

Delegate Lawrence moves to amend the bill on page 1, line 17, by striking everything after the enacting section and inserting in lieu thereof the following:

1 **"ARTICLE 7. COMPENSATION OF ELECTED COUNTY OFFICIALS.**

2 **§7-7-7. County assistants, deputies and employees; their number**
3 **and compensation; county budget.**

4 (a) The county clerk, circuit clerk, sheriff, county assessor
5 and prosecuting attorney, by and with the advice and consent of the
6 county commission, may appoint and employ, to assist them in the
7 discharge of their official duties for and during their respective
8 terms of office, assistants, deputies and employees. The county
9 clerk may designate one or more of his or her assistants as
10 responsible for all probate matters.

11 (b) The county clerk, circuit clerk, sheriff, county assessor
12 and prosecuting attorney shall, prior to March 2 of each year, file
13 with the county commission a detailed request for appropriations
14 for anticipated or expected expenditures for their respective
15 offices, including the compensation for their assistants, deputies
16 and employees, for the ensuing fiscal year.

17 (c) The county commission shall, prior to March 29 of each
18 year by order fix the total amount of money to be expended by the
19 county for the ensuing fiscal year, which amount shall include the
20 compensation of county assistants, deputies and employees. Each
21 county commission shall enter its order upon its county commission
22 record.

1 (d) The county clerk, circuit clerk, sheriff, county assessor
2 and prosecuting attorney shall then fix the compensation of their
3 assistants, deputies and employees based on the total amount of
4 money designated for expenditure by their respective offices by the
5 county commission and the amount expended shall not exceed the
6 total expenditure designated by the county commission for each
7 office.

8 (e) The county officials, in fixing the individual
9 compensation of their assistants, deputies and employees and the
10 county commission in fixing the total amount of money to be
11 expended by the county, shall give due consideration to the duties,
12 responsibilities and work required of the assistants, deputies and
13 employees and their compensation shall be reasonable and proper.

14 (f) After the county commission has fixed the total amount of
15 money to be expended by the county for the ensuing fiscal year and
16 after each county official has fixed the compensation of each of
17 his or her assistants, deputies and employees, as provided in this
18 section, each county official shall file prior to June 30, with the
19 clerk of the county commission, a budget statement for the ensuing
20 fiscal year setting forth the name, or the position designation if
21 then vacant, of each of his or her assistants, deputies and
22 employees, the period of time for which each is employed, or to be
23 employed if the position is then vacant, and his or her monthly or
24 semimonthly compensation.

25 (g) All budget statements required to be filed by this section
26 shall be verified by an affidavit by the county official making

1 them. Among other things contained in the affidavit shall be the
2 statement that the amounts shown in the budget statement are the
3 amounts actually paid or intended to be paid to the assistants,
4 deputies and employees without rebate, and without any agreement,
5 understanding or expectation that any part thereof shall be repaid
6 to him or her, and that, prior to the time the affidavit is made,
7 nothing has been paid or promised him or her on that account, and
8 that if he or she shall thereafter receive any money, or thing of
9 value, on account thereof, he or she will account for and pay the
10 same to the county. Until the statements required by this section
11 have been filed, no allowance or payments shall be made to any
12 county official or their assistants, deputies and employees.

13 (h) Each county official named in this section, by and with
14 the advice of the county commission, shall have the authority to
15 discharge any of his or her assistants, deputies or employees by
16 filing with the clerk of the county commission a discharge
17 statement specifying the discharge action: *Provided*, That no deputy
18 sheriff appointed pursuant to the provisions of article fourteen,
19 chapter seven of this code, shall be discharged contrary to the
20 provisions of that article."