

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

OPINIONS
DIVISION

June 21, 2019

Brian D. Mayo, Esquire
Attorney, East Central Community College District
Post Office Box 218
Newton, Mississippi 39345-0218

Re: Application of House Bill Number 1247

Dear Mr. Mayo:

Attorney General Jim Hood is in receipt of your opinion request and has assigned it to me for research and reply. In your letter, you ask if the analysis of our opinion to the Honorable John Lamar dated June 11, 2019, would also apply to the East Central Community College Board of Trustees. It is the opinion of this office that it does. In the Lamar opinion, we stated that we are unable to provide an opinion as to the definitive meaning of H.B. 1247. "As a general matter, H.B. 1247 is confusing, internally inconsistent and defies consistent application as a whole. In our opinion, the self-contradictory and confused language of H.B. 1247 is ineffective to cause any change in current law. Consequently, in the absence of any clear guidance from the Legislature (which is not provided in H.B. 1247), it is the opinion of this office that the amendatory provisions of H.B. 1247 are ineffective to change either the current version of Section 37-29-65 or Section 37-29-457. Accordingly, it is our opinion that the provisions of these sections as now written and codified remain in effect." Therefore, the East Central Community College Board of Trustees should retain its present board and follow the existing provisions of these sections.

If this office may be of any further assistance to you, please let us know.

Sincerely,

JIM HOOD, ATTORNEY GENERAL

By:

Avery Mounser Lee
Special Assistant Attorney General