

By: Representative Compretta

To: Judiciary A

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 864

1 AN ACT TO AMEND SECTION 7-5-7, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE RETIRING INVESTIGATORS TO RETAIN A SIDEARM; TO ALLOW  
3 RETIRING LAW ENFORCEMENT OFFICERS OF INSTITUTIONS OF HIGHER  
4 LEARNING TO PURCHASE THEIR FIREARM; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 7-5-7, Mississippi Code of 1972, is  
7 amended as follows:

8 7-5-7. The Governor may engage counsel to assist the  
9 Attorney General in cases to which the state is a party when, in  
10 his opinion, the interest of the state requires it, subject to the  
11 action of the Legislature in providing compensation for such  
12 services.

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

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

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

28 needed by the Attorney General in the preparation for and  
29 prosecution of suits by or against the State of Mississippi, or in  
30 suits in which the Attorney General is participating on account of  
31 same being of statewide interest. Each investigator who retires  
32 under the Public Employees' Retirement System shall be allowed to  
33 retain, as his personal property, one (1) sidearm which was issued  
34 by the Attorney General.

35 The Attorney General may pay travel and other expenses of  
36 employees and appointees made hereunder in the same manner and  
37 amount as authorized by law for the payment of travel and expenses  
38 of state employees and officials.

39 The compensation of appointees and employees made hereunder  
40 shall be paid out of the Attorney General's Contingent Fund, or  
41 out of any other funds appropriated to the Attorney General's  
42 Office.

43 SECTION 2. Any law enforcement officer of a state-supported  
44 institution of higher learning who retires under any state  
45 retirement system or any state-approved retirement system may be  
46 allowed to purchase as his personal property one (1) sidearm which  
47 was issued to him. The institution of higher learning for which  
48 such law enforcement officer was employed shall determine the  
49 amount to be paid by the retiring law enforcement officer.

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