty-one thousand (21,000) but not more than twenty-four  
436 thousand five hundred (24,500), a salary of Thirty-two Thousand  
437 Sixty-one Dollars (\$32,061.00).

438 (h) In counties with a population of more than sixteen  
439 thousand five hundred (16,500) but not more than twenty-one  
440 thousand (21,000), a salary of Twenty-eight Thousand Fifty-two  
441 Dollars (\$28,052.00).

442 (i) In counties with a population of more than twelve  
443 thousand (12,000) but not more than sixteen thousand five hundred  
444 (16,500), a salary of Twenty-four Thousand Forty-five Dollars  
445 (\$24,045.00).

446 (j) In counties with a population of more than eight  
447 thousand (8,000) but not more than twelve thousand (12,000), a  
448 salary of Nineteen Thousand Eight Hundred Dollars (\$19,800.00).

449 (k) In counties with a population of eight thousand  
450 (8,000) or less, a salary of Fifteen Thousand Eight Hundred Forty  
451 Dollars (\$15,840.00).

452 The board of supervisors of any county having two (2)  
453 judicial districts and two (2) justice court judges for the county  
454 shall pay each justice court judge an amount equal to that  
455 provided in this subsection for judges in the next higher  
456 population category per year, if the justice court judge maintains  
457 regular office hours and is personally present in the office they  
458 maintain for at least thirty (30) hours per week.

459 In any county having a population greater than eight thousand  
460 (8,000) but less than eight thousand five hundred (8,500)



461 according to the 1990 federal decennial census and in which U.S.  
462 Highway 61 and Mississippi Highway 4 intersect, the board of  
463 supervisors, in its discretion, may pay such justice court judges  
464 an additional amount not to exceed the sum of Eleven Thousand Five  
465 Hundred Fifty Dollars (\$11,550.00) per year, payable beginning  
466 April 1, 1997.

467 In any county having a population greater than ten thousand  
468 (10,000) but less than ten thousand five hundred (10,500)  
469 according to the 1990 federal decennial census and in which  
470 Mississippi Highway 3 and Mississippi Highway 6 intersect, the  
471 board of supervisors, in its discretion, may pay such justice  
472 court judges an additional amount not to exceed One Thousand Four  
473 Hundred Fifty Dollars (\$1,450.00) per year, payable beginning  
474 April 1, 1997.

475 In any county having a population greater than twenty-four  
476 thousand seven hundred (24,700) and less than twenty-four thousand  
477 nine hundred (24,900), according to the 1990 federal census,  
478 wherein Mississippi Highways 15 and 16 intersect, the board of  
479 supervisors shall pay such justice court judge an additional  
480 amount equal to Two Thousand Five Hundred Dollars (\$2,500.00) per  
481 year.

482 (2) Notwithstanding the provisions of subsection (1) of this  
483 section, in the event that the number of justice court judges  
484 authorized pursuant to Section 9-11-2(1) is exceeded pursuant to  
485 the provisions of Section 9-11-2(4), the aggregate of the salaries  
486 paid to the justice court judges of such a county shall not exceed  
487 the amount sufficient to pay the number of justice court judges  
488 authorized pursuant to Section 9-11-2(1), and such amount shall be  
489 equally divided among those justice court judges continuing to  
490 hold office under the provisions of Section 9-11-2(4).

491 (3) From and after January 1, 1984, all fees, costs, fines  
492 and penalties charged and collected in the justice court shall be  
493 paid to the clerk of the justice court for deposit, along with



monies from cash bonds and other monies which have been forfeited in criminal cases, into the general fund of the county as provided in Section 9-11-19; and the clerk of the board of supervisors shall be authorized and empowered, upon approval by the board of supervisors, to make disbursements and withdrawals from the general fund of the county in order to pay any reasonable and necessary expenses incurred in complying with this section, including payment of the salaries of justice court judges as provided by subsection (1) of this section. The provisions of this subsection shall not, except as to cash bonds and other monies which have been forfeited in criminal cases, apply to monies required to be deposited in the justice court clerk clearing account as provided in Section 9-11-18, Mississippi Code of 1972.

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

(5) Provided, that the salary of any justice court judge shall not be reduced during his term of office as a result of a population change following a federal decennial census.

(6) Any justice court judge who is unable to attend and hold court by reason of being under suspension by the Commission on Judicial Performance or the Mississippi Supreme Court shall not receive a salary while under such suspension.

**SECTION 5.** Section 41-61-59, Mississippi Code of 1972, is amended as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be





promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

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

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

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

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

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

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

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

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



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

561           (i) Death of a person where the identity of the  
562 deceased is unknown.

563           (j) Death of a child under the age of two (2) years  
564 where death results from an unknown cause or where the  
565 circumstances surrounding the death indicate that sudden infant  
566 death syndrome may be the cause of death.

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

571           (l) Where a person is presented to a hospital emergency  
572 room unconscious and/or unresponsive, with cardiopulmonary  
573 resuscitative measures being performed, and dies within  
574 twenty-four (24) hours of admission without regaining  
575 consciousness or responsiveness, unless a physician was in  
576 attendance within thirty-six (36) hours preceding presentation to  
577 the hospital, or in cases in which the decedent had a prediagnosed  
578 terminal or bedfast condition, unless a physician was in  
579 attendance within thirty (30) days preceding presentation to the  
580 hospital.

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

583           (n) When a stillborn fetus is delivered and the cause  
584 of the demise is medically believed to be from the use by the  
585 mother of any controlled substance as defined in Section  
586 41-29-105.

587           (3) The State Medical Examiner is empowered to investigate  
588 deaths, under the authority hereinafter conferred, in any and all  
589 political subdivisions of the state. The county medical examiners  
590 and county medical examiner investigators, while appointed for a  
591 specific county, may serve other counties on a regular basis with



written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. The county medical examiner or county medical examiner investigator of any county that has established a regional medical examiner district under subsection (4) of Section 41-61-77 may serve other counties that are parties to the agreement establishing the district, in accordance with the terms of the agreement, and may contract with counties that are not part of the district to provide medical examiner services for those counties. If a death affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Nine Hundred Dollars (\$900.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars (\$900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75. For this salary the chief shall assure



625 twenty-four-hour daily and readily available death investigators  
626 for the county, and shall maintain copies of all medical examiner  
627 death investigations for the county for at least the previous five  
628 (5) years. He shall coordinate his office and duties and  
629 cooperate with the State Medical Examiner, and the State Medical  
630 Examiner shall cooperate with him.

631 (5) A body composed of the State Medical Examiner, whether  
632 appointed on a permanent or interim basis, the Director of the  
633 State Board of Health or his designee, the Attorney General or his  
634 designee, the President of the Mississippi Coroners' Association  
635 (or successor organization) or his designee, and a certified  
636 pathologist appointed by the Mississippi State Medical Association  
637 shall adopt, promulgate, amend and repeal rules and regulations as  
638 may be deemed necessary by them from time to time for the proper  
639 enforcement, interpretation and administration of Sections  
640 41-61-51 through 41-61-79, in accordance with the provisions of  
641 the Mississippi Administrative Procedures Law, being Section  
642 25-43-1 et seq.

643 **SECTION 6.** Section 9-1-43, Mississippi Code of 1972, is  
644 amended as follows:

645 9-1-43. (1) After making deductions for employee salaries  
646 and related salary expenses, and expenses allowed as deductions by  
647 Schedule C of the Internal Revenue Code, no office of the chancery  
648 clerk or circuit clerk of any county in the state shall receive  
649 fees as compensation for the chancery clerk's or circuit clerk's  
650 services in excess of Ninety-nine Thousand Dollars (\$99,000.00).  
651 All such fees received by the office of chancery or circuit clerks  
652 that are in excess of the salary limitation shall be deposited by  
653 such clerk into the county general fund on or before April 15 for  
654 the preceding calendar year. If the chancery clerk or circuit  
655 clerk serves less than one (1) year, then he shall not receive as  
656 compensation any fees in excess of that portion of the salary  
657 limitation that can be attributed to his time in office on a pro



658 rata basis. Upon leaving office, income earned by any clerk in  
659 his last full year of office but not received until after his last  
660 full year of office shall not be included in determining the  
661 salary limitation of the successor clerk. There shall be exempted  
662 from the provisions of this subsection any monies or commissions  
663 from private or governmental sources which: (a) are to be held by  
664 the chancery or circuit clerk in a trust or custodial capacity as  
665 prescribed in subsections (4) and (5); or (b) are received as  
666 compensation for services performed upon order of a court or board  
667 of supervisors which are not required of the chancery clerk or  
668 circuit clerk by statute.

669 (2) It shall be unlawful for any chancery clerk or circuit  
670 clerk to use fees in excess of Ninety-nine Thousand Dollars  
671 (\$99,000.00), to pay the salaries or actual or necessary expenses  
672 of employees who are related to such clerk by blood or marriage  
673 within the first degree of kinship according to the civil law  
674 method of computing kinship as provided in Sections 1-3-71 and  
675 1-3-73. However, the prohibition of this subsection shall not  
676 apply to any individual who was an employee of the clerk's office  
677 prior to the date his or her relative was elected as chancery or  
678 circuit clerk. The spouse and/or any children of the chancery  
679 clerk or circuit clerk employed in the office of the chancery  
680 clerk may be paid a salary; however, the combined annual salaries  
681 of the clerk, spouse and any child of the clerk may not exceed an  
682 amount equal to the salary limitation.

683 (3) The chancery clerk and the circuit clerk shall be liable  
684 on their official bond for the proper deposit and accounting of  
685 all monies received by his office. The State Auditor shall  
686 promulgate uniform accounting methods for the accounting of all  
687 sources of income by the offices of the chancery and circuit  
688 clerk.

689 (4) There is created in the county depository of each county  
690 a clearing account to be designated as the "chancery court clerk



691 clearing account," into which shall be deposited: (a) all such  
692 monies as the clerk of the chancery court shall receive from any  
693 person complying with any writ of garnishment, attachment,  
694 execution or other like process authorized by law for the  
695 enforcement of child support, spousal support or any other  
696 judgment; (b) any portion of any fees required by law to be  
697 collected in civil cases which are to pay for the service of  
698 process or writs in another county; and (c) any other money as  
699 shall be deposited with the court which by its nature is not, at  
700 the time of its deposit, public monies, but which is to be held by  
701 the court in a trust or custodial capacity in a case or proceeding  
702 before the court. The clerk of the chancery court shall account  
703 for all monies deposited in and disbursed from such account and  
704 shall be authorized and empowered to draw and issue checks on such  
705 account at such times, in such amounts and to such persons as  
706 shall be proper and in accordance with law.

707       The following monies paid to the chancery clerk shall be  
708 subject to the salary limitation prescribed under subsection (1):  
709 (a) all fees required by law to be collected for the filing,  
710 recording or abstracting of any bill, petition, pleading or decree  
711 in any civil case in chancery; (b) all fees collected for land  
712 recordings, charters, notary bonds, certification of decrees and  
713 copies of any documents; (c) all land redemption and mineral  
714 documentary stamp commissions; and (d) any other monies or  
715 commissions from private or governmental sources for statutory  
716 functions which are not to be held by the court in a trust  
717 capacity. Such fees as shall exceed the salary limitations shall  
718 be maintained in a bank account in the county depository and  
719 accounted for separately from those monies paid into the chancery  
720 court clerk clearing account.

721       (5) There is created in the county depository in each county  
722 a clearing account to be designated as the "circuit court clerk  
723 civil clearing account," into which shall be deposited: (a) all



such monies and fees as the clerk of the circuit court shall receive from any person complying with any writ of garnishment, attachment, execution or any other like process authorized by law for the enforcement of a judgment; (b) any portion of any fees required by law or court order to be collected in civil cases; (c) all fees collected for the issuance of marriage licenses; and (d) any other money as shall be deposited with the court which by its nature is not, at the time of its deposit, public monies but which is to be held by the court in a trust or custodial capacity in a case or proceeding before the court.

There is created in the county depository in each county a clearing account to be designated as the "circuit court clerk criminal clearing account," into which shall be deposited: (a) all such monies as are received in criminal cases in the circuit court pursuant to any order requiring payment as restitution to the victims of criminal offenses; (b) any portion of any fees and fines required by law or court order to be collected in criminal cases; and (c) all cash bonds as shall be deposited with the court. The clerk of the circuit court shall account for all monies deposited in and disbursed from such account and shall be authorized and empowered to draw and issue checks on such account, at such times, in such amounts and to such persons as shall be proper and in accordance with law; however, such monies as are forfeited in criminal cases shall be paid by the clerk of the circuit court to the clerk of the board of supervisors for deposit in the general fund of the county.

The following monies paid to the circuit clerk shall be subject to the salary limitation prescribed under subsection (1): (a) all fees required by law to be collected for the filing, recording or abstracting of any bill, petition, pleading or decree in any civil action in circuit court; (b) copies of any documents; and (c) any other monies or commissions from private or



756 governmental sources for statutory functions which are not to be  
757 held by the court in a trust capacity.

758       (6) The chancery clerk and the circuit clerk shall establish  
759 and maintain a cash journal for recording cash receipts from  
760 private or government sources for furnishing copies of any papers  
761 of record or on file, or for rendering services as a notary  
762 public, or other fees wherein the total fee for the transaction is  
763 Ten Dollars (\$10.00) or less. The cash journal entry shall  
764 include the date, amount and type of transaction, and the clerk  
765 shall not be required to issue a receipt to the person receiving  
766 such services. The State Auditor shall not take exception to the  
767 furnishing of copies or the rendering of services as a notary by  
768 any clerk free of charge.

769       In any county having two (2) judicial districts, whenever the  
770 chancery clerk serves as deputy to the circuit clerk in one (1)  
771 judicial district and the circuit clerk serves as deputy to the  
772 chancery clerk in the other judicial district, the chancery clerk  
773 may maintain a cash journal, separate from the cash journal  
774 maintained for chancery clerk receipts, for recording the cash  
775 receipts paid to him as deputy circuit clerk, and the circuit  
776 clerk may maintain a cash journal, separate from the cash journal  
777 maintained for circuit clerk receipts, for recording the cash  
778 receipts paid to him as deputy chancery clerk. The cash receipts  
779 collected by the chancery clerk in his capacity as deputy circuit  
780 clerk and the cash receipts collected by the circuit clerk in his  
781 capacity as deputy chancery clerk shall be subject to the salary  
782 limitation prescribed under subsection (1).

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





789           **SECTION 7.** Section 25-3-31, Mississippi Code of 1972, is  
790 amended as follows:

791           25-3-31. The annual salaries of the following elected state  
792 and district officers are fixed as follows:

793	Governor.....	<u>\$152,000.00</u>
794	Attorney General.....	<u>140,000.00</u>
795	Secretary of State.....	<u>120,000.00</u>
796	Commissioner of Insurance.....	<u>120,000.00</u>
797	State Treasurer.....	<u>120,000.00</u>
798	State Auditor of Public Accounts.....	<u>120,000.00</u>
799	Commissioner of Agriculture and Commerce.....	<u>120,000.00</u>
800	Transportation Commissioners.....	<u>108,000.00</u>
801	Public Service Commissioners.....	<u>108,000.00</u>

802       \* \* \*

803           **SECTION 8.** Section 25-3-35, Mississippi Code of 1972, is  
804 amended as follows:

805           25-3-35. (1) The annual salaries of the following judges  
806 are fixed as follows, to begin at the commencement of the next  
807 term of office immediately succeeding the existing term:

808	Chief Justice of the Supreme Court.....	<u>\$144,238.00</u>
809	Presiding Justice of the Supreme Court.....	<u>141,488.00</u>
810	Associate Justices of the Supreme Court, each.....	<u>140,663.00</u>

811           However, in addition to their present official duties, there  
812 are imposed upon the Supreme Court justices the extra duties of  
813 making a special study of existing laws and reporting to each  
814 regular session of the Legislature such constructive suggestions  
815 as they may deem necessary for the improvement of the  
816 administration of justice, and of identifying and directing the  
817 State Librarian to apply for grants and donations from any public  
818 or private source for the purpose of enhancing the holdings of the  
819 State Law Library, and of advising and counseling with the State  
820 Librarian in the selection of law books for purchase and use in  
821 the State Law Library, advising with the librarian thereof upon

822 the removal from the library of any books which may be the least  
823 frequently used, and for the placing of same in a convenient  
824 location so as to provide additional space for such books and  
825 other current publications which may be more frequently used or  
826 called for. For such extra services each justice, from and after  
827 July 1, 2008, shall receive a sum sufficient when added to the  
828 present salaries of the justices to aggregate One Hundred  
829 Forty-four Thousand Two Hundred Thirty-eight Dollars (\$144,238.00)  
830 for the Chief Justice, One Hundred Forty-one Thousand Four Hundred  
831 Eighty-eight Dollars (\$141,488.00) for the presiding justice, and  
832 One Hundred Forty Thousand Six Hundred Sixty-three Dollars  
833 (\$140,663.00) for associate justices, per annum. As each existing  
834 term expires and the above-captioned salaries become effective in  
835 due course, the extra duties and compensation provided for shall  
836 cease.

837       The fixed salaries as specified in this subsection (1) shall  
838 be the exclusive and total compensation which can be reported to  
839 the Public Employees' Retirement System for retirement purposes;  
840 however, any judge in office on December 31, 2003, may continue to  
841 report his expense allowance as part of his compensation for  
842 retirement purposes.

843       (2) The annual salaries of the judges of the Court of  
844 Appeals of Mississippi are fixed as follows, to begin at the  
845 commencement of the next term of office immediately succeeding the  
846 existing term:

847       Chief Judge of the Court of Appeals.....\$140,569.00  
848       Associate Judges of the Court of Appeals, each.... 136,565.00

849       However, in addition to their present official duties, there  
850 are imposed upon the judges of the Court of Appeals the extra  
851 duties of making a special study of existing laws and reporting to  
852 the Supreme Court of the State of Mississippi such constructive  
853 suggestions as they may deem necessary for the improvement of the  
854 administration of justice, and assisting in advising and

855 counseling with the State Librarian in the selection of law books  
856 for purchase and use in the State Law Library, assisting in  
857 advising with the librarian thereof upon the removal from the  
858 library of any books which may be the least frequently used, and  
859 for the placing of same in a convenient location so as to provide  
860 additional space for such books and other current publications  
861 which may be more frequently used or called for. For such extra  
862 services each judge, from and after July 1, 2008, shall receive a  
863 sum sufficient when added to the present salaries of the judges to  
864 aggregate One Hundred Forty Thousand Five Hundred Sixty-nine  
865 Dollars (\$140,569.00) for the Chief Judge and One Hundred  
866 Thirty-six Thousand Five Hundred Sixty-five Dollars (\$136,565.00)  
867 for associate judges, per annum. As each existing term expires  
868 and the above-captioned salaries become effective in due course,  
869 the extra duties and compensation provided for shall cease.

870       The fixed salaries as specified in this subsection (2) shall  
871 be the exclusive and total compensation which can be reported to  
872 the Public Employees' Retirement System for retirement purposes;  
873 however, any judge in office on December 31, 2003, may continue to  
874 report his expense allowance as part of his compensation for  
875 retirement purposes.

876       (3) The annual salaries of the chancery and circuit court  
877 judges are fixed as follows, to begin at the commencement of the  
878 next term of office immediately succeeding the existing term:

879       Chancery Judges, each.....	<u>\$130,213.00</u>
880       Circuit Judges, each.....	<u>130,213.00</u>

881       In addition to their present official duties, there are imposed upon t  
882 Supreme Court of the State of Mississippi such constructive  
883 suggestions as they may deem necessary for the improvement of the  
884 administration of justice, which shall be recommended to the  
885 Legislature by the Supreme Court in the manner provided by law.  
886 The judges shall advise and supervise in the purchase of law books  
887 for the libraries of each district, and shall study and evaluate

the inventory of books and facilities now existing in the libraries of each district to effect the removal and relocation of obsolete publications so as to provide additional space for those books and current publications more frequently used. The judges shall seek and identify any grants and donations from any public or private source for the purpose of enhancing the holdings of the libraries of each district. The judges shall study the existing rules promulgated by the circuit and chancery court judicial associations governing the operation of chancery and circuit courts, and revise the same pursuant to existing laws. For such extra services each judge, from and after July 1, 2008, shall receive a sum sufficient when added to the present salaries of the judges to aggregate One Hundred Thirty Thousand Two Hundred Thirteen Dollars (\$130,213.00) per annum for each judge. Upon the expiration of the existing term, the above-captioned salaries become effective in due course, and the extra duties and compensation provided for shall cease.

(4) The Supreme Court shall prepare a payroll for chancery judges and circuit judges and submit such payroll to the Department of Finance and Administration.

(5) The annual salary of the full-time district attorneys shall be One Hundred Seventeen Thousand One Hundred Ninety-two Dollars (\$117,192.00).

(6) The annual salary of the full-time legal assistants shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor more than eighty percent (80%) of the salary of the district attorney for legal assistants who have been licensed to practice law for five (5) years or less; eighty-five percent (85%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least five (5) years but less than fifteen (15) years; and ninety percent (90%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least fifteen (15) years or more.



921     \* \* \*

922           **SECTION 9.** Section 5-1-41, Mississippi Code of 1972, is  
923 amended as follows:

924           5-1-41. Beginning with the 2009 Regular Session of the  
925 Legislature of the State of Mississippi, each Senator and  
926 Representative of the Legislature shall receive as compensation at  
927 each regular session the sum of Fifteen Thousand Dollars  
928 (\$15,000.00) and the mileage allowance provided by Section  
929 25-3-41, for each mile of the distance by the most direct route  
930 usually traveled in coming to and returning from the place where  
931 the Legislature sits. Beginning on April 1, 2009, each Senator  
932 and Representative shall receive for attending each extraordinary  
933 session or called session the sum of Seventy-five Dollars (\$75.00)  
934 per day and mileage at the same rate as per regular session. In  
935 addition to the above, beginning on April 1, 2009, each Senator  
936 and Representative and the Lieutenant Governor shall receive the  
937 sum of Two Thousand Five Hundred Dollars (\$2,500.00) per month for  
938 expenses incidental to his office for every full month of his  
939 term, except any month or major fraction thereof when the  
940 Legislature is convened in regular or extraordinary session; and  
941 payments shall be made to each Senator and Representative and the  
942 Lieutenant Governor by the State Treasurer between the first and  
943 tenth day of each month following the month for which the payments  
944 are due.

945           **SECTION 10.** Section 5-1-43, Mississippi Code of 1972, is  
946 amended as follows:

947           5-1-43. (1) The salary of the Lieutenant Governor and of  
948 the Speaker of the House of Representatives shall be Ninety  
949 Thousand Dollars (\$90,000.00) annually, and they shall receive for  
950 attending each extraordinary or called session the same  
951 compensation and mileage as is provided for members of the  
952 Legislature. \* \* \*



(2) On the first day of each month, the Lieutenant Governor and the Speaker of the House of Representatives shall receive in twelve (12) equal monthly installments the compensation provided for pursuant to subsection (1) of this section.

**SECTION 11.** Section 5-1-45, Mississippi Code of 1972, is amended as follows:

5-1-45. Beginning on January 1, 2009, the President Pro Tempore of the Senate shall receive an annual salary in an amount equal to Forty-five Thousand Dollars (\$45,000.00). The salary provided for the President Pro Tempore under this section shall be in addition to the compensation and expense allowance established for members of the Legislature under Section 5-1-41.

**SECTION 12.** Section 5-1-46, Mississippi Code of 1972, is amended as follows:

5-1-46. Beginning on January 1, 2009, the Speaker Pro Tempore of the House of Representatives shall receive an annual salary in an amount equal to Forty-five Thousand Dollars (\$45,000.00). The salary provided for the Speaker Pro Tempore under this section shall be in addition to the compensation and expense allowance established for members of the Legislature under Section 5-1-41.

**SECTION 13.** The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

**SECTION 14.** Sections 1 through 6 of this act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, or October 1, 2008, whichever is later. Sections 7 through 12 of this act shall take effect and be in force from and



986 after the date it is effectuated under Section 5 of the Voting  
987 Rights Act of 1965, as amended and extended, or January 1, 2009,  
988 whichever is later.

