HOUSE BILL NO. 743

AN ACT TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BUREAU OF NARCOTICS TO HIRE MORE THAN ONE ATTORNEY AND TO DELETE THE MAXIMUM AGE QUALIFICATIONS FOR NEW AGENTS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 41-29-107, Mississippi Code of 1972, is amended as follows:

41-29-107. There is hereby created the Bureau of Narcotics within, and under the supervision of, the Mississippi Department of Public Safety. The said bureau shall have as chief administrative officer a director who shall be appointed by the Governor with the advice and consent of the Senate. The director is empowered to employ or appoint necessary agents. The said director may also employ such secretarial, clerical and administrative personnel, including duly licensed attorneys, as necessary for the operation of the bureau, and shall have such quarters, equipment and facilities as needed. The salary and qualifications of the attorneys authorized by this section shall be fixed by the director, but the salary shall not exceed the salary authorized for an assistant Attorney General who performs similar duties.

The director and agents so appointed shall be citizens of the United States and of the State of Mississippi, and of good moral character. The agents shall be not less than twenty-one (21) years of age at the time of such appointment. In addition thereto, those appointed shall have satisfactorily completed at least two (2) years of college studies. However, two (2) years of satisfactory service as a law enforcement officer and
the completion of the prescribed course of study at a school
operated by the Bureau of Narcotics and Dangerous Drugs, United
States Justice Department, shall satisfy one (1) year of such
college studies, and four (4) years of satisfactory service as a
law enforcement officer and the completion of the prescribed
course of study at such federal bureau school as stated heretofore
shall fully satisfy the two (2) years of college requirement. The
director shall also be required to complete a prescribed course of
study at a school operated by the Bureau of Narcotics and
Dangerous Drugs, United States Justice Department.

During the period of the first twelve (12) months after
appointment, any employee of the bureau shall be subject to
dismissal at the will of the director. After twelve (12) months'
service, no employee of the bureau shall be subject to dismissal
unless charges have been filed with the director, showing cause
for dismissal of said employee of the bureau. A date shall be set
for hearing before the director and the employee notified in
writing of the date of such hearing and of the charges filed. Said
hearing shall be held not less than ten (10) days after
notification to the employee. After said hearing, at which the
employee shall be entitled to legal counsel, a written order of
the director shall be necessary for dismissal and the decision
shall be final. Any such order of the director shall be a public
record and subject to inspection as such.

The Commissioner of Public Safety may assign members of the
Mississippi Highway Safety Patrol, regardless of age, to the
bureau at the request of the director of the bureau; however, when
any highway patrolman or other employee, agent or official of the
Mississippi Department of Public Safety is assigned to duty with,
or is employed by, the bureau, he shall not be subject to
assignment or transfer to any other bureau or department within
the Mississippi Department of Public Safety except by the
director. Any highway patrolman assigned to duty with the bureau
shall retain his status as a highway patrolman, but shall be under
the supervision of the director. For purposes of seniority within
the Highway Safety Patrol and for purposes of retirement under the
Mississippi Highway Safety Patrol Retirement System, highway
patrolmen assigned to the bureau will be credited as if performing
duty with the Highway Safety Patrol.

The director may enter into contracts or agreements with the
State Board of Health for purposes of recruitment and screening of
applicants through the merit system.

The director may enter into agreements with bureaus or
departments of other states or of the United States for the
exchange or temporary assignment of agents for special undercover
assignments and for performance of specific duties.

The director is hereby authorized to assign agents of the
bureau to such duty and to request and accept agents from such
other bureaus or departments for such duty.

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