

By: Representative Massengill

To: Judiciary B

HOUSE BILL NO. 234

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  
9 of \* \* \* fourteen (14) 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 \* \* \* nine (9) 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           (i) A chief of police of a municipality, to be  
66 appointed by the Mississippi Association of Chiefs of Police.



67           The Attorney General, the Director of the Mississippi Highway  
68 Safety Patrol and the respective presidents of the foregoing  
69 associations, or their designees, shall serve only for their  
70 respective terms of office.

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

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

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

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

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

89           (9) The training officers of all police academies in the  
90 state whose curricula are approved by the board shall be advisors  
91 to the board. They shall be entitled to all privileges of the



92 board members, including travel expenses and subsistence, but  
93 shall not be eligible to vote at board meetings.

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

