

By: Representative Massengill

To: Judiciary B

HOUSE BILL NO. 1012

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 thirteen (13) members.

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

12 (i) * * * One (1) member who is a chief of police
13 of a municipality in this state * * *.

14 (ii) One (1) member who is a sheriff in this
15 state.

16 (iii) One (1) member who is a district attorney in
17 this state.



18 (iv) One (1) member who is a representative of
19 higher education and who has a degree in one (1) of the following
20 areas of study: corrections, criminal justice or public
21 administration.

22 (v) One (1) member who is a nonsupervisory
23 rank-and-file law enforcement officer.

24 (b) The initial appointments to the board shall be made
25 by the Governor no later than twenty (20) days after April 7,
26 1981, as follows: the chief of police and the representative of
27 higher education each shall be appointed for a term of two (2)
28 years; and the sheriff and the district attorney each shall be
29 appointed for a term of three (3) years. Upon the expiration of
30 the terms of the initial appointees to the board, each subsequent
31 appointment shall be made for a term of three (3) years, beginning
32 on the date of the expiration of the previous term. A vacancy in
33 any appointed position on the board * * * before the expiration of
34 a term shall be filled by appointment of the Governor only for the
35 balance of the unexpired term. Appointments shall be made within
36 sixty (60) days of the occurrence of the vacancy.

37 (c) Any member appointed under this subsection who
38 fails to attend three (3) consecutive meetings of the board shall
39 be subject to removal by the Governor. The president of the board
40 shall notify the Governor in writing when a member has failed to
41 attend three (3) consecutive regular meetings.



42 (3) The remaining * * * eight (8) members of the board shall
43 be the following:

44 (a) The Attorney General, or his or her designee.

45 (b) The Director of the Mississippi Highway Safety
46 Patrol, or his or her designee.

47 (c) The President of the Mississippi Municipal
48 Association, or his or her designee who is a member of the
49 association.

50 (d) The President of the Mississippi Association of
51 Supervisors, or his or her designee who is a member of the
52 association.

53 (e) The President of the Mississippi Constable
54 Association, or his or her designee who is a member of the
55 association.

56 (f) The President of the Mississippi Campus Law
57 Enforcement Officers Association, or his or her designee who is a
58 member of the association.

59 (g) The President of the Mississippi Sheriffs'
60 Association, or his or her designee who is a member of the
61 association.

62 (h) The President of the Mississippi Association of
63 Chiefs of Police, or his or her designee who is a member of the
64 association.

65 The Attorney General, the Director of the Mississippi Highway
66 Safety Patrol and the respective presidents of the foregoing



67 associations, or their designees, shall serve only for their
68 respective terms of office.

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

73 (5) There shall be a * * * chair and a vice * * * chair of
74 the board, elected by and from the membership of the board. The
75 board shall adopt rules and regulations governing times and places
76 for meetings and governing the manner of conducting its business,
77 but the board shall meet at least every three (3) months.

78 (6) The Governor shall call an organizational meeting of the
79 board not later than thirty (30) days after April 7, 1981.

80 (7) If a person appointed to the board no longer occupies
81 the status qualifying that person's appointment, that position on
82 the board shall be immediately vacated and filled ex officio or by
83 appointment of the Governor as otherwise provided in this section.

84 (8) The board shall report annually to the Governor and the
85 Legislature on its activities, and may make such other reports as
86 it deems desirable.

87 (9) The training officers of all police academies in the
88 state whose curricula are approved by the board shall be advisors
89 to the board. They shall be entitled to all privileges of the
90 board members, including travel expenses and subsistence, but
91 shall not be eligible to vote at board meetings.



92 **SECTION 2.** This act shall take effect and be in force from
93 and after its passage.

