

By: Representative Janus

To: County Affairs

HOUSE BILL NO. 1263

1 AN ACT TO CREATE SECTION 19-25-4, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE CONTINUING EDUCATION FOR SHERIFFS; TO AMEND SECTION  
3 19-25-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR  
4 RELATED PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section  
7 19-25-4, Mississippi Code of 1972:

8 19-25-4. (1) The sheriff of any county in the State of  
9 Mississippi is required to annually complete ten (10) hours of  
10 executive level continuing education courses which are approved by  
11 the Mississippi Board on Law Enforcement Officers Standards and  
12 Training. Such education courses may be provided by an accredited  
13 law enforcement academy or by the Mississippi Sheriffs  
14 Association.

15 (2) Any sheriff who fails to comply with the provisions of  
16 this section shall be subject to having his certification as a law  
17 enforcement officer revoked by the Mississippi Board on Law  
18 Enforcement Officers Standards and Training, in accordance with  
19 Section 45-6-11.

20 (3) The Mississippi Board on Law Enforcement Officers  
21 Standards and Training is authorized to institute and promulgate  
22 all rules necessary for considering the revocation of any sheriff  
23 who does not comply with the provisions of this section, and may  
24 grant, for sufficient cause shown, an extension of time in which  
25 compliance with the provisions of this section may be made.

26 (4) Any sheriff who is aggrieved by any order or ruling made  
27 under the provisions of this section has the same rights and  
28 procedure of appeal as from any other order or ruling of the

29 Mississippi Board on Law Enforcement Officers Standards and  
30 Training.

31 **SECTION 2.** Section 19-25-3, Mississippi Code of 1972, is  
32 amended as follows:

33 19-25-3. A person shall not be eligible to the office of  
34 sheriff who shall, at the time of the election, be a defaulter to  
35 the state, or any county or municipality thereof, or to the United  
36 States. Any person who is not a qualified elector, or who denies  
37 the existence of a Supreme Being, shall not be eligible to said  
38 office. A sheriff shall be eligible to immediately succeed  
39 himself in office.

40 Prior to taking the oath of office and entering into the  
41 performance of the duties and obligations of sheriff, or as soon  
42 after his election as possible, each sheriff-elect, excluding  
43 those who have previously served as sheriff, or have had at least  
44 five (5) years' experience as a full-time enforcement officer, or  
45 have previously successfully completed a course of training at the  
46 Mississippi Law Enforcement Officers' Academy or the Jackson  
47 Police Academy, shall, at the expense of the county, attend and  
48 complete an appropriate curriculum in the field of law enforcement  
49 at the Mississippi Law Enforcement Officers' Academy. Any sheriff  
50 exempted from attendance because of previous service as sheriff or  
51 having five (5) years' full-time law enforcement experience must  
52 have served as sheriff or obtained such experience within a period  
53 of ten (10) years prior to the date of his taking the oath of  
54 office. Any sheriff exempted from attendance because of  
55 successful completion of a course of training at either of the  
56 aforementioned academies must have completed such course within  
57 five (5) years prior to the date of his taking the oath of office.  
58 No sheriff, excluding those specified as being exempt from the  
59 initial course in this section, shall until he has attended said  
60 Academy be entitled to payment of salary after the first one (1)  
61 year in office if he fails to attend said academy as herein

62 provided within one (1) year after his taking office. All  
63 sheriffs shall, on a periodic basis, attend additional advanced  
64 courses in law enforcement in order that they will be properly  
65 informed and trained in the modern, technical advances of law  
66 enforcement.

67 Prior to July 1, 1973, or as soon thereafter as permitted by  
68 vacancies at the Mississippi Law Enforcement Officers' Academy,  
69 either the sheriff or one (1) deputy sheriff in each county having  
70 two (2) or more full-time deputies shall, at the expense of the  
71 county, attend and complete an appropriate curriculum in the field  
72 of narcotics and dangerous drugs at the Mississippi Law  
73 Enforcement Officers' Academy. In the event that a new sheriff is  
74 elected who has not previously received such training or at least  
75 one (1) of his deputies has not previously received such training,  
76 or if for any other reason neither the sheriff nor any of the  
77 deputy sheriffs in a county shall have received such training,  
78 then the sheriff shall promptly notify the director of the  
79 Mississippi Law Enforcement Officers' Academy and either the  
80 sheriff or a deputy sheriff, as soon thereafter as permitted by  
81 vacancies at the academy, shall, at the expense of the county,  
82 attend and complete an appropriate curriculum in the field of  
83 narcotics and dangerous drugs.

84 From and after July 1, 2004, sheriffs shall be required to  
85 complete continuing education requirements as provided in Section  
86 19-25-4.

87 **SECTION 3.** This act shall take effect and be in force from  
88 and after July 1, 2004.