


## [Miss. Code Ann. § 25-3-13](#)

Current through 2022 Regular Session legislation signed by the Governor and effective upon passage through March 28, 2022, not including changes and corrections made by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation. The final official version of the statutes affected by 2022 legislation will appear on Lexis Advance in the fall of 2022.

*Mississippi Code 1972 Annotated > Title 25. Public Officers and Employees; Public Records (Chs. 1 — 65) > Chapter 3. Salaries and Compensation (§§ 25-3-1 — 25-3-103) > General Provisions (§§ 25-3-1 — 25-3-73)*

### Notice

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 This section has more than one version with varying effective dates.

### § 25-3-13. Salaries of supervisors [Effective July 1, 2022].

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(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 shall be approved by the board of supervisors up to the following amounts, except as otherwise provided under subsection (2) of this section:

- (a) For counties having a total assessed valuation of less than Thirty Million Dollars (\$30,000,000.00), a salary not to exceed Thirty-three Thousand Five Hundred Dollars (\$33,500.00);
- (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 not to exceed Thirty-seven Thousand Five Hundred Dollars (\$37,500.00);
- (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 not to exceed Forty Thousand Five Hundred Dollars (\$40,500.00);

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- (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 not to exceed Forty-one Thousand Five Hundred Dollars (\$41,500.00);
- (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 not to exceed Forty-five Thousand Dollars (\$45,000.00);
- (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 not to exceed Fifty Thousand Dollars (\$50,000.00);
- (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 not to exceed Fifty-two Thousand Dollars (\$52,000.00);
- (h) For counties having a total assessed valuation of Two Billion Dollars (\$2,000,000,000.00) or more, a salary not to exceed Fifty-four Thousand Dollars (\$54,000.00).
- (2) From and after January 1, 2024, the salary of the members of the boards of supervisors may be increased by an amount not to exceed Two Thousand Dollars (\$2,000.00) over the amounts set under subsection (1) of this section, and from and after January 1, 2028, the salary of the members of the boards of supervisors may be increased by an amount not to exceed Four Thousand Dollars (\$4,000.00) over the amounts set under subsection (1) of this section. If the board of supervisors approves a salary increase under this subsection effective during any fiscal year, then the members of that board of supervisors are not eligible for any additional salary increases for that fiscal year. The salary of the members of the board of supervisors shall not be increased under this subsection in the last year of the supervisors' term.
- (3) 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.
- (4) 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.
- (5) No state revenue shall be used to pay any salary increase authorized under this section.

## History

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Codes, 1942, §§ 4166-01, 4166-02; Laws, 1970, ch. 318, §§ 1, 2; Laws, 1972, ch. 371, § 1; Laws, 1974, ch. 543, § 1; Laws, 1977, ch. 457; Laws, 1980, ch. 477; Laws, 1985, ch. 402; Laws, 1988 Ex Sess, ch. 31, § 1; [Laws, 1993, ch. 550, § 6](#); [Laws, 1997, ch. 570, § 4](#); [Laws, 2004, ch. 505, § 2](#); [Laws, 2006, ch. 435](#), [Laws, 2006, ch. 435, § 1](#), eff

June 28, 2006 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, to the amendment of this section); [Laws, 2019, ch. 485, § 4](#), eff from and after January 1, 2020; Laws, 2022, sb2719, § 1, eff from and after July 1, 2022.

Annotations

## Notes

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### Editor's Notes —

[Laws of 1997, ch. 570, § 14](#), provides as follows:

“SECTION 14. 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, 1997, whichever occurs later.”

The United States Attorney General, by letter dated September 5, 1997, interposed no objection, under Section 5 of the Voting Rights Act of 1965, to the amendment of this section by [Laws of 1997, ch. 570, § 4](#).

On August 19, 2004, the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965 to the amendment of this section by [Laws of 2004, ch. 505, § 2](#).

On June 28, 2006, the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965 to the amendment of this section by [Laws of 2006 ch. 435, § 1](#).

[Laws of 2019, ch. 485, § 14](#), provides as follows:

“SECTION 14. This act will take effect and be in force from and after January 1, 2020, except for Section 11, which shall take effect and be in force from and after July 1, 2019, and Sections 12 and 13, which shall take effect and be in force from and after the passage of this act [approved April 18, 2019].”

### Amendment Notes —

The 2004 amendment changed the assessed valuations and salary amounts throughout the section.

The 2006 amendment inserted (2); and designated the formerly undesignated first and second paragraphs as (1) and (3), respectively.

The 2019 amendment, effective January 1, 2020, in (1), made the following substitutions: “Twenty-nine Thousand Eight Hundred Seventy Dollars (\$29,870.00)” for “Twenty-nine Thousand Dollars (\$29,000.00)” in (a), “Thirty-three Thousand Two Hundred Sixty-nine Dollars (\$33,269.00)” for “Thirty-two Thousand Three Hundred Dollars (\$32,300.00)” in (b), “Thirty-four Thousand Seven Hundred Eleven Dollars (\$34,711.00)” for “Thirty-three Thousand Seven Hundred Dollars (\$33,700.00)” in (c), “Thirty-five Thousand Seven Hundred Forty-one Dollars (\$35,741.00)”



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for "Thirty-four Thousand Seven Hundred Dollars (\$34,700.00)" in (d), "Forty-one Thousand Six Hundred Twelve Dollars (\$41,612.00)" for "Forty Thousand Four Hundred Dollars (\$40,400.00)" in (e), "Forty-six Thousand Forty-one Dollars (\$46,041.00)" for "Forty-four Thousand Seven Hundred Dollars (\$44,700.00)" in (f), "Forty-seven Thousand Seventy-one Dollars (\$47,071.00)" for "Forty-five Thousand Seven Hundred Dollars (\$45,700.00)" in (g), and "Forty-eight Thousand One Hundred One Dollars (\$48,101.00)" for "Forty-six Thousand Seven Hundred Dollars (\$46,700.00)" in (h).

The 2022 amendment, in (1), substituted "shall be approved by the board of supervisors up to the following amounts, except as otherwise provided under subsection (2) of this section" for "for the following amounts" in the second paragraph, and made the following substitutions: in (a), "not to exceed Thirty-three Thousand Five Hundred Dollars (\$33,500.00)" for "of Twenty-nine Thousand Eight Hundred Seventy Dollars (\$29,870.00)," in (b) "not to exceed Thirty-seven Thousand Five Hundred Dollars (\$37,500.00)" for "of Thirty-three Thousand Two Hundred Sixty-nine Dollars (\$33,269.00)," in (c), "not to exceed Forty Thousand Five Hundred Dollars (\$40,500.00)" for "of Thirty-four Thousand Seven Hundred Eleven Dollars (\$34,711.00)," in (d), "not to exceed Forty-one Thousand Five Hundred Dollars (\$41,500.00)" for "of Thirty-five Thousand Seven Hundred Forty-one Dollars (\$35,741.00)," in (e), "not to exceed Forty-five Thousand Dollars (\$45,000.00)" for "of Forty-one Thousand Six Hundred Twelve Dollars (\$41,612.00)," "not to exceed Fifty Thousand Dollars (\$50,000.00)" for "of Forty-six Thousand Forty-one Dollars (\$46,041.00)," in (g), "not to exceed Fifty-two Thousand Dollars (\$52,000.00)" for "of Forty-seven Thousand Seventy-one Dollars (\$47,071.00)," and in (h), "not to exceed Fifty-four Thousand Dollars (\$54,000.00)" for "of Forty-eight Thousand One Hundred One Dollars (\$48,101.00)"; added (2); redesignated former (2) and (3) as (3) and (4); and added (5).

## Opinion Notes

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### OPINIONS OF THE ATTORNEY GENERAL

If county supervisors are entitled to increase in salary as result of increase in assessed valuation of oil and gas in county which has been reported by tax commission, supervisors may pass a resolution increasing their salaries and may collect amount of increase in salary beginning in January of calendar year following that in which total assessed valuation is determined. Ruffin, Oct. 12, 1992, A.G. Op. #92-0781.

"Total assessed valuation" refers to total assessed value of county as shown on land rolls, personal property rolls, including assessment of automobiles, and assessed value of all properties in county which are assessed by state tax commission and certified to counties in addition to foregoing; "ad valorem assessment" refers to assessment of property which would be subject to taxation. Davis, Oct. 21, 1992, A.G. Op. #92-0761.

Due to the language in this section which establishes supervisor salaries at "fixed" amounts, the Legislature must clarify the language in the section in order for salaries to be increased in phases over a period of years. Chaney, June 11, 2004, A.G. Op. 04-0237.

SHELTON VANCE

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Once the board of supervisors passes a resolution putting salaries established under *Section 25-3-13* into effect, said salaries are thereafter “fixed” pursuant to statute. Roberts, Nov. 23, 2005, A.G. Op. 05-0555.

## Research References & Practice Aids

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### Cross References —

Provision that officers’ salaries shall be full compensation, see [§ 25-3-37](#).

### RESEARCH REFERENCES

#### CJS.

20 C.J.S., Counties § 113.

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### **§ 25-3-36. Compensation of justice court judges; disposition of fees, costs, fines and cash bonds; justice court clerk clearing account.**

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(1) Until October 1, 2008, 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 Fifty-five Thousand Five Hundred Fifty-nine Dollars (\$55,559.00).
- (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-one Thousand Five Dollars (\$51,005.00).
- (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 Forty-six Thousand Four Hundred Fifty-one Dollars (\$46,451.00).
- (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 Thousand Seventy-five Dollars (\$40,075.00).
- (e) In counties with a population of more than thirty-four thousand (34,000) but not more than forty-nine thousand (49,000), a salary of Thirty-four Thousand Six Hundred Ten Dollars (\$34,610.00).
- (f) In counties with a population of more than twenty-four thousand five hundred (24,500) but not more than thirty-four thousand (34,000), a salary of Thirty-two Thousand Seven Hundred Eighty-nine Dollars (\$32,789.00).

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**(g)** In counties with a population of more than twenty-one thousand (21,000) but not more than twenty-four thousand five hundred (24,500), a salary of Twenty-nine Thousand One Hundred Forty-six Dollars (\$29,146.00).

**(h)** In counties with a population of more than sixteen thousand five hundred (16,500) but not more than twenty-one thousand (21,000), a salary of Twenty-five Thousand Five Hundred Two Dollars (\$25,502.00).

**(i)** In counties with a population of more than twelve thousand (12,000) but not more than sixteen thousand five hundred (16,500), a salary of Twenty-one Thousand Eight Hundred Fifty-nine Dollars (\$21,859.00).

**(j)** In counties with a population of more than eight thousand (8,000) but not more than twelve thousand (12,000), a salary of Eighteen Thousand Dollars (\$18,000.00).

**(k)** In counties with a population of eight thousand (8,000) or less, a salary of Fourteen Thousand Four Hundred Dollars (\$14,400.00).

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

In any county having a population greater than eight thousand (8,000) but less than eight thousand five hundred (8,500) according to the 1990 federal decennial census and in which U.S. Highway 61 and Mississippi Highway 4 intersect, the board of supervisors, in its discretion, may pay such justice court judges an additional amount not to exceed the sum of Eleven Thousand Five Hundred Fifty Dollars (\$11,550.00) per year, payable beginning April 1, 1997.

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

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

**(2)** From and after October 1, 2008, 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 in an amount that is the greater of the following:



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(a) The amount paid to a member of the board of supervisors in the same county in which the justice court judge presides; or

(b) One hundred three percent (103%) of the salary authorized under this section as of September 30, 2008, for a justice court judge in that county.

If supervisors of a county receive a salary increase, justice court judges whose salary is determined under this paragraph shall be paid an amount reflecting a commensurate increase.

(3) Notwithstanding the provisions of subsection (1) of this section, in the event that the number of justice court judges authorized pursuant to [Section 9-11-2\(1\)](#) is exceeded pursuant to the provisions of [Section 9-11-2\(4\)](#), the aggregate of the salaries paid to the justice court judges of such a county shall not exceed the amount sufficient to pay the number of justice court judges authorized pursuant to [Section 9-11-2\(1\)](#), and such amount shall be equally divided among those justice court judges continuing to hold office under the provisions of [Section 9-11-2\(4\)](#).

(4) From and after January 1, 1984, all fees, costs, fines and penalties charged and collected in the justice court shall be 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](#).

(5) 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 or every two (2) weeks pursuant to [Section 25-3-29](#). 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.

(6) 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.

(7) 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.

## History

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Laws, 1981, ch. 471, §§ 5, 6; Laws, 1982, ch. 423, § 4; Laws, 1983, 2nd Ex Sess. ch. 7, § 2; Laws, 1984, ch. 502, § 5; Laws, 1985, ch. 365; Laws, 1988, ch. 502, § 1; [Laws, 1991, ch. 594, § 2](#); [Laws, 1992, ch. 476, § 1](#); [Laws, 1993, ch. 550, § 7](#); [Laws, 1997, ch. 570, § 6](#); [Laws, 1998, ch. 459, § 1](#); [Laws, 2004, ch. 505, § 4](#); [Laws, 2008, ch. 319, § 7](#), eff July 24, 2008 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, to the amendment of this section); [Laws, 2020, ch. 435, § 5](#), eff from and after passage (approved July 2, 2020).

Annotations

## Notes

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### Editor's Notes —

[Laws of 2008, ch. 319, § 1](#), provides:

“SECTION 1. This act shall be known as the “Justice Court Reform Act of 2008.”

On June 12, 1998, the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, as amended and extended, to the amendment of this section by [Laws of 1998, ch. 459, § 1](#).

On August 19, 2004, the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965 to the amendment of this section by [Laws of 2004, ch. 505, § 4](#).

On July 24, 2008, the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965 to the amendment of this section by [Laws of 2007, ch. 319, § 7](#).

Subsection (4) of [Section 9-11-2](#), referenced in this section, was deleted by § 1 of Chapter 515, Laws of 2014, effective July 1, 2014.

### Amendment Notes —

The 2004 amendment changed the dollars amounts throughout the section; deleted “From and after October 1, 1998” at the beginning of (1); in the second paragraph of (1)(k), substituted “each justice court judge” for “the justice court judges,” “provided in this section” for “hereinabove provided” and “judge maintains regular office hours and is” for “judges maintain regular office hours and are”; deleted “subsection (1) of” following “provided for in” in (4); and made other minor changes.

The 2008 amendment, in (1), added “Until October 1, 2008” at the beginning, and made a minor stylistic change; added (2); and redesignated former (2) through (6) as present (3) through (7).

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The 2020 amendment, effective July 2, 2020, in (5), added “or every two (2) weeks pursuant to Section 25-3-29” at the end of the first sentence.

## Opinion Notes

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### OPINIONS OF THE ATTORNEY GENERAL

Statutory language is self-executing and therefore, at such time as federal authority officially publishes decennial census, board of supervisors shall authorize clerk to make all necessary salary adjustments, if any, for payment of justice court judges next monthly salary. Blakney, April 26, 1990, A.G. Op. #90-0281.

Under statute as amended by House Bill No. 1074, 1993 Miss. Laws, Chapter 550, no justice court judge is to receive less compensation than that received prior to the 1990 census; therefore, even though 1990 population of county dropped below 49,000, justice court judges in that county will continue to receive an annual compensation of \$26,400.00 instead of \$25,080.00 as provided for by House Bill No. 1074 for counties where population ranges from 34,000 to 49,000. Sherard, June 16, 1993, A.G. Op. #93-0417.

[Section 25-3-36](#) sets forth the compensation to be paid to justice court judges. This compensation is based on the population of the county according to the 1990 federal decennial census. There is no provision that gives the Board of Supervisors any authority to increase the salaries of the justice court judges due to an increased caseload. Adkins, July 12, 1996, A.G. Op. #96-0457.

Pay raises for county prosecuting attorneys, sheriffs and justice court justices may be made retroactively effective to April 1, 1997, once Laws, 1997, Chapter 570 becomes effectuated under Section 5 of the Voting Rights Act. Dulaney, July 25, 1997, A.G. Op. #97-0403.

A county which has two justice court clerks and maintains two dockets and two separate buildings for justice court does not have two judicial districts; therefore, the justice court judges in that county are not entitled to the next higher level of payment as set forth in [Miss. Code Section 25-3-36](#). Buchanan, Aug. 1, 1997, A.G. Op. #97-0479.

In a situation where a decrease in population has led to a reclassification of the county for justice court judge salaries, the justice court judges may be paid the amount that such judges were making prior to the promulgation of the census under the law as it existed at that time, or may be paid the salary designated under the latest version of [Section 25-3-36](#) for the classification they presently fit, whichever is greater. Lee, Nov. 14, 1997, A.G. Op. #97-0707.

A justice court judge is an ex officio notary public, but may not receive additional fees for such services. Hatfield, August 10, 1998, A.G. Op. #98-0460.

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A justice court judge's salary is determined by using the population of the county from either the 1980 or 1990 census, whichever is higher; accordingly, a county board of supervisors was required to increase the salaries of Justice Court Judges effective October 1, 1998. Lee, December 18, 1998, A.G. Op. #98-0740.

There are no provisions for a board of supervisors to increase the salary of a justice court judge due to increased caseload or increased population according to the 2000 federal decennial census. Gordon, June 7, 2002, A.G. Op. #02-0331.

## Research References & Practice Aids

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### Cross References —

Money paid into the justice court clerk clearing account, see [§ 9-11-18](#).

Appointment of justice court clerk, see [§ 9-11-27](#).

Authority of Supreme Court to disqualify a judge from serving without loss of salary, see [§ 9-19-13](#).

Fee for marriage ceremony performed outside of and away from courtroom, see [§ 25-7-25](#).

### RESEARCH REFERENCES

#### Am. Jur.

15 Am. Jur. Pl & Pr Forms (Rev), Judges, Form 8.1 (complaint to declare justice of peace as holdover magistrate and ordering backpay until successor appointed).

#### CJS.

51 C.J.S., Justices of the Peace §§ 15-17.

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By: Representatives Currie, Tullos, Stamps

To: Appropriations

HOUSE BILL NO. 1408  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE ANNUAL SALARIES OF THE COUNTY SHERIFFS; TO AUTHORIZE  
3 THE BOARD OF SUPERVISORS OF ANY COUNTY IN WHICH A JUVENILE  
4 DETENTION CENTER IS LOCATED TO PAY AN ANNUAL SUPPLEMENT TO THE  
5 SHERIFF OF THE COUNTY; TO AMEND SECTION 23-15-153, MISSISSIPPI  
6 CODE OF 1972, TO INCREASE THE AMOUNT OF PER DIEM FOR COUNTY  
7 ELECTION COMMISSIONERS; AND FOR RELATED PURPOSES.

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

9 SECTION 1. Section 25-3-25, Mississippi Code of 1972, is  
10 amended as follows:

11 25-3-25. (1) Except as otherwise provided in subsections  
12 (2) through (9), the salaries of sheriffs of the various counties  
13 are fixed as full compensation for their services.

14 The annual salary for each sheriff shall be based upon the  
15 total population of his county according to the latest federal  
16 decennial census in the following categories and for the following  
17 amounts; however, no sheriff shall be paid less than the salary  
18 authorized under this section to be paid the sheriff based upon  
19 the population of the county according to the most recent federal  
20 decennial census:



21 (a) For counties with a total population of more than  
22 one hundred thousand (100,000), a salary of \* \* \* One Hundred Four  
23 Thousand Dollars (\$104,000.00).

24 (b) For counties with a total population of more  
25 than \* \* \* forty-four thousand (44,000) and not more than one  
26 hundred thousand (100,000), a salary of \* \* \* Ninety-five Thousand  
27 Dollars (\$95,000.00).

28 (c) For counties with a total population of more  
29 than \* \* \* thirty thousand (30,000) and not more than \* \* \*  
30 forty-four thousand (44,000), a salary of \* \* \* Ninety Thousand  
31 Dollars (\$90,000.00).

32 (d) For counties with a total population of more  
33 than \* \* \* twelve thousand five hundred (12,500) and not more  
34 than \* \* \* thirty thousand (30,000), a salary of \* \* \* Eighty-five  
35 Thousand Dollars (\$85,000.00).

36 (e) For counties with a total population of not more  
37 than \* \* \* twelve thousand five hundred (12,500), a salary  
38 of \* \* \* Eighty Thousand Dollars (\$80,000.00).

39 (2) In addition to the salary provided for in subsection (1)  
40 of this section, the Board of Supervisors of Leflore County, in  
41 its discretion, may pay an annual supplement to the sheriff of the  
42 county in an amount not to exceed Ten Thousand Dollars  
43 (\$10,000.00). The Legislature finds and declares that the annual  
44 supplement authorized by this subsection is justified in such  
45 county for the following reasons:



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

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

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

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

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

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

61 (g) The increased activity of the Child Support  
62 Division of the Department of Human Services in enforcing in the  
63 courts parental obligations has imposed additional duties on the  
64 sheriff; and

65 (h) The dispatchers of the enhanced E-911 system in  
66 place in Leflore County have been placed under the direction and  
67 control of the sheriff.

68 (3) In addition to the salary provided for in subsection (1)  
69 of this section, the Board of Supervisors of Rankin County, in its  
70 discretion, may pay an annual supplement to the sheriff of the





71 county in an amount not to exceed Ten Thousand Dollars  
72 (\$10,000.00). The Legislature finds and declares that the annual  
73 supplement authorized by this subsection is justified in such  
74 county for the following reasons:

75 (a) The Mississippi Department of Corrections operates  
76 and maintains the Central Mississippi Correctional Facility within  
77 the county;

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

80 (c) Hudspeth Regional Center, a facility maintained for  
81 the care and treatment of persons with an intellectual disability,  
82 is located within the county;

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

85 (e) The State Fire Academy is operated and maintained  
86 within the county;

87 (f) The Pearl River Valley Water Supply District,  
88 ordinarily known as the "Reservoir District," is located within  
89 the county;

90 (g) The Jackson-Medgar Wiley Evers International  
91 Airport is located within the county;

92 (h) The patrolling of the state properties located  
93 within the county has imposed additional duties on the sheriff;  
94 and



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

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

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

109 (6) In addition to the salary provided for in subsection (1)  
110 of this section, the Board of Supervisors of Hinds County shall  
111 pay an annual supplement to the sheriff of the county in an amount  
112 equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature  
113 finds and declares that the annual supplement authorized by this  
114 subsection is justified in such county for the following reasons:

115 (a) Hinds County has the greatest population of any  
116 county, two hundred fifty-four thousand four hundred forty-one  
117 (254,441) by the 1990 census, being almost one hundred thousand  
118 (100,000) more than the next most populous county;



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

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

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

126 (e) There are four (4) resident circuit judges, four  
127 (4) resident chancery judges, and three (3) resident county judges  
128 in Hinds County, the most of any county, with the sheriff acting  
129 as chief executive officer and provider of bailiff services for  
130 all;

131 (f) The main offices for the clerk and most of the  
132 judges and magistrates for the United States District Court for  
133 the Southern District of Mississippi are located within the  
134 county;

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

137 (h) The University of Mississippi Medical Center,  
138 combining the medical school, dental school, nursing school and  
139 hospital, is located within the county;

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

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





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

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

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

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

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

161           (7) In addition to the salary provided for in subsection (1)  
162 of this section, the Board of Supervisors of Wilkinson County, in  
163 its discretion, may pay an annual supplement to the sheriff of the  
164 county in an amount not to exceed Ten Thousand Dollars  
165 (\$10,000.00). The Legislature finds and declares that the annual  
166 supplement authorized by this subsection is justified in such  
167 county because the Mississippi Department of Corrections contracts



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

170 (8) In addition to the salary provided for in subsection (1)  
171 of this section, the Board of Supervisors of Marshall County, in  
172 its discretion, may pay an annual supplement to the sheriff of the  
173 county in an amount not to exceed Ten Thousand Dollars  
174 (\$10,000.00). The Legislature finds and declares that the annual  
175 supplement authorized by this subsection is justified in such  
176 county because the Mississippi Department of Corrections contracts  
177 for the private incarceration of state inmates at a private  
178 correctional facility within the county.

179 (9) In addition to the salary provided in subsection (1) of  
180 this section, the Board of Supervisors of Greene County, in its  
181 discretion, may pay an annual supplement to the sheriff of the  
182 county in an amount not to exceed Ten Thousand Dollars  
183 (\$10,000.00). The Legislature finds and declares that the annual  
184 supplement authorized by this subsection is justified in such  
185 county for the following reasons:

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

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



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

196 (10) In addition to the salary provided in subsection (1) of  
197 this section, the board of supervisors of any county, in its  
198 discretion, may pay an annual supplement to the sheriff of the  
199 county in an amount not to exceed Ten Thousand Dollars  
200 (\$10,000.00). The amount of the supplement shall be spread on the  
201 minutes of the board. The annual supplement authorized in this  
202 subsection shall not be in addition to the annual supplements  
203 authorized in subsections (2) through (9).

204 (11) In addition to the salary provided in subsection (1)  
205 and the supplements authorized in subsections (2) through (10),  
206 the board of supervisors of any county, in its discretion, may pay  
207 an annual supplement in an amount not to exceed Five Thousand  
208 Dollars (\$5,000.00) to the sheriff of any county in which a  
209 juvenile detention center is located. The amount of the  
210 supplement shall be spread on the minutes of the board.

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



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

220 (b) At least Ten Dollars (\$10.00) from each fee  
221 collected and deposited into the county's general fund under the  
222 provisions of paragraphs (a), (c) and (g) of subsection (1) of  
223 Section 25-7-19 shall be used for the sheriffs' salaries  
224 authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount  
225 was authorized during the 2007 Regular Session in Chapter 331,  
226 Laws of 2007, for the purpose of providing additional monies to  
227 the counties for sheriffs' salaries.

228 ( \* \* \*13) (a) All sheriffs, each year, shall attend twenty  
229 (20) hours of continuing education courses in law enforcement.  
230 Such courses shall be approved by the Mississippi Board on Law  
231 Enforcement Officers Standards and Training. Such education  
232 courses may be provided by an accredited law enforcement academy  
233 or by the Mississippi Sheriffs' Association.

234 (b) The Mississippi Board on Law Enforcement Officers  
235 Standards and Training shall reimburse each county for the  
236 expenses incurred by sheriffs and deputy sheriffs for attendance  
237 at any approved training programs as required by this subsection.

238 **SECTION 2.** Section 23-15-153, Mississippi Code of 1972, is  
239 amended as follows:

240 23-15-153. (1) At least during the following times, the  
241 election commissioners shall meet at the office of the registrar  
242 or the office of the election commissioners to carefully revise





243 the county voter roll as electronically maintained by the  
244 Statewide Elections Management System and remove from the roll the  
245 names of all voters who have requested to be purged from the voter  
246 roll, died, received an adjudication of non compos mentis, been  
247 convicted of a disenfranchising crime, or otherwise become  
248 disqualified as electors for any cause, and shall register the  
249 names of all persons who have duly applied to be registered but  
250 have been illegally denied registration:

251 (a) On the Tuesday after the second Monday in January  
252 1987 and every following year;

253 (b) On the first Tuesday in the month immediately  
254 preceding the first primary election for members of Congress in  
255 the years when members of Congress are elected;

256 (c) On the first Monday in the month immediately  
257 preceding the first primary election for state, state district  
258 legislative, county and county district offices in the years in  
259 which those offices are elected; and

260 (d) On the second Monday of September preceding the  
261 general election or regular special election day in years in which  
262 a general election is not conducted.

263 Except for the names of those voters who are duly qualified  
264 to vote in the election, no name shall be permitted to remain in  
265 the Statewide Elections Management System; however, no name shall  
266 be purged from the Statewide Elections Management System based on  
267 a change in the residence of an elector except in accordance with



268 procedures provided for by the National Voter Registration Act of  
269 1993. Except as otherwise provided by Section 23-15-573, no  
270 person shall vote at any election whose name is not in the county  
271 voter roll electronically maintained by the Statewide Elections  
272 Management System.

273 (2) Except as provided in this section, and subject to the  
274 following annual limitations, the election commissioners shall be  
275 entitled to receive a per diem in the amount of \* \* \* One Hundred  
276 Ten Dollars (\$110.00), to be paid from the county general fund,  
277 for every day or period of no less than five (5) hours accumulated  
278 over two (2) or more days actually employed in the performance of  
279 their duties in the conduct of an election or actually employed in  
280 the performance of their duties for the necessary time spent in  
281 the revision of the county voter roll as electronically maintained  
282 by the Statewide Elections Management System as required in  
283 subsection (1) of this section:

284 (a) In counties having less than fifteen thousand  
285 (15,000) residents according to the latest federal decennial  
286 census, not more than fifty (50) days per year, with no more than  
287 fifteen (15) additional days allowed for the conduct of each  
288 election in excess of one (1) occurring in any calendar year;

289 (b) In counties having fifteen thousand (15,000)  
290 residents according to the latest federal decennial census but  
291 less than thirty thousand (30,000) residents according to the  
292 latest federal decennial census, not more than seventy-five (75)



293 days per year, with no more than twenty-five (25) additional days  
294 allowed for the conduct of each election in excess of one (1)  
295 occurring in any calendar year;

296 (c) In counties having thirty thousand (30,000)  
297 residents according to the latest federal decennial census but  
298 less than seventy thousand (70,000) residents according to the  
299 latest federal decennial census, not more than one hundred (100)  
300 days per year, with no more than thirty-five (35) additional days  
301 allowed for the conduct of each election in excess of one (1)  
302 occurring in any calendar year;

303 (d) In counties having seventy thousand (70,000)  
304 residents according to the latest federal decennial census but  
305 less than ninety thousand (90,000) residents according to the  
306 latest federal decennial census, not more than one hundred  
307 twenty-five (125) days per year, with no more than forty-five (45)  
308 additional days allowed for the conduct of each election in excess  
309 of one (1) occurring in any calendar year;

310 (e) In counties having ninety thousand (90,000)  
311 residents according to the latest federal decennial census but  
312 less than one hundred seventy thousand (170,000) residents  
313 according to the latest federal decennial census, not more than  
314 one hundred fifty (150) days per year, with no more than  
315 fifty-five (55) additional days allowed for the conduct of each  
316 election in excess of one (1) occurring in any calendar year;



317 (f) In counties having one hundred seventy thousand  
318 (170,000) residents according to the latest federal decennial  
319 census but less than two hundred thousand (200,000) residents  
320 according to the latest federal decennial census, not more than  
321 one hundred seventy-five (175) days per year, with no more than  
322 sixty-five (65) additional days allowed for the conduct of each  
323 election in excess of one (1) occurring in any calendar year;

324 (g) In counties having two hundred thousand (200,000)  
325 residents according to the latest federal decennial census but  
326 less than two hundred twenty-five thousand (225,000) residents  
327 according to the latest federal decennial census, not more than  
328 one hundred ninety (190) days per year, with no more than  
329 seventy-five (75) additional days allowed for the conduct of each  
330 election in excess of one (1) occurring in any calendar year;

331 (h) In counties having two hundred twenty-five thousand  
332 (225,000) residents according to the latest federal decennial  
333 census but less than two hundred fifty thousand (250,000)  
334 residents according to the latest federal decennial census, not  
335 more than two hundred fifteen (215) days per year, with no more  
336 than eighty-five (85) additional days allowed for the conduct of  
337 each election in excess of one (1) occurring in any calendar year;

338 (i) In counties having two hundred fifty thousand  
339 (250,000) residents according to the latest federal decennial  
340 census but less than two hundred seventy-five thousand (275,000)  
341 residents according to the latest federal decennial census, not





342 more than two hundred thirty (230) days per year, with no more  
343 than ninety-five (95) additional days allowed for the conduct of  
344 each election in excess of one (1) occurring in any calendar year;

345 (j) In counties having two hundred seventy-five  
346 thousand (275,000) residents according to the latest federal  
347 decennial census or more, not more than two hundred forty (240)  
348 days per year, with no more than one hundred five (105) additional  
349 days allowed for the conduct of each election in excess of one (1)  
350 occurring in any calendar year.

351 (3) In addition to the number of days authorized in  
352 subsection (2) of this section, the board of supervisors of a  
353 county may authorize, in its discretion, the election  
354 commissioners to receive a per diem in the amount provided for in  
355 subsection (2) of this section, to be paid from the county general  
356 fund, for every day or period of no less than five (5) hours  
357 accumulated over two (2) or more days actually employed in the  
358 performance of their duties in the conduct of an election or  
359 actually employed in the performance of their duties for the  
360 necessary time spent in the revision of the county voter roll as  
361 electronically maintained by the Statewide Elections Management  
362 System as required in subsection (1) of this section, not to  
363 exceed five (5) days.

364 (4) (a) The election commissioners shall be entitled to  
365 receive a per diem in the amount of \* \* \* One Hundred Ten Dollars  
366 (\$110.00), to be paid from the county general fund, not to exceed



367 ten (10) days for every day or period of no less than five (5)  
368 hours accumulated over two (2) or more days actually employed in  
369 the performance of their duties for the necessary time spent in  
370 the revision of the county voter roll as electronically maintained  
371 by the Statewide Elections Management System before any special  
372 election. For purposes of this paragraph, the regular special  
373 election day shall not be considered a special election. The  
374 annual limitations set forth in subsection (2) of this section  
375 shall not apply to this paragraph.

376 (b) The election commissioners shall be entitled to  
377 receive a per diem in the amount of \* \* \* One Hundred Sixty-five  
378 Dollars (\$165.00), to be paid from the county general fund, for  
379 the performance of their duties on the day of any primary, runoff,  
380 general or special election. The annual limitations set forth in  
381 subsection (2) of this section shall apply to this paragraph.

382 (c) The board of supervisors may, in its discretion,  
383 pay the election commissioners an additional amount not to exceed  
384 Fifty Dollars (\$50.00) for the performance of their duties at any  
385 election occurring from July 1, 2020, through December 31, 2020,  
386 which shall be considered additional pandemic pay. Such  
387 compensation shall be payable out of the county general fund, and  
388 may be payable from federal funds available for such purpose, or a  
389 combination of both funding sources.

390 (5) The election commissioners shall be entitled to receive  
391 a per diem in the amount of \* \* \* One Hundred Ten Dollars



392 (\$110.00), to be paid from the county general fund, not to exceed  
393 fourteen (14) days for every day or period of no less than five  
394 (5) hours accumulated over two (2) or more days actually employed  
395 in the performance of their duties for the necessary time spent in  
396 the revision of the county voter roll as electronically maintained  
397 by the Statewide Elections Management System and in the conduct of  
398 a runoff election following either a general or special election.

399 (6) The election commissioners shall be entitled to receive  
400 only one (1) per diem payment for those days when the election  
401 commissioners discharge more than one (1) duty or responsibility  
402 on the same day.

403 (7) In preparation for a municipal primary, runoff, general  
404 or special election, the county registrar shall generate and  
405 distribute the master voter roll and pollbooks from the Statewide  
406 Elections Management System for the municipality located within  
407 the county. The municipality shall pay the county registrar for  
408 the actual cost of preparing and printing the municipal master  
409 voter roll pollbooks. A municipality may secure "read only"  
410 access to the Statewide Elections Management System and print its  
411 own pollbooks using this information.

412 (8) County election commissioners who perform the duties of  
413 an executive committee with regard to the conduct of a primary  
414 election under a written agreement authorized by law to be entered  
415 into with an executive committee shall receive per diem as  
416 provided for in subsection (2) of this section. The days that



417 county election commissioners are employed in the conduct of a  
418 primary election shall be treated the same as days county election  
419 commissioners are employed in the conduct of other elections.

420 (9) In addition to any per diem authorized by this section,  
421 any election commissioner shall be entitled to the mileage  
422 reimbursement rate allowable to federal employees for the use of a  
423 privately owned vehicle while on official travel on election day.

424 (10) Every election commissioner shall sign personally a  
425 certification setting forth the number of hours actually worked in  
426 the performance of the commissioner's official duties and for  
427 which the commissioner seeks compensation. The certification must  
428 be on a form as prescribed in this subsection. The commissioner's  
429 signature is, as a matter of law, made under the commissioner's  
430 oath of office and under penalties of perjury.

431 The certification form shall be as follows:

432 **COUNTY ELECTION COMMISSIONER**

433 **PER DIEM CLAIM FORM**

434 NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

435 ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

436 CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

	PURPOSE	APPLICABLE	ACTUAL	PER DIEM		
DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

440 \_\_\_\_\_

441 \_\_\_\_\_





442 \_\_\_\_\_

443 TOTAL NUMBER OF PER DIEM DAYS EARNED

444 EXCLUDING ELECTION DAYS \_\_\_\_\_

445 PER DIEM RATE PER DAY EARNED X \$ \* \* \* \*110.00

446 TOTAL NUMBER PER DIEM DAYS EARNED

447 FOR ELECTION DAYS \_\_\_\_\_

448 PER DIEM RATE PER DAY EARNED X \$ \* \* \* \*165.00

449 TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_

450 I understand that I am signing this document under my oath as

451 an election commissioner and under penalties of perjury.

452 I understand that I am requesting payment from taxpayer funds

453 and that I have an obligation to be specific and truthful as to

454 the amount of hours worked and the compensation I am requesting.

455 Signed this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

456 \_\_\_\_\_

457 Commissioner's Signature

458 When properly completed and signed, the certification must be

459 filed with the clerk of the county board of supervisors before any

460 payment may be made. The certification will be a public record

461 available for inspection and reproduction immediately upon the

462 oral or written request of any person.

463 Any person may contest the accuracy of the certification in

464 any respect by notifying the chair of the commission, any member

465 of the board of supervisors or the clerk of the board of

466 supervisors of the contest at any time before or after payment is

467 made. If the contest is made before payment is made, no payment  
468 shall be made as to the contested certificate until the contest is  
469 finally disposed of. The person filing the contest shall be  
470 entitled to a full hearing, and the clerk of the board of  
471 supervisors shall issue subpoenas upon request of the contestor  
472 compelling the attendance of witnesses and production of documents  
473 and things. The contestor shall have the right to appeal de novo  
474 to the circuit court of the involved county, which appeal must be  
475 perfected within thirty (30) days from a final decision of the  
476 commission, the clerk of the board of supervisors or the board of  
477 supervisors, as the case may be.

478 Any contestor who successfully contests any certification  
479 will be awarded all expenses incident to his or her contest,  
480 together with reasonable attorney's fees, which will be awarded  
481 upon petition to the chancery court of the involved county upon  
482 final disposition of the contest before the election commission,  
483 board of supervisors, clerk of the board of supervisors, or, in  
484 case of an appeal, final disposition by the court. The  
485 commissioner against whom the contest is decided shall be liable  
486 for the payment of the expenses and attorney's fees, and the  
487 county shall be jointly and severally liable for same.

488 (11) Any election commissioner who has not received a  
489 certificate issued by the Secretary of State pursuant to Section  
490 23-15-211 indicating that the election commissioner has received  
491 the required elections seminar instruction and that the election



492 commissioner is fully qualified to conduct an election, shall not  
493 receive any compensation authorized by this section or Section  
494 23-15-239.

495         **SECTION 3.** This act shall take effect and be in force from  
496 and after October 1, 2022.

