

By: Representatives Bomgar, Sykes

To: Judiciary B

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1092

1 AN ACT TO CREATE THE CELL SITE SIMULATOR AND LICENSE PLATE  
2 READER TASK FORCE ACT; TO CREATE AND TO PROVIDE FOR THE MEMBERSHIP  
3 OF THE TASK FORCE; TO PROVIDE THE DUTIES OF THE TASK FORCE; TO  
4 PROVIDE STAFF TO ASSIST THE TASK FORCE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** This act shall be known and may be cited as the  
7 "Cell Site Simulator and License Plate Reader Task Force Act."

8 **SECTION 2.** (1) There is created the Cell Site Simulator and  
9 License Plate Reader Task Force to address the use of cell site  
10 simulators and license plate readers by state and local law  
11 enforcement. The task force shall be composed of the following  
12 thirteen (13) members:

13 (a) The Chairman of the Judiciary "A" Committee of the  
14 House of Representatives, or a designee. Any person designated to  
15 serve in the absence of the chairman shall be appointed in  
16 writing, and no other person may serve as a designee;

17 (b) The Chairman of the Judiciary "A" Committee of the  
18 Senate, or a designee. Any person designated to serve in the



19 absence of the chairman shall be appointed in writing, and no  
20 other person may serve as a designee;

21 (c) The Chairman of the Judiciary "B" Committee of the  
22 House of Representatives, or a designee. Any person designated to  
23 serve in the absence of the chairman shall be appointed in  
24 writing, and no other person may serve as a designee;

25 (d) The Chairman of the Judiciary "B" Committee of the  
26 Senate, or a designee. Any person designated to serve in the  
27 absence of the chairman shall be appointed in writing, and no  
28 other person may serve as a designee;

29 (e) The President of the Mississippi Prosecutors  
30 Association;

31 (f) The President of the Mississippi Sheriffs'  
32 Association;

33 (g) The President of the Mississippi Association of  
34 Chiefs of Police;

35 (h) The State Defender of the Office of State Public  
36 Defender;

37 (i) The Director of the Mississippi Justice Institute  
38 at the Mississippi Center for Public Policy;

39 (j) The Director/Managing Attorney of the Mississippi  
40 Office of the Southern Poverty Law Center;

41 (k) The Director of the Mississippi Bureau of  
42 Narcotics;



43           (1) The Chief Justice of the Supreme Court of  
44 Mississippi, or a designee. Any person designated to serve in the  
45 absence of the Chief Justice shall be appointed in writing, and no  
46 other person may serve as a designee; and

47           (m) The Mississippi Attorney General, or a designee.  
48 Any person designated to serve in the absence of the Attorney  
49 General shall be appointed in writing, and no other person may  
50 serve as a designee.

51           (2) The task force shall conduct its first meeting no later  
52 than June 15, 2018. At its first meeting, the task force shall  
53 elect a chairman and a vice chairman from its membership and shall  
54 adopt rules for transacting its business and keeping records. The  
55 Chief Justice of the Mississippi Supreme Court, or his designee,  
56 shall preside at the first meeting until such chairman is elected.  
57 Members shall serve without additional compensation for  
58 participation in the task force.

59           (3) The duties of the task force shall be to review all  
60 rules, regulations and procedures used by state and local law  
61 enforcement regarding cell site simulators and license plate  
62 readers.

63           (4) The task force shall collect and review information  
64 involving the use of cell site simulators and license plate  
65 readers by state or local law enforcement agencies under state  
66 law, or the use of such as part of a collaboration with the  
67 federal government under federal law. The task force shall



determine the specific information needed and shall make its request to each law enforcement agency and/or administrative office of court no later than August 15, 2018. Each law enforcement agency and administrative office of court shall cooperate fully with the task force, and shall compile and furnish the information no later than thirty (30) days from the date of request. The task force shall report to the Chairman of the Senate and House Judiciary "A" and "B" Committees any agency or administrative office that does not fully comply with the request.

(5) The task force shall report its findings and recommendations by December 1, 2018, and make them available to the Governor, Lieutenant Governor, Speaker of the House of Representatives, the Chairman of the Judiciary "A" and Judiciary "B" Committees of the House and Senate. Additional reports may be made by the task force.

(6) The Joint Committee on Performance Evaluation and Expenditure Review shall make available a copy of the task force's report, findings and recommendations on its public website by December 31, 2018.

(7) The Joint Committee on Performance Evaluation and Expenditure Review shall provide staff to assist the task force in carrying out its duties required by this section.

(8) This section shall stand repealed on June 30, 2019.

**SECTION 3.** This act shall take effect and be in force from and after its passage.

