

By: Representative Carlton

To: County Affairs

HOUSE BILL NO. 614

1 AN ACT TO AMEND SECTION 19-25-3, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE ADDITIONAL REQUIREMENTS FOR ELIGIBILITY AS A SHERIFF; AND  
3 FOR RELATED PURPOSES.

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

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

7 19-25-3. (1) A sheriff shall possess the following minimum  
8 qualifications, he must be: (a) a certified law enforcement  
9 officer; or (b) possess a four-year college degree and high school  
10 diploma or general education diploma (GED); or (c) have at least  
11 five (5) years as a law enforcement officer certified by the Board  
12 on Law Enforcement Officer Standards and Training and a high  
13 school or general education diploma (GED).

14 (2) A person shall not be eligible to the office of sheriff  
15 who shall, at the time of the election, be a defaulter to the  
16 state, or any county or municipality thereof, or to the United  
17 States. Any person who is not a qualified elector, or who denies  
18 the existence of a Supreme Being, shall not be eligible to said  
19 office. A sheriff shall be eligible to immediately succeed  
20 himself in office.

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

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

48 \* \* \* Either the sheriff or one (1) deputy sheriff in each  
49 county having two (2) or more full-time deputies shall, at the  
50 expense of the county, attend and complete an appropriate  
51 curriculum in the field of narcotics and dangerous drugs at the  
52 Mississippi Law Enforcement Officers' Academy. In the event that  
53 a new sheriff is elected who has not previously received such  
54 training or at least one (1) of his deputies has not previously  
55 received such training, or if for any other reason neither the  
56 sheriff nor any of the deputy sheriffs in a county shall have  
57 received such training, then the sheriff shall promptly notify the  
58 director of the Mississippi Law Enforcement Officers' Academy and  
59 either the sheriff or a deputy sheriff, as soon thereafter as  
60 permitted by vacancies at the academy, shall, at the expense of

61 the county, attend and complete an appropriate curriculum in the  
62 field of narcotics and dangerous drugs.

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

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