

By: Representative Holland

To: Appropriations

HOUSE BILL NO. 639

1 AN ACT TO AMEND SECTION 45-3-39, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE HIGHWAY SAFETY PATROL OFFICERS TO USE THE PATROL CARS
3 ASSIGNED TO THEM FOR PERSONAL OR PRIVATE PURPOSES; TO AMEND
4 SECTION 25-1-79, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE
5 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 45-3-39, Mississippi Code of 1972, is
8 amended as follows:

9 45-3-39. No state officer or other person shall utilize at
10 any time any uniform, car, material or equipment of the
11 Mississippi Highway Safety Patrol for his personal use or for
12 private purposes except in an emergency; however, a highway safety
13 patrol officer may use the patrol car assigned to him for personal
14 or private purposes in accordance with such rules, regulations and
15 policies as the Commissioner of Public Safety may promulgate. A
16 breach of this provision shall constitute a misdemeanor punishable
17 by a fine not to exceed One Hundred Dollars (\$100.00), or thirty
18 (30) days in jail, or both. Nothing in this section, however,
19 shall be construed to apply to the Governor or Lieutenant Governor
20 of the State of Mississippi.

21 **SECTION 2.** Section 25-1-79, Mississippi Code of 1972, is
22 amended as follows:

23 25-1-79. Except as otherwise provided under Section 45-3-39,
24 it shall be unlawful for any officer, employee, or other person
25 whatsoever to use or permit or authorize the use of any automobile
26 or any other motor vehicle owned by the State of Mississippi or
27 any department, agency or institution thereof for any purpose
28 other than upon the official business of the State of Mississippi



29 or any agency, department or institution thereof. Further, it
30 shall be unlawful for any such officer or employee to be paid or
31 to receive any sums whatsoever for travel expense until the
32 expenses for which payment is made, and each item thereof, have
33 been actually incurred by such officer or employee, and then only
34 upon the presentation of an itemized expense account which shall
35 be approved in writing by the head of the department, agency or
36 institution on whose behalf such travel is performed. However, it
37 is expressly provided that any such officer or employee traveling
38 beyond the confines of the state on business for and in behalf of
39 the State of Mississippi may, strictly in the discretion of an
40 agency, institution or department head, receive in advance from
41 state funds for the purpose of such travel expense a sum to be
42 specified by such aforementioned superior. Further, strict
43 account of any sum so advanced must be kept in accord with Section
44 25-1-81.

45 **SECTION 3.** This act shall take effect and be in force from
46 and after July 1, 2003.

