

By: Representative Hall

To: Judiciary B

HOUSE BILL NO. 1269

1 AN ACT TO AMEND SECTION 19-19-5, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE RESTRICTION FOR PAYMENT TO CONSTABLES FOR CERTAIN
3 ARRESTS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 19-19-5, Mississippi Code of 1972, is
6 amended as follows:

7 19-19-5. (1) It shall be the duty of every constable to
8 keep and preserve the peace within his county, by faithfully
9 aiding and assisting in executing the criminal laws of the state;
10 to give information, without delay, to some justice court judge or
11 other proper officer, of all riots, routs and unlawful assemblies,
12 and of every violation of the penal laws which may come to his
13 knowledge in any manner whatsoever; to execute and return all
14 process, civil and criminal, lawfully directed to him, according
15 to the command thereof; and to pay over all monies, when collected
16 by him to the person lawfully authorized to receive the same. In
17 addition, the constable is authorized to serve process issued by
18 any county, chancery or circuit court, and shall receive the same



19 fee as he would receive for service of process in justice court.

20 * * *

21 (2) (a) During a constable's term of office, each constable
22 shall attend and, to the extent to which he is physically able,
23 participate in a curriculum having a duration of two (2) weeks
24 which addresses the nature and scope of specific duties and
25 responsibilities of a constable and which includes firearm use and
26 safety training, to be established by the Board on Law Enforcement
27 Officers Standards and Training in the field of law enforcement at
28 the Mississippi Law Enforcement Officers' Training Academy or such
29 other training programs that are approved by the Board on Law
30 Enforcement Officers Standards and Training pursuant to Section
31 45-6-9. No physical fitness test shall be required to be
32 successfully completed in order to complete the training program.

33 The board of supervisors of the county shall be responsible
34 for paying, only one (1) time, the tuition, living and travel
35 expenses incurred by any constable of that county in attendance at
36 such training program or curriculum. If such constable does not
37 attend and, to the extent to which he is physically able,
38 participate in the entirety of the required program or curriculum,
39 any further training which may be required by this section shall
40 be completed at the expense of such constable. No constable shall
41 be entitled to the receipt of any fees, costs or compensation
42 authorized by law after the first twenty-four (24) months in
43 office if he fails to attend the required training and, to the



44 extent to which he is physically able, participate in the entirety
45 of the appropriate program or curriculum. Any constable who does
46 not complete the required training when required may execute and
47 return civil process but thereafter shall not be paid any fees,
48 costs or compensation for executing such process and shall not be
49 allowed to exercise any law enforcement functions or to carry a
50 firearm in the performance of his duties until he has completed
51 such training.

52 (b) (i) The Board of Law Enforcement Officers
53 Standards and Training shall develop a program of continuing
54 education training for constables to attend consisting of eight
55 (8) hours annually. The program shall be divided equally between
56 firearms training and safety and instruction in both substantive
57 and procedural law. The training program shall be conducted by
58 the Mississippi Constables Association, and appropriate parts of
59 the program may be conducted by members who have been certified by
60 the board to conduct the training program. The cost of travel,
61 tuition and living expenses in attending the continuing training
62 shall be paid out of the Law Enforcement Officers Training Fund
63 created in Section 45-6-15.

64 (ii) No constable elected prior to January 1,
65 2000, shall be required to comply with the continuing education
66 requirements of this paragraph (b); however, any constable may
67 elect to attend the annual training and shall be reimbursed
68 therefor as provided in this paragraph (b).



69 (c) The provisions of this subsection shall not apply
70 to a constable who has received a certificate from the Board on
71 Law Enforcement Officers Standards and Training evidencing
72 satisfaction of subsections (3) and (4) of Section 45-6-11, or who
73 is exempt from the requirements of subsections (3) and (4) of
74 Section 45-6-11 by the provisions of subsection (1).

75 **SECTION 2.** This act shall take effect and be in force from
76 and after July 1, 2025.

