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Franks, Frierson, Gadd, Hamilton, Janus,  
Livingston, Malone, McBride, Mitchell, Moak,  
Moore (60th), Nettles, Peranich, Read,  
Reynolds, Robinson (63rd), Rogers, Smith  
(59th), Smith (27th), Smith (39th),  
Straughter, Stringer, Warren, Watson, Woods

To: Judiciary A

HOUSE BILL NO. 728

1 AN ACT TO AMEND SECTIONS 7-5-7 AND 7-5-301, MISSISSIPPI CODE  
2 OF 1972, TO PROVIDE THAT INVESTIGATORS OF THE OFFICE OF THE  
3 ATTORNEY GENERAL ARE LAW ENFORCEMENT OFFICERS; TO AUTHORIZE  
4 RETIRING INVESTIGATORS TO RETAIN A SIDEARM; AND FOR RELATED  
5 PURPOSES.

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

7 SECTION 1. Section 7-5-7, Mississippi Code of 1972, is  
8 amended as follows:[HS1]

9 7-5-7. The Governor may engage counsel to assist the  
10 Attorney General in cases to which the state is a party when, in  
11 his opinion, the interest of the state requires it, subject to the  
12 action of the Legislature in providing compensation for such  
13 services.

14 The Attorney General is hereby authorized and empowered to  
15 appoint and employ special counsel, on a fee or salary basis, to  
16 assist the Attorney General in the preparation for, prosecution,  
17 or defense of any litigation in the state or federal courts or  
18 before any federal commission or agency in which the state is a  
19 party or has an interest.

20 The Attorney General may designate such special counsel as  
21 special assistant attorney general, and may pay such special  
22 counsel reasonable compensation to be agreed upon by the Attorney  
23 General and such special counsel, in no event to exceed recognized  
24 bar rates for similar services.

25 The Attorney General may also employ special investigators on  
26 a per diem or salary basis, to be agreed upon at the time of  
27 employment, for the purpose of interviewing witnesses,

28 ascertaining facts, or rendering any other services that may be  
29 needed by the Attorney General in the preparation for and  
30 prosecution of suits by or against the State of Mississippi, or in  
31 suits in which the Attorney General is participating on account of  
32 same being of statewide interest. Investigators shall be  
33 designated law enforcement officers and shall be subject to the  
34 training requirements of the Law Enforcement Officers' Training  
35 Academy. Each investigator who retires under the Public  
36 Employees' Retirement System shall be allowed to retain, as his  
37 personal property, one (1) sidearm which was issued by the  
38 Attorney General.

39 The Attorney General may pay travel and other expenses of  
40 employees and appointees made hereunder in the same manner and  
41 amount as authorized by law for the payment of travel and expenses  
42 of state employees and officials.

43 The compensation of appointees and employees made hereunder  
44 shall be paid out of the Attorney General's Contingent Fund, or  
45 out of any other funds appropriated to the Attorney General's  
46 Office.

47 SECTION 2. Section 7-5-301, Mississippi Code of 1972, is  
48 amended as follows:

49 7-5-301. There is created within the Office of the Attorney  
50 General an Insurance Integrity Enforcement Bureau. The duty of  
51 the bureau is to investigate and prosecute claims of insurance  
52 abuses and crimes involving insurance. The Attorney General may  
53 employ the necessary personnel to carry out the provisions of  
54 Sections 7-5-301 through 7-5-311. Each investigator who retires  
55 under the Public Employees' Retirement System shall be allowed to  
56 retain, as his personal property, one (1) sidearm which was issued  
57 by the Attorney General.

58 SECTION 3. This act shall take effect and be in force from  
59 and after July 1, 2000.