

By: Senator(s) Jackson

To: Judiciary

SENATE BILL NO. 2564

1 AN ACT TO AMEND SECTION 7-5-39, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE METHOD OF RETENTION OF OUTSIDE COUNSEL BY STATE
3 AGENCIES; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 7-5-39, Mississippi Code of 1972, is
6 amended as follows:

7 7-5-39. The Attorney General shall also represent the state,
8 in person or by his assistant, as counsel in all suits against the
9 state in other courts than the Supreme Court at the seat of
10 government, and he shall, in like manner, act as counsel for any
11 of the state officers in suits brought by or against them in their
12 official capacity, touching any official duty or trust and triable
13 at the seat of government. He may pursue the collection of any
14 claim or judgment in favor of the state outside of the state. The
15 Attorney General may approve the hiring of outside counsel when
16 otherwise authorized by law only after first rendering his written
17 opinion pursuant to Section 7-5-25 as to the merits of the claim
18 or controversy.

19 SECTION 2. This act shall take effect and be in force from
20 and after July 1, 2001.