

By: Representative Baker (74th)

To: County Affairs;
Municipalities

HOUSE BILL NO. 220

1 AN ACT TO AMEND SECTION 21-15-25, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE LENGTH OF TIME THAT A MUNICIPAL ATTORNEY MAY SERVE
3 AFTER BEING APPOINTED BY THE GOVERNING AUTHORITIES OF A
4 MUNICIPALITY; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 21-15-25, Mississippi Code of 1972, is
7 amended as follows:

8 21-15-25. The governing authorities may * * * appoint an
9 attorney at law who is terminable at will for the municipality,
10 prescribe his or her duties and fix his or her compensation,
11 and/or they may employ counsel to represent the interest of the
12 municipality, should the occasion require. For services and
13 duties which the regular city attorney is not required to perform
14 as a result of his or her employment as such, and which are not
15 covered by the regular compensation paid to him or her, such
16 municipal attorney may be employed and compensated additionally.
17 In cases where an attorney, whether he or she is the regular
18 municipal attorney or another, shall be employed in the matter of
19 issuing or refunding of bonds and the drafting of all orders and
20 resolutions in connection therewith, the governing authorities
21 shall have the power to pay reasonable compensation to such
22 attorney, but in no instance shall such compensation so paid
23 exceed one percent (1%) of the bonds issued or refunded; however,
24 where the regular contract of employment and compensation paid to
25 the municipal attorney covers and includes services in connection
26 with the issuing or refunding of bonds, then such regular
27 municipal attorney shall not be paid additional compensation for
28 such services.



29 Should the services and duties required of a regular
30 municipal attorney at any time become greater than that
31 anticipated by the governing authorities at the time of his or her
32 appointment, the governing authorities, by unanimous vote, and on
33 proper finding, may increase the compensation of such attorney in
34 such amount as the governing board may find and adjudge to be fair
35 and reasonable to compensate the attorney for his or her excessive
36 and unanticipated services and duties.

37 **SECTION 2.** This act shall take effect and be in force from
38 and after its passage.

