

By: Senator(s) Albritton

To: Judiciary, Division B;
Appropriations

SENATE BILL NO. 2901

1 AN ACT TO CREATE THE MISSISSIPPI SATELLITE CRIME LAB STUDY
 2 COMMITTEE; TO SPECIFY THE MEMBERSHIP THEREOF; TO SET FORTH THE
 3 PURPOSE OF THE STUDY COMMITTEE; TO PROVIDE FOR THE ELECTION OF A
 4 CHAIRPERSON AND OTHER OFFICERS; TO PROVIDE FOR MEETINGS OF THE
 5 COMMITTEE; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE
 6 ADMINISTRATIVE SUPPORT TO THE COMMITTEE; TO SET FORTH ADDITIONAL
 7 DUTIES AND POWERS OF THE COMMITTEE; TO REQUIRE STATE AND LOCAL
 8 GOVERNMENT AGENCIES TO ASSIST THE COMMITTEE; TO AUTHORIZE THE
 9 COMMITTEE TO ENLIST THE SERVICE OF OTHER AGENCIES, ASSOCIATIONS
 10 AND ORGANIZATIONS TO ASSIST THE COMMITTEE; TO AUTHORIZE THE
 11 COMMITTEE TO EMPLOY SUPPORT PERSONNEL; TO AUTHORIZE PER DIEM
 12 PAYMENT AND TRAVEL EXPENSES; TO AUTHORIZE EXPENDITURE OF
 13 APPROPRIATED FUNDS; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** (1) The Mississippi Satellite Crime Lab Study
 16 Committee is hereby created. It shall consist of fifteen (15)
 17 voting and two (2) nonvoting members who are to be selected as
 18 follows:

19 (a) The chair of the Department of the Administration
 20 of Justice at the University of Southern Mississippi, or his
 21 designee, shall be a member.

22 (b) The chair of the Department of the Administration
 23 of Justice at the University of Mississippi, or his designee,
 24 shall be a member.

25 (c) One (1) circuit judge shall be elected by the
 26 Conference of Circuit Judges and one (1) county court judge shall
 27 be elected by the Conference of County Court Judges.

28 (d) One (1) sheriff shall be elected by the Sheriffs'
 29 Association.

30 (e) One (1) police chief shall be elected by the
 31 Police Chiefs' Association.

32 (f) The Chairman of the Senate Judiciary Committee,
33 Division B, and the Chairman of the House of Representatives
34 Judiciary "B" Committee, or their designees, shall serve as
35 legislative liaisons and nonvoting members.

36 (g) The Lieutenant Governor shall appoint two (2)
37 members, neither of whom is an attorney nor a member of the
38 Legislature.

39 (h) The Speaker of the House shall appoint two (2)
40 members, neither of whom is an attorney nor a member of the
41 Legislature.

42 (i) The Presidents of The Mississippi Bar and the
43 Magnolia Bar Association shall each appoint one (1) member, each
44 of whom shall be licensed to practice law in the State of
45 Mississippi.

46 (j) Two (2) prosecutors shall be elected by the
47 Prosecutors' Association, at least one (1) of whom is a District
48 Attorney or employed by a District Attorney.

49 (k) The Governor shall appoint one (1) Public Defender,
50 who may work at either the trial or appellate level.

51 Members shall be appointed for a two-year term. Appointments
52 and vacancies on the study committee shall be filled by the
53 respective selecting and appointing authorities.

54 (2) The purpose of the study committee shall be to make
55 recommendations to the Legislature, the Department of Public
56 Safety, and the Board of Trustees of State Institutions of Higher
57 Learning as to the needs of the Mississippi Crime Lab, including
58 obtaining statistical information with reference to cases in the
59 various courts in Mississippi; conducting research relating to
60 improvement of the delivery of services to the judicial system and
61 the law enforcement agencies in the State of Mississippi; and
62 making a comprehensive study of the state Crime Lab for the
63 purpose of the improvement thereof. In addition, the study
64 committee is charged with the examination of the operational

65 needs, including budget, staffing, and the best placement
66 administratively, of the current Crime Lab, as well as the
67 possibility of inaugurating satellite labs under the auspices of
68 the Criminal Justice Programs of the University of Southern
69 Mississippi in Hattiesburg and the University of Mississippi in
70 Oxford to assist the Crime Lab in the southern and northern thirds
71 of the state by utilization of faculty and graduate student skills
72 to reduce the backlog of cases, and may make such policy
73 recommendations as will promote the administration of justice.

74 (3) (a) The Governor shall set and give notice of the time,
75 date and place of the initial meeting, at which time the study
76 committee shall elect a chairperson from its members who shall
77 preside at the meetings of the committee. The chair shall not
78 vote unless necessary to break a tie vote of the committee. In
79 addition, the committee shall elect a vice chair who shall preside
80 over meetings in the absence of the chair. The committee shall
81 elect any other officers which it considers necessary to carry out
82 the purpose of the committee. The committee may form any
83 committees from its membership in order to assist the committee in
84 accomplishing its purposes as provided in this chapter.

85 (b) The committee shall meet quarterly and at such
86 other times as meetings may be called by the chair. A majority of
87 the members shall constitute a quorum at any meeting. Any final
88 action taken by the study committee shall require the affirmative
89 vote of a majority of the nonlegislative members.

90 (4) The Department of Public Safety shall provide such
91 support of the Mississippi Satellite Crime Lab Study Committee as
92 is necessary to accomplish the purposes of this act, including,
93 but not limited to, research and clerical assistance.

94 (5) (a) In addition to the other duties specified, the
95 committee shall file a report with the Legislature not later than
96 November 15, 2006. The document shall report on the operational
97 and administrative state of the crime lab, with emphasis on the

98 state of the case backlog. The report shall also make specific
99 recommendations for improvement in the administration and
100 operation of the crime lab.

101 (b) The committee is authorized and empowered for the
102 accomplishment of its purposes to undertake any studies, reviews,
103 inquiries, hearings, examinations, surveys or analyses as it may
104 deem pertinent, relevant and justified. The committee shall
105 propose and prepare in detailed form for the consideration of the
106 Legislature such amendments to existing law, such statutes, and
107 such constitutional amendments as in the judgment of the committee
108 will improve the operation of the crime lab and promote the
109 administration of justice.

110 (6) The committee is authorized to call upon any and all
111 existing courts, agencies, departments, divisions, officers,
112 employees, boards, bureaus, commissions and institutions of the
113 State of Mississippi, or any political subdivision thereof, to
114 furnish such information, data and assistance as will enable it to
115 carry out its powers and duties hereunder and all such agencies,
116 departments, divisions, officers, employees, boards, bureaus,
117 commissions and institutions of the State of Mississippi and its
118 political subdivisions are hereby directed to cooperate with the
119 committee and render such information, data, aid and assistance as
120 may be requested by the committee.

121 (7) The committee shall have the power to enlist the
122 services of any agency, either public or private, or any
123 individual or educational institution, bar association, research
124 organization, foundation or educational or civic organization for
125 assistance in accomplishing the purposes of this act, conducting
126 research studies, gathering information or printing and publishing
127 its reports. The committee is authorized to make and sign any
128 agreements or contracts to do or perform any actions that may be
129 necessary, desirable or proper to carry out the purposes and
130 objectives of this chapter.

131 (8) The committee may employ any agents, clerks,
132 researchers, counsel, consultants and other personnel necessary
133 for the performance of the duties of the study committee and fix
134 their respective rates of compensation, all subject to the
135 approval of the State Personnel Board and within the amounts made
136 available by appropriation therefor or received from other
137 sources.

138 (9) Members of the committee shall receive a per diem as
139 provided in Section 25-3-69 for actual attendance upon meetings of
140 the study committee, together with reimbursement for traveling and
141 subsistence expenses incurred as provided in Section 25-3-41,
142 Mississippi Code of 1972, except that members of the study
143 committee who are members of the Legislature shall not receive per
144 diem for attendance while the Legislature is in session and no
145 member whose regular compensation is payable by the state or any
146 political subdivision of the state shall receive per diem for
147 attendance upon meetings of the study committee.

148 (10) The committee is authorized and empowered to receive
149 and expend any funds appropriated to it by the Legislature and any
150 funds received by it from any other source in carrying out the
151 objectives and purposes of this chapter.

152 **SECTION 2.** This act shall take effect and be in force from
153 and after July 1, 2006.