

By: Representative Watson

To: Judiciary A

HOUSE BILL NO. 743

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

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

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

8 41-29-107. There is hereby created the Bureau of Narcotics
9 within, and under the supervision of, the Mississippi Department
10 of Public Safety. The said bureau shall have as chief
11 administrative officer a director who shall be appointed by the
12 Governor with the advice and consent of the Senate. The director
13 is empowered to employ or appoint necessary agents. The said
14 director may also employ such secretarial, clerical and
15 administrative personnel, including * * * duly licensed attorneys,
16 as necessary for the operation of the bureau, and shall have such
17 quarters, equipment and facilities as needed. The salary and
18 qualifications of the attorneys authorized by this section shall
19 be fixed by the director, but the salary shall not exceed the
20 salary authorized for an assistant Attorney General who performs
21 similar duties.

22 The director and agents so appointed shall be citizens of the
23 United States and of the State of Mississippi, and of good moral
24 character. The agents shall be not less than twenty-one
25 (21) * * * years of age at the time of such appointment. In
26 addition thereto, those appointed shall have satisfactorily
27 completed at least two (2) years of college studies. However, two
28 (2) years of satisfactory service as a law enforcement officer and



29 the completion of the prescribed course of study at a school
30 operated by the Bureau of Narcotics and Dangerous Drugs, United
31 States Justice Department, shall satisfy one (1) year of such
32 college studies, and four (4) years of satisfactory service as a
33 law enforcement officer and the completion of the prescribed
34 course of study at such federal bureau school as stated heretofore
35 shall fully satisfy the two (2) years of college requirement. The
36 director shall also be required to complete a prescribed course of
37 study at a school operated by the Bureau of Narcotics and
38 Dangerous Drugs, United States Justice Department.

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

53 The Commissioner of Public Safety may assign members of the
54 Mississippi Highway Safety Patrol, regardless of age, to the
55 bureau at the request of the director of the bureau; however, when
56 any highway patrolman or other employee, agent or official of the
57 Mississippi Department of Public Safety is assigned to duty with,
58 or is employed by, the bureau, he shall not be subject to
59 assignment or transfer to any other bureau or department within
60 the Mississippi Department of Public Safety except by the
61 director. Any highway patrolman assigned to duty with the bureau



62 shall retain his status as a highway patrolman, but shall be under
63 the supervision of the director. For purposes of seniority within
64 the Highway Safety Patrol and for purposes of retirement under the
65 Mississippi Highway Safety Patrol Retirement System, highway
66 patrolmen assigned to the bureau will be credited as if performing
67 duty with the Highway Safety Patrol.

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

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

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

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

