HOUSE BILL NO. 426

AN ACT TO ALLOW LAW ENFORCEMENT TO PROVIDE ADVICE REGARDING LAW ENFORCEMENT MATTERS TO ATTORNEYS WHILE OFF DUTY; TO PROVIDE COMPENSATION FOR SUCH SERVICE; TO AMEND SECTION 25-7-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

SECTION 1. Whenever a law enforcement officer is requested by a licensed attorney to provide advice on law enforcement matters, he may provide such advice during any time he is not required to report to work or perform the duties of his office. A law enforcement officer shall receive a minimum of Fifty Dollars ($50.00) per hour for such service.

SECTION 2. Section 25-7-49, Mississippi Code of 1972, is amended as follows:

25-7-49. It shall be unlawful for any sheriff, deputy sheriff, constable, police officer, marshal, county patrolman, or any other state, county, or municipal peace or law enforcement officer to receive any fee as a witness in any criminal case in this state. The provisions of this section shall apply only when such officers are witnesses in the county or district in which such officer is serving.

Any person who shall violate the provisions of this law shall, upon conviction, be punished by a fine of not more than One Hundred Dollars ($100.00).

The provisions of this section shall not apply to Section 1 of this act.

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.