

By: Representative Hall

To: Judiciary B

HOUSE BILL NO. 1270

1 AN ACT TO AMEND SECTION 19-19-5, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE PROHIBITION AGAINST ANY CONSTABLE RECEIVING A FEE FOR
3 MAKING AN ARREST OR ATTENDING TRIAL FOR ANY VIOLATION OF THE MOTOR
4 VEHICLE LAWS COMMITTED ON ANY UNITED STATES HIGHWAY IN THE
5 DISTRICT OF SUCH CONSTABLE; AND FOR RELATED PURPOSES.

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

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

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



20 any county, chancery or circuit court, and shall receive the same
21 fee as he would receive for service of process in justice court.

22 * * *

23 (2) (a) During a constable's term of office, each constable
24 shall attend and, to the extent to which he is physically able,
25 participate in a curriculum having a duration of two (2) weeks
26 which addresses the nature and scope of specific duties and
27 responsibilities of a constable and which includes firearm use and
28 safety training, to be established by the Board on Law Enforcement
29 Officers Standards and Training in the field of law enforcement at
30 the Mississippi Law Enforcement Officers' Training Academy or such
31 other training programs that are approved by the Board on Law
32 Enforcement Officers Standards and Training pursuant to Section
33 45-6-9. No physical fitness test shall be required to be
34 successfully completed in order to complete the training program.

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



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

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

66 (ii) No constable elected prior to January 1,
67 2000, shall be required to comply with the continuing education
68 requirements of this paragraph (b); however, any constable may

69 elect to attend the annual training and shall be reimbursed
70 therefor as provided in this paragraph (b).

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

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

