MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001

To:  Judiciary A

By:  Representative Compretta

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO.  864

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

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

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

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

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

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

The Attorney General may also employ special investigators on
a per diem or salary basis, to be agreed upon at the time of
employment, for the purpose of interviewing witnesses,
ascertaining facts, or rendering any other services that may be
needed by the Attorney General in the preparation for and
prosecution of suits by or against the State of Mississippi, or in
suits in which the Attorney General is participating on account of
same being of statewide interest. Each investigator who retires
under the Public Employees' Retirement System shall be allowed to
retain, as his personal property, one (1) sidearm which was issued
by the Attorney General.

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

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

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

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