

By: Senator(s) Fillingane, England, Hill

To: Judiciary, Division B

SENATE BILL NO. 2543  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO  
2 INCLUDE THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND THE  
3 DRIVER SERVICE BUREAU AS SEPARATE OFFICES WITHIN THE DEPARTMENT OF  
4 PUBLIC SAFETY; TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF  
5 1972, TO REVISE DISCIPLINARY POLICY WITHIN THE BUREAU OF NARCOTICS  
6 TO REFLECT STATE LAW AND POLICY WITHIN OTHER UNITS OF THE  
7 DEPARTMENT OF PUBLIC SAFETY; TO DELETE OUTDATED LANGUAGE; TO AMEND  
8 SECTION 41-61-75, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE  
9 BILL NO. 719, 2022 REGULAR SESSION, TO REQUIRE THE DIRECTOR OF THE  
10 DEPARTMENT OF PUBLIC SAFETY TO SET THE FEE FOR TESTIMONY PROVIDED  
11 BY STATE MEDICAL EXAMINERS, PHYSICIANS AND PATHOLOGISTS OF THE  
12 MISSISSIPPI FORENSICS LABORATORY OR THE OFFICE OF THE STATE  
13 MEDICAL EXAMINER; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF  
14 1972, TO ALLOW TESTIMONY OF EMPLOYEES OF THE MISSISSIPPI FORENSICS  
15 LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER IN  
16 CRIMINAL TRIALS TO BE CONDUCTED VIA REMOTE AUDIOVISUAL  
17 COMMUNICATIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION  
18 41-61-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EMPLOYEES  
19 OF THE MISSISSIPPI FORENSICS LABORATORY SHALL BE SUBJECT TO THE  
20 RULES, REGULATIONS AND POLICIES OF THE MISSISSIPPI STATE PERSONNEL  
21 BOARD IN THEIR EMPLOYMENT; TO AMEND SECTION 45-1-6, MISSISSIPPI  
22 CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI BUREAU OF  
23 INVESTIGATION SHALL HAVE JURISDICTION TO INVESTIGATE ALL INCIDENTS  
24 OF OFFICER-INVOLVED SHOOTINGS, OTHER THAN SHOOTINGS INVOLVING ONE  
25 OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION,  
26 RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE  
27 THAT THE ATTORNEY GENERAL SHALL DESIGNATE ANOTHER LAW ENFORCEMENT  
28 AGENCY OR TASK FORCE TO INVESTIGATE ANY INCIDENT OF A SHOOTING  
29 INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF  
30 INVESTIGATION RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE;  
31 TO PROVIDE THAT THE ATTORNEY GENERAL'S OFFICE SHALL BE EXCLUSIVELY  
32 RESPONSIBLE FOR PRESENTING ALL OFFICER-INVOLVED SHOOTINGS  
33 RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE TO THE  
34 APPROPRIATE DULY EMPANELED GRAND JURY AND, UPON INDICTMENT BY THE



35 GRAND JURY, PROSECUTING SUCH MATTERS; TO REPEAL SECTION 97-35-27,  
36 MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES THE  
37 REGISTRATION OF CONVICTED FELONS WITH THE CHIEF OF POLICE OF THE  
38 CITY IN WHICH THE FELON RESIDES OR THE SHERIFF OF THE COUNTY IN  
39 WHICH THE FELON RESIDES; AND FOR RELATED PURPOSES.

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

41 **SECTION 1.** Section 45-1-2, Mississippi Code of 1972, is  
42 amended as follows:

43 45-1-2. (1) The Executive Director of the Department of  
44 Public Safety shall be the Commissioner of Public Safety.

45 (2) The Commissioner of Public Safety shall establish the  
46 organizational structure of the Department of Public Safety, which  
47 shall include the creation of any units necessary to implement the  
48 duties assigned to the department and consistent with specific  
49 requirements of law including, but not limited to:

50 (a) Office of Public Safety Planning;

51 (b) Office of Mississippi Highway Safety Patrol;

52 (c) Office of Mississippi Bureau of Investigation (to  
53 be directed by a Lieutenant Colonel of the Mississippi Highway  
54 Safety Patrol);

55 (d) Office of \* \* \* Forensic Laboratories, which  
56 includes the Mississippi Forensics Laboratory and the Office of  
57 the State Medical Examiner;

58 (e) Office of Law Enforcement Officers' Training  
59 Academy;

60 (f) Office of Support Services;

61 (g) Office of Narcotics, which shall be known as the  
62 Bureau of Narcotics;



63 (h) Office of Homeland Security; \* \* \*  
64 (i) Office of Capitol Police \* \* \*;  
65 (j) Office of Driver Service Bureau; and  
66 (k) Office of Commercial Transportation Enforcement  
67 Division.

68 (3) The department shall be headed by a commissioner, who  
69 shall be appointed by and serve at the pleasure of the Governor.  
70 The appointment of the commissioner shall be made with the advice  
71 and consent of the Senate. The commissioner shall have, at a  
72 minimum, a bachelor's degree from an accredited college or  
73 university.

74 (4) Notwithstanding any provision of law to the contrary,  
75 the commissioner shall appoint heads of offices, who shall serve  
76 at the pleasure of the commissioner. The commissioner shall have  
77 the authority to organize the offices established by subsection  
78 (2) of this section as deemed appropriate to carry out the  
79 responsibilities of the department. The commissioner may assign  
80 to the appropriate offices such powers and duties as deemed  
81 appropriate to carry out the department's lawful functions. The  
82 organization charts of the department shall be presented annually  
83 with the budget request of the Governor for review by the  
84 Legislature.

85 (5) The commissioner shall appoint, from within the  
86 Department of Public Safety, a statewide safety training officer  
87 who shall serve at the pleasure of the commissioner and whose duty



88 it shall be to perform public training for both law enforcement  
89 and private persons throughout the state concerning proper  
90 emergency response to the mentally ill, terroristic threats or  
91 acts, domestic conflict, other conflict resolution, and such other  
92 matters as the commissioner may direct.

93 (6) The commissioner shall establish within the department  
94 the Mississippi Office of Homeland Security for the purpose of  
95 seeing that the laws are faithfully executed and for the purpose  
96 of investigating cyber-related crimes and suppressing crimes of  
97 violence and acts of intimidation and terror. The commissioner is  
98 hereby authorized to employ within the Office of Homeland Security  
99 a director, investigators and other qualified personnel as he may  
100 deem necessary to make investigation of cyber-related crimes,  
101 crimes of violence and acts of terrorism or intimidation, to aid  
102 in the arrest and prosecution of persons charged with such  
103 cyber-related crimes, crimes of violence, acts of terrorism or  
104 intimidation, or threats of violence and to perform other duties  
105 as necessary to accomplish these purposes. Investigators and  
106 other law enforcement personnel employed by the commissioner shall  
107 have full power to investigate, apprehend, and arrest persons  
108 committing cyber-related crimes, acts of violence, intimidation,  
109 or terrorism anywhere in the state, and shall be vested with the  
110 power of police officers in the performance of such duties as  
111 provided herein. Such investigators and other personnel shall  
112 perform their duties under the direction of the commissioner, or



113 his designee. The commissioner shall be authorized to offer and  
114 pay suitable rewards to other persons for aiding in such  
115 investigation and in the apprehension and conviction of persons  
116 charged with cyber-related crimes, acts of violence, or threats of  
117 violence, or intimidation, or acts of terrorism.

118 (7) The commissioner shall establish within the Office of  
119 Homeland Security a Mississippi Analysis and Information Center  
120 (MSAIC Fusion Center) which shall be the highest priority for the  
121 allocation of available federal resources for statewide  
122 information sharing, including the deployment of personnel and  
123 connectivity with federal data systems. Subject to appropriation  
124 therefor, the Mississippi Fusion Center shall employ three (3)  
125 regional analysts dedicated to analyzing and resolving potential  
126 threats identified by the agency's statewide social media  
127 intelligence platform and the dissemination of school safety  
128 information.

129 **SECTION 2.** Section 41-29-107, Mississippi Code of 1972, is  
130 amended as follows:

131 41-29-107. (1) There is created within the Mississippi  
132 Department of Public Safety an office to be known as the  
133 Mississippi Bureau of Narcotics. The office shall have a director  
134 who shall be appointed by the Commissioner of Public Safety. The  
135 commissioner may assign to the appropriate offices of the  
136 department such powers and duties deemed appropriate to carry out  
137 the lawful functions of the Mississippi Bureau of Narcotics.



138           (2) The Commissioner of Public Safety is empowered to employ  
139 or appoint necessary agents. The commissioner may also employ  
140 such secretarial, clerical and administrative personnel, including  
141 a duly licensed attorney, as necessary for the operation of the  
142 bureau, and shall have such quarters, equipment and facilities as  
143 needed. The salary and qualifications of the attorney authorized  
144 by this section shall be fixed by the director, but the salary  
145 shall not exceed the salary authorized for an assistant attorney  
146 general who performs similar duties.

147           (3) The director and agents so appointed shall be citizens  
148 of the United States and of the State of Mississippi, and of good  
149 moral character. The agents shall be not less than twenty-one  
150 (21) years of age at the time of such appointment. In addition  
151 thereto, those appointed shall have satisfactorily completed at  
152 least two (2) years of college studies. However, two (2) years of  
153 satisfactory service as a law enforcement officer and the  
154 completion of the prescribed course of study at a school operated  
155 by the Bureau of Narcotics and Dangerous Drugs, United States  
156 Justice Department, shall satisfy one (1) year of such college  
157 studies, and four (4) years of satisfactory service as a law  
158 enforcement officer and the completion of the prescribed course of  
159 study at such federal bureau school as stated heretofore shall  
160 fully satisfy the two (2) years of college requirement.

161           During the period of the first twelve (12) months after  
162 appointment, any \* \* \* agent of the bureau shall be subject to



163 dismissal at the will of the director. After twelve (12) months'  
164 service, no \* \* \* agent of the bureau shall be subject to  
165 dismissal \* \* \* or otherwise have their salary adversely affected  
166 except for cause, and any such action against an agent shall be  
167 subject to and proceed under the laws, rules and regulations of  
168 the State Personnel Board.

169 (4) The Commissioner of Public Safety may assign members of  
170 the Mississippi Highway Safety Patrol, regardless of age, to the  
171 bureau; however, when any highway patrolman or other employee,  
172 agent or official of the Mississippi Department of Public Safety  
173 is assigned to duty with, or is employed by, the bureau, he shall  
174 not be subject to assignment or transfer to any other office or  
175 department within the Mississippi Department of Public Safety  
176 except by the commissioner. Any highway patrolman assigned to  
177 duty with the bureau shall retain his status as a highway  
178 patrolman, but shall be under the supervision of the director.  
179 For purposes of seniority within the Highway Safety Patrol and for  
180 purposes of retirement under the Mississippi Highway Safety Patrol  
181 Retirement System, highway patrolmen assigned to the bureau will  
182 be credited as if performing duty with the Highway Safety Patrol.  
183 The commissioner may assign employees of the Highway Safety Patrol  
184 to the Mississippi Bureau of Narcotics and may assign agents of  
185 the bureau to the Highway Safety Patrol; however, any employees so  
186 assigned must meet all established requirements for the duties to  
187 which they are assigned.



188 (5) The Commissioner of Public Safety may enter into  
189 agreements with bureaus or departments of other states or of the  
190 United States for the exchange or temporary assignment of agents  
191 for special undercover assignments and for performance of specific  
192 duties.

193 (6) The Commissioner of Public Safety may assign agents of  
194 the bureau to such duty and to request and accept agents from such  
195 other bureaus or departments for such duty.

196 \* \* \*

197 **SECTION 3.** Section 41-61-75, Mississippi Code of 1972, as  
198 amended by House Bill No. 719, 2022 Regular Session, is amended as  
199 follows:

200 **[Through December 31, 2023, this section shall read as**  
201 **follows:]**

202 41-61-75. (1) For each investigation with the preparation  
203 and submission of the required reports, the following fees shall  
204 be billed to and paid by the county for which the service is  
205 provided:

206 (a) A medical examiner or his deputy shall receive One  
207 Hundred Seventy-five Dollars (\$175.00) for each completed report  
208 of investigation of death, plus the examiner's actual expenses.  
209 In addition to that fee, in cases where the cause of death was  
210 sudden infant death syndrome (SIDS) and the medical examiner  
211 provides a SIDS Death Scene Investigation report, the medical  
212 examiner shall receive for completing that report an additional





213 Fifty Dollars (\$50.00), or an additional One Hundred Dollars  
214 (\$100.00) if the medical examiner has received advanced training  
215 in child death investigations and presents to the county a  
216 certificate of completion of that advanced training. The State  
217 Medical Examiner shall develop and prescribe a uniform format and  
218 list of matters to be contained in SIDS/Child Death Scene  
219 Investigation reports, which shall be used by all county medical  
220 examiners and county medical examiner investigators in the state.

221 (b) The pathologist performing autopsies as provided in  
222 Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00)  
223 per completed autopsy, plus mileage expenses to and from the site  
224 of the autopsy, and shall be reimbursed for any out-of-pocket  
225 expenses for third-party testing, not to exceed One Hundred  
226 Dollars (\$100.00) per autopsy.

227 (2) \* \* \* (a) When a medical examiner, physician or  
228 pathologist \* \* \* is subpoenaed for appearance and testimony  
229 before a grand jury, courtroom trial or deposition as a result of  
230 their duties as a State Medical Examiner, physician or  
231 pathologist, the office with which subpoenaed professional is  
232 employed shall be entitled to bill an expert witness hourly  
233 fee \* \* \* and mileage expenses to and from the site of the  
234 testimony, and such amount shall be paid by the jurisdiction or  
235 party issuing the subpoena.

236 (b) The expert witness fee shall be set by the  
237 director, and the expert fee shall be a reasonable fee considering



238 the prevailing rates of other comparably respected available  
239 experts. The fee under this paragraph (b) shall be made payable  
240 to the Office of the State Medical Examiner.

241 **[From and after January 1, 2024, this section shall read as**  
242 **follows:]**

243 41-61-75. (1) For each investigation with the preparation  
244 and submission of the required reports, the following fees shall  
245 be billed to and paid by the county for which the service is  
246 provided:

247 (a) A medical examiner or his deputy shall  
248 receive \* \* \* One Hundred Eighty-five Dollars (\$185.00) for each  
249 completed report of investigation of death, plus the examiner's  
250 actual expenses. In addition to that fee, in cases where the  
251 cause of death was sudden infant death syndrome (SIDS) and the  
252 medical examiner provides a SIDS Death Scene Investigation report,  
253 the medical examiner shall receive for completing that report an  
254 additional Fifty Dollars (\$50.00), or an additional One Hundred  
255 Dollars (\$100.00) if the medical examiner has received advanced  
256 training in child death investigations and presents to the county  
257 a certificate of completion of that advanced training. The State  
258 Medical Examiner shall develop and prescribe a uniform format and  
259 list of matters to be contained in SIDS/Child Death Scene  
260 Investigation reports, which shall be used by all county medical  
261 examiners and county medical examiner investigators in the state.



262 (b) The pathologist performing autopsies as provided in  
263 Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00)  
264 per completed autopsy, plus mileage expenses to and from the site  
265 of the autopsy, and shall be reimbursed for any out-of-pocket  
266 expenses for third-party testing, not to exceed One Hundred  
267 Dollars (\$100.00) per autopsy.

268 (2) \* \* \* (a) When a medical examiner, physician or  
269 pathologist \* \* \* is subpoenaed for appearance and testimony  
270 before a grand jury, courtroom trial or deposition as a result of  
271 their duties as a State Medical Examiner, physician or  
272 pathologist, the office with which subpoenaed professional is  
273 employed shall be entitled to bill an expert witness hourly  
274 fee \* \* \* and mileage expenses to and from the site of the  
275 testimony, and such amount shall be paid by the jurisdiction or  
276 party issuing the subpoena.

277 (b) The expert witness fee shall be set by the  
278 director, and the expert fee shall be a reasonable fee considering  
279 the prevailing rates of other comparably respected available  
280 experts. The fee under this paragraph (b) shall be made payable  
281 to the Office of the State Medical Examiner.

282 **[From and after January 1, 2028, this section shall read as**  
283 **follows:]**

284 41-61-75. (1) For each investigation with the preparation  
285 and submission of the required reports, the following fees shall



286 be billed to and paid by the county for which the service is  
287 provided:

288 (a) A medical examiner or his deputy shall  
289 receive \* \* \* One Hundred Ninety-five Dollars (\$195.00) for each  
290 completed report of investigation of death, plus the examiner's  
291 actual expenses. In addition to that fee, in cases where the  
292 cause of death was sudden infant death syndrome (SIDS) and the  
293 medical examiner provides a SIDS Death Scene Investigation report,  
294 the medical examiner shall receive for completing that report an  
295 additional Fifty Dollars (\$50.00), or an additional One Hundred  
296 Dollars (\$100.00) if the medical examiner has received advanced  
297 training in child death investigations and presents to the county  
298 a certificate of completion of that advanced training. The State  
299 Medical Examiner shall develop and prescribe a uniform format and  
300 list of matters to be contained in SIDS/Child Death Scene  
301 Investigation reports, which shall be used by all county medical  
302 examiners and county medical examiner investigators in the state.

303 (b) The pathologist performing autopsies as provided in  
304 Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00)  
305 per completed autopsy, plus mileage expenses to and from the site  
306 of the autopsy, and shall be reimbursed for any out-of-pocket  
307 expenses for third-party testing, not to exceed One Hundred  
308 Dollars (\$100.00) per autopsy.

309 (2) \* \* \* (a) When a medical examiner, physician or  
310 pathologist \* \* \* is subpoenaed for appearance and testimony



311 before a grand jury, courtroom trial or deposition as a result of  
312 their duties as a State Medical Examiner, physician or  
313 pathologist, the office with which subpoenaed professional is  
314 employed shall be entitled to bill an expert witness hourly  
315 fee \* \* \* and mileage expenses to and from the site of the  
316 testimony, and such amount shall be paid by the jurisdiction or  
317 party issuing the subpoena.

318 (b) The expert witness fee shall be set by the  
319 director, and the expert fee shall be a reasonable fee considering  
320 the prevailing rates of other comparably respected available  
321 experts. The fee under this paragraph (b) shall be made payable  
322 to the Office of the State Medical Examiner.

323 **SECTION 4.** Section 41-61-59, Mississippi Code of 1972, is  
324 amended as follows:

325 41-61-59. (1) A person's death that affects the public  
326 interest as specified in subsection (2) of this section shall be  
327 promptly reported to the medical examiner by the physician in  
328 attendance, any hospital employee, any law enforcement officer  
329 having knowledge of the death, the embalmer or other funeral home  
330 employee, any emergency medical technician, any relative or any  
331 other person present. The appropriate medical examiner shall  
332 notify the municipal or state law enforcement agency or sheriff  
333 and take charge of the body. When the medical examiner has  
334 received notification under Section 41-39-15(6) that the deceased  
335 is medically suitable to be an organ and/or tissue donor, the



336 medical examiner's authority over the body shall be subject to the  
337 provisions of Section 41-39-15(6). The appropriate medical  
338 examiner shall notify the Mississippi Bureau of Narcotics within  
339 twenty-four (24) hours of receipt of the body in cases of death as  
340 described in subsection (2)(m) or (n) of this section.

341 (2) A death affecting the public interest includes, but is  
342 not limited to, any of the following:

343 (a) Violent death, including homicidal, suicidal or  
344 accidental death.

345 (b) Death caused by thermal, chemical, electrical or  
346 radiation injury.

347 (c) Death caused by criminal abortion, including  
348 self-induced abortion, or abortion related to or by sexual abuse.

349 (d) Death related to disease thought to be virulent or  
350 contagious that may constitute a public hazard.

351 (e) Death that has occurred unexpectedly or from an  
352 unexplained cause.

353 (f) Death of a person confined in a prison, jail or  
354 correctional institution.

355 (g) Death of a person where a physician was not in  
356 attendance within thirty-six (36) hours preceding death, or in  
357 prediagnosed terminal or bedfast cases, within thirty (30) days  
358 preceding death.

359 (h) Death of a person where the body is not claimed by  
360 a relative or a friend.



361 (i) Death of a person where the identity of the  
362 deceased is unknown.

363 (j) Death of a child under the age of two (2) years  
364 where death results from an unknown cause or where the  
365 circumstances surrounding the death indicate that sudden infant  
366 death syndrome may be the cause of death.

367 (k) Where a body is brought into this state for  
368 disposal and there is reason to believe either that the death was  
369 not investigated properly or that there is not an adequate  
370 certificate of death.

371 (l) Where a person is presented to a hospital emergency  
372 room unconscious and/or unresponsive, with cardiopulmonary  
373 resuscitative measures being performed, and dies within  
374 twenty-four (24) hours of admission without regaining  
375 consciousness or responsiveness, unless a physician was in  
376 attendance within thirty-six (36) hours preceding presentation to  
377 the hospital, or in cases in which the decedent had a prediagnosed  
378 terminal or bedfast condition, unless a physician was in  
379 attendance within thirty (30) days preceding presentation to the  
380 hospital.

381 (m) Death that is caused by drug overdose or which is  
382 believed to be caused by drug overdose.

383 (n) When a stillborn fetus is delivered and the cause  
384 of the demise is medically believed to be from the use by the



385 mother of any controlled substance as defined in Section  
386 41-29-105.

387 (3) The State Medical Examiner is empowered to investigate  
388 deaths, under the authority hereinafter conferred, in any and all  
389 political subdivisions of the state. The county medical examiners  
390 and county medical examiner investigators, while appointed for a  
391 specific county, may serve other counties on a regular basis with  
392 written authorization by the State Medical Examiner, or may serve  
393 other counties on an as-needed basis upon the request of the  
394 ranking officer of the investigating law enforcement agency. If a  
395 death affecting the public interest takes place in a county other  
396 than the one where injuries or other substantial causal factors  
397 leading to the death have occurred, jurisdiction for investigation  
398 of the death may be transferred, by mutual agreement of the  
399 respective medical examiners of the counties involved, to the  
400 county where the injuries or other substantial causal factors  
401 occurred, and the costs of autopsy or other studies necessary to  
402 the further investigation of the death shall be borne by the  
403 county assuming jurisdiction.

404 (4) (a) In criminal trials where the testimony of a current  
405 or former State Medical Examiner, Deputy State Medical Examiner,  
406 or member of the Mississippi Forensics Laboratory is needed, the  
407 use of audiovisual communications equipment to present such  
408 testimony remotely is allowed when the state has provided written  
409 notice to the defendant at least ninety (90) days prior to trial





410 of its intent to present such remote testimony, and the defendant  
411 provides no written objection within fourteen (14) days of  
412 receiving such notice. Should the defendant object, the remote  
413 testimony shall only be permitted upon a finding by the court that  
414 the rights of the defendant to confront the witness against the  
415 defendant is not violated, that compelling circumstances exist to  
416 allow such remote testimony, and that the remote testimony can be  
417 provided with appropriate safeguards so as to assure the  
418 reliability of the testimony of the witness during the trial.

419 (b) All persons qualified to administer an oath in the  
420 State of Mississippi may swear a witness remotely by audiovisual  
421 communication technology, provided they can positively identify  
422 the witness and they are able to both see and hear the witness via  
423 audiovisual communications equipment.

424 ( \* \* \*5) The chief county medical examiner or chief county  
425 medical examiner investigator may receive from the county in which  
426 he serves a salary of One Thousand Two Hundred Fifty Dollars  
427 (\$1,250.00) per month, in addition to the fees specified in  
428 Sections 41-61-69 and 41-61-75, provided that no county shall pay  
429 the chief county medical examiner or chief county medical examiner  
430 investigator less than Three Hundred Dollars (\$300.00) per month  
431 as a salary, in addition to other compensation provided by law.  
432 In any county having one or more deputy medical examiners or  
433 deputy medical examiner investigators, each deputy may receive  
434 from the county in which he serves, in the discretion of the board



435 of supervisors, a salary of not more than Nine Hundred Dollars  
436 (\$900.00) per month, in addition to the fees specified in Sections  
437 41-61-69 and 41-61-75; however, no county shall pay the deputy  
438 medical examiners or deputy medical examiner investigators less  
439 than Three Hundred Dollars (\$300.00) per month as a salary in  
440 addition to other compensation provided by law. For this salary  
441 the chief shall assure twenty-four-hour daily and readily  
442 available death investigators for the county, and shall maintain  
443 copies of all medical examiner death investigations for the county  
444 for at least the previous five (5) years. He shall coordinate his  
445 office and duties and cooperate with the State Medical Examiner,  
446 and the State Medical Examiner shall cooperate with him.

447 **SECTION 5.** Section 41-61-77, Mississippi Code of 1972, is  
448 amended as follows:

449 41-61-77. (1) The Department of Public Safety shall  
450 establish and maintain a central office for the Mississippi  
451 Forensics Laboratory and the State Medical Examiner with  
452 appropriate facilities and personnel for postmortem medicolegal  
453 examinations. District offices, with appropriate facilities and  
454 personnel, may also be established and maintained if considered  
455 necessary by the department for the proper management of  
456 postmortem examinations.

457 The facilities of the central and district offices and their  
458 staff services may be available to the medical examiners and  
459 designated pathologists in their investigations.



460           (2) In order to provide proper facilities for investigating  
461 deaths as authorized in Sections 41-61-51 through 41-61-79, the  
462 State Medical Examiner may arrange for the use of existing public  
463 or private laboratory facilities. The State Medical Examiner may  
464 contract with qualified persons to perform or to provide support  
465 services for autopsies, studies and investigations not  
466 inconsistent with other applicable laws. Such laboratory  
467 facilities may be located at the University of Mississippi Medical  
468 Center or any other suitable location. The State Medical Examiner  
469 may be an affiliate or regular faculty member of the Department of  
470 Pathology at the University of Mississippi Medical Center and may  
471 serve as a member of the faculty of other institutions of higher  
472 learning. He shall be authorized to employ, with the approval of  
473 the Commissioner of Public Safety, such additional scientific,  
474 technical, administrative and clerical assistants as are necessary  
475 for performance of his duties. Such employees in the Mississippi  
476 Forensics Laboratory and the Office of the State Medical Examiner  
477 shall be subject to the rules, regulations and policies of the  
478 Mississippi State Personnel Board in their employment.

479           (3) The State Medical Examiner shall be authorized to employ  
480 qualified pathologists as deputy state medical examiners as are  
481 necessary to carry out the duties of his office. The deputy state  
482 medical examiners shall be licensed to practice medicine and,  
483 either board-certified in forensic pathology by the American Board  
484 of Pathology or be a physician who is board certified in anatomic



485 pathology by the American Board of Pathology. The State Medical  
486 Examiner may delegate specific duties to competent and qualified  
487 medical examiners within the scope of the express authority  
488 granted to him by law or regulation. Employees of the Office of  
489 the State Medical Examiner shall have the authority to enter any  
490 political subdivisions of this state for the purpose of carrying  
491 out medical investigations.

492 **SECTION 6.** Section 45-1-6, Mississippi Code of 1972, is  
493 amended as follows:

494 45-1-6. (1) The Director of the Mississippi Bureau of  
495 Investigation is authorized to retain on a contractual basis such  
496 persons as he shall deem necessary to detect and apprehend  
497 violators of the criminal statutes of this state.

498 (2) Those persons contracting with the Director of the  
499 Mississippi Bureau of Investigation pursuant to subsection (1)  
500 shall be known and hereinafter referred to as "special contract  
501 agents."

502 (3) The investigative services provided for in this section  
503 shall be designed to support law enforcement efforts of state  
504 agencies and to support local law enforcement efforts.

505 (4) Special contract investigators shall have all powers  
506 necessary and incidental to the fulfillment of their contractual  
507 obligations, including the power of arrest when authorized by the  
508 Director of the Mississippi Bureau of Investigation.



509 (5) No person shall be a special contract investigator  
510 unless he is at least twenty-one (21) years of age.

511 (6) The Director of the Mississippi Bureau of Investigation  
512 shall conduct a background investigation of all potential special  
513 contract investigators. All contract agents must meet the minimum  
514 standard requirements established by the Board on Law Enforcement  
515 Officer Standards and Training.

516 (7) Any contract pursuant to subsection (1) shall be:

517 (a) Reduced to writing; and

518 (b) Terminable upon written notice by either party, and  
519 shall in any event terminate one (1) year from the date of  
520 signing; and

521 (c) Approved as to form by the Commissioner of Public  
522 Safety.

523 Such contracts shall not be public records and shall not be  
524 available for inspection under the provisions of a law providing  
525 for the inspection of public records as now or hereafter amended.

526 (8) Special contract investigators shall not be considered  
527 employees of the Mississippi Bureau of Investigation for any  
528 purpose.

529 (9) The Director of the Mississippi Bureau of Investigation  
530 shall have all powers necessary and incidental to the effective  
531 operation of this section.

532 (10) The Mississippi Bureau of Investigation shall have  
533 jurisdiction to investigate all incidents of officer-involved



534 shootings, other than \* \* \* shootings involving one or more  
535 members of the Mississippi Bureau of Investigation, resulting in  
536 injury or death occurring in the state. However, the District  
537 Attorney in the jurisdiction where such incident occurred may  
538 designate another law enforcement agency to investigate the  
539 incident if the District Attorney determines that there is a  
540 conflict with the Mississippi Bureau of Investigation or that  
541 other extenuating circumstances exist. The Attorney General shall  
542 designate another law enforcement agency or task force to  
543 investigate any incident of a \* \* \* shooting involving one or more  
544 members of the Mississippi Bureau of Investigation resulting in  
545 injury or death occurring in the state. The Attorney General's  
546 Office shall be exclusively responsible for presenting all  
547 officer-involved shootings resulting in injury or death occurring  
548 in the state to the appropriate duly empaneled grand jury and,  
549 upon indictment by a grand jury, prosecuting such matters.

550 (11) Notwithstanding any other provisions contained in this  
551 section, all contracts authorized under this section and related  
552 matters shall be made available to the Legislative Budget Office  
553 and the Department of Finance and Administration.

554 **SECTION 7.** Section 97-35-27, Mississippi Code of 1972, which  
555 is the provision that requires the registration of convicted  
556 felons with the chief of police of the city in which the felon  
557 resides or the sheriff of the county in which the felon resides,  
558 shall stand repealed.



559           **SECTION 8.** This act shall take effect and be in force from  
560 and after July 1, 2022.

