MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Lamar To: Ways and Means

HOUSE BILL NO. 512

AN ACT TO AMEND SECTION 67-1-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS AND DUTIES OF THE AGENTS AND INSPECTORS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE, TO DELETE THE PROVISION THAT PROVIDES THAT NOTHING IN THAT SECTION SHALL BE CONSTRUED AS GRANTING AGENTS AND INSPECTORS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE GENERAL POLICE POWERS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 67-1-31, Mississippi Code of 1972, is amended as follows:

67-1-31. The *** * *** department shall issue to all agents and inspectors appointed under this chapter a written certificate of appointment under the seal of said *** * *** department, of which judicial notice shall be taken by all courts of this state. Such agents and inspectors are hereby declared to be police officers in enforcing the provisions of this chapter, and in the performance of their duties such employees shall have the authority to bear arms, to make arrests, to make searches and seizures under this chapter, and to serve any protest, notice or order connected with the enforcement of this chapter by whatever officer or authority

of court issued. The members of the * * * department shall not be personally liable to any person on account of any act, neglect or omission of any such agent or inspector.

The powers and duties of the agents and inspectors shall include, in addition to all others prescribed by law the following powers: to arrest, without warrant, any person committing or attempting to commit a misdemeanor, felony or a breach of the peace within his presence or view, and to pursue and so arrest any person committing such an offense to and at any place in the state where the person may go or be; and to aid and assist any law enforcement officer, if requested. * * *

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