



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

February 12, 2026

The Honorable Tedrick D. Liddell
Noxubee County Sheriff
314 Allen Bend Road
Macon, Mississippi 39341

Re: Separation of Powers

Dear Sheriff Liddell:

The Office of the Attorney General has received your request for an official opinion.

Questions Presented

As the newly elected Sheriff of Noxubee County, am I allowed to have a part-time job with the school district if I do not work both jobs at the same time, or will it be a conflict of interest?

Brief Response

It is not a violation of the separation of powers doctrine for a sheriff to also be employed by a local school district as long as the referenced employment is within the executive branch of government or does not exercise core powers in the legislative or judicial branches of government.

Applicable Law and Discussion

As an initial matter, your request asks whether the referenced dual employment is a conflict of interest. For questions regarding conflicts of interest, we refer you to the Mississippi Ethics Commission. *See* MS AG Ops., *Liddell* at *1 (Aug. 25, 2025) (stating that simultaneous service in two elected positions is not necessarily prohibited, but several potential issues may arise) and *Shepard* at *2 (Apr. 1, 2013) (discussing the prohibition against a public officer or employee being paid by two public entities for the same hours worked). This opinion is limited to whether the referenced employment violates the separation of powers doctrine.

The doctrine of separation of powers prohibits a person in one branch of government from simultaneously serving in another branch of government. MISS. CONST. art. I, §§ 1-2. The Mississippi Supreme Court has interpreted these constitutional provisions as precluding an individual from simultaneously exercising core powers—those which relate to acts at the upper

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level of governmental affairs and have a substantial policy-making character— in two different branches of government. *Dye v. State*, 507 So. 2d 332 (Miss. 1987).

A sheriff exercises core powers within the executive branch of government. MS AG Op., *Davis* at *1 (Dec. 21, 2023) (internal citations omitted). Thus, a sheriff may not simultaneously hold a position that exercises core powers in either the judicial or legislative branch of government. However, as long as the referenced employment is within the executive branch of government or does not exercise core powers in the legislative or judicial branches of government, it is not a violation of the separation of powers doctrine for a sheriff to simultaneously be employed by a local school district.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Beebe Garrard*

Beebe Garrard
Special Assistant Attorney General

OFFICIAL OPINION