

By: Representative Upshaw

To: Judiciary B

HOUSE BILL NO. 1500

1 AN ACT TO AMEND SECTION 97-11-33, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT PUBLIC EMPLOYEES AND OTHERS FROM TAKING ANYTHING OF
3 VALUE FROM A BAIL AGENT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-11-33, Mississippi Code of 1972, is
6 amended as follows:

7 97-11-33. (1) If any judge, justice court judge, sheriff,
8 deputy sheriff, sheriff's employee, constable, assessor,
9 collector, clerk, county medical examiner, county medical examiner
10 investigator, employee of the Mississippi Department of
11 Corrections, employee of any contractor providing incarceration
12 services or any other officer, shall knowingly demand, take or
13 collect, under color of his office, any money, fee or reward
14 whatever, not authorized by law, or shall demand and receive,
15 knowingly, any fee for service not actually performed, such
16 officer, so offending, shall be guilty of extortion, and, on
17 conviction, shall be punished by fine not exceeding Five Thousand
18 Dollars (\$5,000.00) or imprisonment for not more than five (5)
19 years, or both, and shall be removed from office.

20 (2) Any jailer, law enforcement officer, employee of a law
21 enforcement agency or court, employee or agent of an independent
22 contractor of a law enforcement agency or court or any trustee or
23 inmate who takes anything of value from a bail agent or someone
24 impersonating a bail agent, other than things provided uniformly
25 to all persons similarly employed, shall be guilty of extortion
26 and punished as provided in subsection (1) of this section.

27 **SECTION 2.** This act shall take effect and be in force from
28 and after July 1, 2005.