

By: Representative Reeves

To: Judiciary A

HOUSE BILL NO. 1545

1 AN ACT TO AMEND SECTIONS 7-5-1 AND 19-19-15, MISSISSIPPI CODE  
2 OF 1972, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HEAR AND  
3 ADDRESS ALL COMPLAINTS FILED AGAINST CONSTABLES; AND FOR RELATED  
4 PURPOSES.

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

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

8 7-5-1. The Attorney General provided for by Section 173 of  
9 the Mississippi Constitution shall be elected at the same time and  
10 in the same manner as the Governor is elected. His term of office  
11 shall be four (4) years and his compensation shall be fixed by the  
12 Legislature. He shall be the chief legal officer and advisor for  
13 the state, both civil and criminal, and is charged with managing  
14 all litigation on behalf of the state. No arm or agency of the  
15 state government shall bring or defend a suit against another such  
16 arm or agency without prior written approval of the Attorney  
17 General. He shall have the powers of the Attorney General at  
18 common law and is given the sole power to bring or defend a  
19 lawsuit on behalf of a state agency, the subject matter of which  
20 is of statewide interest, and he shall intervene and argue the  
21 constitutionality of any statute when notified of a challenge  
22 thereto, pursuant to the Mississippi Rules of Civil Procedure. He  
23 shall hear and address all complaints filed against constables and  
24 he is authorized to promulgate any necessary rules and regulations  
25 to perform this function. His qualifications for office shall be  
26 as provided for chancery and circuit judges in Section 154 of the  
27 Mississippi Constitution.



28           **SECTION 2.** Section 19-19-15, Mississippi Code of 1972, is  
29 amended as follows:

30           19-19-15. A constable who shall fail to discharge any of the  
31 duties required of him shall be disciplined by the Attorney  
32 General and, shall be liable to be fined, as for a contempt, not  
33 exceeding Fifty Dollars (\$50.00) by the justice of the peace  
34 before whom the proceedings may be pending.

35           **SECTION 3.** This act shall take effect and be in force from  
36 and after July 1, 2002.

