

By: Senator(s) Parker

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2077

1 AN ACT TO AMEND SECTION 7-5-25, MISSISSIPPI CODE OF 1972, TO
2 IMPOSE A SIXTY-DAY DEADLINE FOR THE ISSUING OF REGULAR ATTORNEY
3 GENERAL OPINIONS; TO IMPOSE A TWENTY-FIVE-DAY DEADLINE FOR THE
4 ISSUING OF EXPEDITED ATTORNEY GENERAL OPINIONS; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 7-5-25, Mississippi Code of 1972, is
8 amended as follows:

9 7-5-25. (a) The Attorney General shall give his or her
10 opinion in writing, without fee, to the Legislature, or either
11 house or any committee thereof, and to the Governor, the Secretary
12 of State, the Auditor of Public Accounts, the State Treasurer, the
13 Superintendent of Public Education, the Insurance Commissioner,
14 the Commissioner of Agriculture and Commerce, the State Geologist,
15 the State Librarian, the Director of Archives and History, the
16 Adjutant General, the State Board of Health, the Commissioner of
17 Corrections, the Public Service Commission, Chairman of the State
18 Tax Commission, the State Forestry Commission, the Transportation
19 Commission * * * and any other state officer, department or



commission operating under the law * * * or which may be hereafter created; the trustees and heads of any state institution, the trustees and heads of the universities and the state colleges, the district attorneys, the boards of supervisors of the several counties, the sheriffs, the chancery clerks, the circuit clerks, the superintendents of education, the tax assessors, county surveyors, the county attorneys, the attorneys for the boards of supervisors, mayor or council or board of aldermen of any municipality of this state * * * and all other county officers (and no others), when requested in writing, upon any question of law relating to their respective offices.

(b) The Attorney General shall issue an opinion letter within sixty (60) days of receiving a complete and valid regular opinion request. If the request for an opinion letter asks for the delivery of an expedited opinion, the Attorney General shall issue an opinion letter within twenty-five (25) days of receiving a complete and valid expedited opinion request.

(c) When any officer, board, commission, department or person authorized by this section to require such written opinion of the Attorney General shall have done so and shall have stated all the facts to govern such opinion, and the Attorney General has prepared and delivered a legal opinion with reference thereto, there shall be no liability, civil or criminal, accruing to or against any such officer, board, commission, department or person who, in good faith, follows the direction of such opinion and acts



45 in accordance therewith unless a court of competent jurisdiction,
46 after a full hearing, shall judicially declare that such opinion
47 is manifestly wrong and without any substantial support. However,
48 if a court of competent jurisdiction makes such a judicial
49 declaration about a written opinion of the Attorney General that
50 applies to acts or omissions of any licensee to which Section
51 63-19-57, 75-67-137 or 75-67-245 applies, and the licensee has
52 acted in conformity with that written opinion, the liability of
53 the licensee shall be governed by Section 63-19-57, 75-67-137 or
54 75-67-245, as the case may be. No opinion shall be given or
55 considered if the opinion is given after a suit * * * has been
56 filed or prosecution has begun.

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

