

By: Representatives Shanks, Hulum, Clark,
Summers

To: Judiciary B

HOUSE BILL NO. 691

1 AN ACT TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE COMPOSITION OF THE BOARD ON LAW ENFORCEMENT OFFICER
3 STANDARDS AND TRAINING FROM THIRTEEN TO NINE; TO AMEND SECTION
4 45-6-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD'S POWERS AND
5 DUTIES TO INCLUDE INVESTIGATIVE AUTHORITY; TO AMEND SECTION
6 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE CONTINUING EDUCATION
7 TRAINING FOR ALL STATE AGENCY, COUNTY AND MUNICIPAL LAW
8 ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 45-6-5, Mississippi Code of 1972, is
11 amended as follows:

12 45-6-5. (1) There is hereby created the Board on Law
13 Enforcement Officer Standards and Training, which shall consist
14 of * * * nine (9) members.

15 (2) (a) The Governor shall appoint * * * four (4) members
16 of the board from the following specified categories:

17 (i) Two (2) members, each of whom is a chief of
18 police of a municipality in this state, with one (1) of the
19 appointees being appointed from a municipality having a population
20 of less than five thousand (5,000) according to the latest federal
21 decennial census * * *;



22 (ii) One (1) member who is a sheriff in this
23 state * * *; and

24 (iii) One (1) member who is a district attorney in
25 this state.

26 * * *

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

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

45 (3) The remaining * * * five (5) members of the board shall
46 be the following:



47 (a) The * * * Commissioner of the Department of Public
48 Safety, or his designee * * *;

49 (b) The Director of the Mississippi * * * Law
50 Enforcement Officers' Training Academy;

51 * * *

52 (* * *c) The President of the Mississippi Constable
53 Association, or his designee who is a member of the
54 association * * *;

55 (* * *d) The President of the Mississippi Campus Law
56 Enforcement Officers Association, or his designee who is a member
57 of the association * * *; and

58 (* * *e) The President of the Mississippi Sheriffs'
59 Association, or his designee who is a member of the association.

60 The * * * Commissioner of the Department of Public Safety,
61 the Director of the Mississippi * * * Law Enforcement Officers'
62 Training Academy and the respective presidents of the foregoing
63 associations, or their designees, shall serve only for their
64 respective terms of office.

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

69 (5) There shall be a chairman and a vice chairman of the
70 board, elected by and from the membership of the board. The board
71 shall adopt rules and regulations governing times and places for



72 meetings and governing the manner of conducting its business, but
73 the board shall meet at least every three (3) months.

74 * * *

75 (* * *6) If a person appointed to the board no longer
76 occupies the status qualifying that person's appointment, that
77 position on the board shall be immediately vacated and filled ex
78 officio or by appointment of the Governor as otherwise provided in
79 this section.

80 (* * *7) The board shall report annually to the Governor
81 and the Legislature on its activities, and may make such other
82 reports as it deems desirable.

83 (* * *8) The training officers of all police academies in
84 the state whose curricula are approved by the board shall be
85 advisors to the board. They shall be entitled to all privileges
86 of the board members, including travel expenses and subsistence,
87 but shall not be eligible to vote at board meetings.

88 **SECTION 2.** Section 45-6-7, Mississippi Code of 1972, is
89 amended as follows:

90 45-6-7. In addition to the powers conferred upon the board
91 elsewhere in this chapter, the board shall have power to:

92 (a) Promulgate rules and regulations for the
93 administration of this chapter, including the authority to require
94 the submission of reports and information by law enforcement
95 agencies of the state and its political subdivisions.



96 (b) Establish minimum educational and training
97 standards for admission to employment or appointment as a law
98 enforcement officer or a part-time law enforcement officer: (i)
99 in a permanent position; and (ii) in a probationary status. The
100 minimum educational and training standards for any law enforcement
101 officer assigned to field or investigative duties shall include at
102 least two (2) hours of training related to handling complaints of
103 human trafficking and commercial sexual exploitation of children
104 as defined in Section 43-21-105, communicating with such victims,
105 and requiring the officer to contact the Department of Child
106 Protection Services when human trafficking or commercial sexual
107 exploitation is suspected.

108 (c) Certify persons as being qualified under the
109 provisions of this chapter to be law enforcement officers or
110 part-time law enforcement officers.

111 (d) Revoke certification for cause and in the manner
112 provided in this chapter. The board is authorized to conduct
113 investigations and subpoena documents regarding revocations. The
114 board shall maintain a current list of all persons certified under
115 this chapter who have been placed on probation, suspended,
116 subjected to revocation of certification, or any combination of
117 these.

118 (e) Establish minimum curriculum requirements for basic
119 and advanced courses and programs for schools operated by or for
120 the state or any political subdivision thereof for the specific



121 purpose of training police and other law enforcement officers,
122 both full- and part-time, which shall include a minimum of two (2)
123 hours of training in a course or courses related to the
124 identification of and support for victims of human trafficking and
125 commercial sexual exploitation.

126 (f) Consult and cooperate with counties,
127 municipalities, state agencies, other governmental agencies, and
128 with universities, colleges, community and junior colleges and
129 other institutions concerning the development of training schools,
130 programs or courses of instruction for personnel defined in this
131 chapter.

132 (g) Make recommendations concerning any matter within
133 its purview pursuant to this chapter.

134 (h) Make such inspection and evaluation as may be
135 necessary to determine if governmental units are complying with
136 the provisions of this chapter.

137 (i) Approve law enforcement officer training schools
138 for operation by or for the state or any political subdivision
139 thereof for the specific purpose of training personnel defined in
140 this chapter.

141 (j) Upon the request of agencies employing personnel
142 defined in this chapter, conduct surveys or aid municipalities and
143 counties to conduct surveys through qualified public or private
144 agencies and assist in the implementation of any recommendations
145 resulting from such surveys.



146 (k) Upon request of agencies within the purview of this
147 chapter, conduct general and specific management surveys and
148 studies of the operations of the requesting agencies at no cost to
149 those agencies. The role of the board under this subsection shall
150 be that of management consultant.

151 (l) Adopt and amend regulations consistent with law,
152 for its internal management and control of board programs.

153 (m) Enter into contracts or do such things as may be
154 necessary and incidental to the administration of this chapter.

155 (n) Establish jointly with the State Board of Education
156 the minimum level of basic law enforcement training required of
157 persons employed by school districts as school security guards, or
158 school resource officers or in other positions that have the
159 powers of a peace officer.

160 **SECTION 3.** Section 45-6-19, Mississippi Code of 1972, is
161 amended as follows:

162 45-6-19. (1) The chief of police of any municipality in the
163 State of Mississippi is required to annually complete twenty (20)
164 hours of executive level continuing education courses which are
165 approved by the Mississippi Board on Law Enforcement Officers
166 Standards and Training. Any new chief of police having never
167 previously served in that capacity, is required to complete forty
168 (40) hours of executive level continuing education courses for his
169 first year of service. Such education courses may be provided by



170 an accredited law enforcement academy or by the Mississippi
171 Association of Chiefs of Police.

172 (2) Any * * * law enforcement officer of any state agency,
173 county or municipality in the State of Mississippi is required to
174 annually complete a specified number of hours, as stated in this
175 subsection, of continuing education courses which are approved by
176 the Mississippi Board on Law Enforcement Officers Standards and
177 Training. The following number of hours of continuing education
178 courses is required for * * * law enforcement officers specified
179 in this subsection based upon the number of years following July
180 1, 2004:

181 0-2 years after July 1, 20048 hours of annual training
182 3-4 years after July 1, 200416 hours of annual training
183 5 or more years after July 1, 2004..24 hours of annual training

184 Such education courses may be provided by an accredited law
185 enforcement academy or by the Mississippi Association of Chiefs of
186 Police.

187 (3) The Mississippi Board on Law Enforcement Officers
188 Standards and Training shall reimburse each state agency, county
189 or municipality for the expense incurred for chiefs of police and
190 state agency, county or municipal * * * law enforcement officers
191 in attendance at approved training programs as required by this
192 section.

193 (4) Any chief of police or state agency, county or
194 municipal * * * law enforcement officer who fails to comply with



195 the provisions of this section shall be subject to having his
196 certification as a chief of police or state agency, county or
197 municipal * * * law enforcement officer revoked by the Mississippi
198 Board on Law Enforcement Officers Standards and Training, in
199 accordance with Section 45-6-11.

200 (5) The Mississippi Board on Law Enforcement Officers
201 Standards and Training is authorized to institute and promulgate
202 all rules necessary for considering the revocation of any
203 municipal chief of police or state agency, county or
204 municipal * * * law enforcement officer who does not comply with
205 the provisions of this section, and may grant, for sufficient
206 cause shown, an extension of time in which compliance with the
207 provisions of this section may be made.

208 (6) Any chief of police or state agency, county or
209 municipal * * * law enforcement officer who is aggrieved by any
210 order or ruling made under the provisions of this section has the
211 same rights and procedure of appeal as from any other order or
212 ruling of the Mississippi Board on Law Enforcement Officers
213 Standards and Training.

214 **SECTION 4.** This act shall take effect and be in force from
215 and after July 1, 2024.

