

By: Cameron

To: Judiciary B

HOUSE BILL NO. 355

1 AN ACT TO AMEND SECTION 19-25-3, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT ANY PERSON WHO HAS BEEN CONVICTED OF A FELONY SHALL  
3 NOT BE ELIGIBLE TO THE OFFICE OF SHERIFF; AND FOR RELATED  
4 PURPOSES.

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

6 SECTION 1. Section 19-25-3, Mississippi Code of 1972, is  
7 amended as follows:

8 19-25-3. A person shall not be eligible to the office of  
9 sheriff who shall, at the time of the election, be a defaulter to  
10 the state, or any county or municipality thereof, or to the United  
11 States. Any person who is not a qualified elector, or who denies  
12 the existence of a Supreme Being, shall not be eligible to said  
13 office. Any person who has been convicted of a felony as defined  
14 in Section 1-3-11, shall not be eligible to the office. A sheriff  
15 shall be eligible to immediately succeed himself in office.

16 Prior to taking the oath of office and entering into the  
17 performance of the duties and obligations of sheriff, or as soon  
18 after his election as possible, each sheriff-elect, excluding  
19 those who have previously served as sheriff, or have had at least  
20 five (5) years' experience as a full-time enforcement officer, or  
21 have previously successfully completed a course of training at the  
22 Mississippi Law Enforcement Officers' Academy or the Jackson

23 Police Academy, shall, at the expense of the county, attend and  
24 complete an appropriate curriculum in the field of law enforcement  
25 at the Mississippi Law Enforcement Officers' Academy. Any sheriff  
26 exempted from attendance because of previous service as sheriff or  
27 having five (5) years' full-time law enforcement experience must  
28 have served as sheriff or obtained such experience within a period  
29 of ten (10) years prior to the date of his taking the oath of  
30 office. Any sheriff exempted from attendance because of  
31 successful completion of a course of training at either of the  
32 aforementioned academies must have completed such course within  
33 five (5) years prior to the date of his taking the oath of office.  
34 No sheriff, excluding those specified as being exempt from the  
35 initial course in this section, shall until he has attended said  
36 Academy be entitled to payment of salary after the first one (1)  
37 year in office if he fails to attend said academy as herein  
38 provided within one (1) year after his taking office. All  
39 sheriffs shall, on a periodic basis, attend additional advanced  
40 courses in law enforcement in order that they will be properly  
41 informed and trained in the modern, technical advances of law  
42 enforcement.

43 Prior to July 1, 1973, or as soon thereafter as permitted by  
44 vacancies at the Mississippi Law Enforcement Officers' Academy,  
45 either the sheriff or one (1) deputy sheriff in each county having  
46 two (2) or more full-time deputies shall, at the expense of the  
47 county, attend and complete an appropriate curriculum in the field  
48 of narcotics and dangerous drugs at the Mississippi Law  
49 Enforcement Officers' Academy. In the event that a new sheriff is  
50 elected who has not previously received such training or at least  
51 one (1) of his deputies has not previously received such training,  
52 or if for any other reason neither the sheriff nor any of the  
53 deputy sheriffs in a county shall have received such training,

54 then the sheriff shall promptly notify the director of the  
55 Mississippi Law Enforcement Officers' Academy and either the  
56 sheriff or a deputy sheriff, as soon thereafter as permitted by  
57 vacancies at the academy, shall, at the expense of the county,  
58 attend and complete an appropriate curriculum in the field of  
59 narcotics and dangerous drugs.

60 SECTION 2. The Attorney General of the State of Mississippi  
61 shall submit this act, immediately upon approval by the Governor,  
62 or upon approval by the Legislature subsequent to a veto, to the  
63 Attorney General of the United States or to the United States  
64 District Court for the District of Columbia in accordance with the  
65 provisions of the Voting Rights Act of 1965, as amended and  
66 extended.

67 SECTION 3. This act shall take effect and be in force from  
68 and after the date it is effectuated under Section 5 of the Voting  
69 Rights Act of 1965, as amended and extended.