

By: Representative Taylor

To: Judiciary B

HOUSE BILL NO. 104

1 AN ACT TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE MEMBERSHIP OF THE BOARD ON LAW ENFORCEMENT OFFICER  
3 STANDARDS AND TRAINING; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 45-6-5, Mississippi Code of 1972, is  
6 amended as follows:

7 45-6-5. (1) There is hereby created the Board on Law  
8 Enforcement Officer Standards and Training, which shall consist of  
9 twelve (12) members.

10 (2) The Governor shall appoint five (5) members of the board  
11 from the following specified categories:

12 (a) Two (2) members, each to be a chief of police of a  
13 municipality in this state, with one (1) of such municipalities  
14 having a population of less than one thousand two hundred (1,200)  
15 according to the latest federal decennial census.

16 (b) One (1) member shall be a sheriff in this state.

17 (c) One (1) member shall be a district attorney in this  
18 state.

19 (d) One (1) member shall be a representative of higher  
20 education.

21 The initial appointments to the board shall be made by the  
22 Governor no later than twenty (20) days after the effective date  
23 of this chapter, as follows: the chief of police and the  
24 representative of higher education each shall be appointed for a  
25 term of two (2) years; and the sheriff and the district attorney  
26 each shall be appointed for a term of three (3) years. Upon the  
27 expiration of the terms of the initial appointees to the board,

28 each subsequent appointment shall be made for a term of three (3)  
29 years, beginning on the date of the expiration of the previous  
30 term. A vacancy in any appointed position on the board prior to  
31 the expiration of a term shall be filled by appointment of the  
32 Governor only for the balance of the unexpired term.

33 (3) The remaining seven (7) members of the board shall be  
34 the following:

35 (a) The Attorney General.

36 (b) The Director of the Mississippi Highway Safety  
37 Patrol.

38 (c) The President of the Mississippi Municipal  
39 Association or his designee.

40 (d) The President of the Mississippi Association of  
41 Supervisors or his designee.

42 (e) The President of the Mississippi Constable  
43 Association or his designee.

44 (f) The President of the Mississippi Campus Law  
45 Enforcement Officers Association or his designee.

46 (g) The President of the Mississippi Fraternal Order of  
47 Police or his designee.

48 The Attorney General, the Director of the Mississippi Highway  
49 Safety Patrol and the respective presidents of the foregoing  
50 associations shall serve only for their respective terms of  
51 office.

52 (4) Members of the board shall serve without compensation,  
53 but shall be entitled to receive reimbursement for any actual and  
54 reasonable expenses incurred as a necessary incident to such  
55 service, including mileage, as provided in Section 25-3-41.

56 (5) There shall be a chairman and a vice chairman of the  
57 board, elected by and from the membership of the board. The board  
58 shall adopt rules and regulations governing times and places for  
59 meetings and governing the manner of conducting its business, but  
60 the board shall meet at least every three (3) months.

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62 (6) The board shall report annually to the Governor and the  
63 Legislature on its activities, and may make such other reports as  
64 it deems desirable.

65 (7) The training officers of all police academies in the  
66 state whose curricula are approved by the board shall be advisors  
67 to the board. They shall be entitled to all privileges of the  
68 board members, including travel expenses and subsistence, but  
69 shall not be eligible to vote at board meetings.

70 **SECTION 2.** This act shall take effect and be in force from  
71 and after July 1, 2004.