

By: Representatives Shanks, Hulum, Clark,  
Summers

To: Judiciary B

HOUSE BILL NO. 691  
(As Sent to Governor)

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 AS WELL AS THE CHIEF OF POLICE AND POLICE  
9 OFFICERS EMPLOYED BY ANY PUBLIC TWO-YEAR OR FOUR-YEAR COLLEGE OR  
10 UNIVERSITY AND ANY EXTENSION THEREOF IN THE STATE OF MISSISSIPPI,  
11 AND THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; TO AMEND SECTION  
12 45-1-101, MISSISSIPPI CODE OF 1972, TO CLARIFY REFERENCE TO  
13 RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

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

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

17 45-6-5. (1) There is hereby created the Board on Law  
18 Enforcement Officer Standards and Training, which shall consist of  
19 thirteen (13) members.

20 (2) (a) The Governor shall appoint six (6) members of the  
21 board from the following specified categories:

22 (i) Two (2) members, each of whom is a chief of  
23 police of a municipality in this state, with one (1) of the



24 appointees being appointed from a municipality having a population  
25 of less than five thousand (5,000) according to the latest federal  
26 decennial census \* \* \*;

27 (ii) \* \* \* Two (2) members, each of whom is a  
28 sheriff of a county in this state, with one (1) of the appointees  
29 being appointed from a county having a population of less than  
30 twenty thousand (20,000) according to the latest federal decennial  
31 census;

32 (iii) One (1) member who is a district attorney in  
33 this state \* \* \*; and

34 (iv) One (1) member who is a \* \* \* current  
35 director of a Mississippi law enforcement officers' training  
36 academy. This member shall not serve successive terms on the  
37 board.

38 \* \* \*

39 (b) The initial appointments to the board shall be made  
40 by the Governor no later than twenty (20) days after April 7,  
41 1981, as follows: the chief of police and the representative of  
42 higher education each shall be appointed for a term of two (2)  
43 years; and the sheriff and the district attorney each shall be  
44 appointed for a term of three (3) years. Upon the expiration of  
45 the terms of the initial appointees to the board, each subsequent  
46 appointment shall be made for a term of three (3) years, beginning  
47 on the date of the expiration of the previous term. A vacancy in  
48 any appointed position on the board prior to the expiration of a



49 term shall be filled by appointment of the Governor only for the  
50 balance of the unexpired term. Appointments shall be made within  
51 sixty (60) days of the occurrence of the vacancy.

52 (c) Any member appointed under this subsection who  
53 fails to attend three (3) consecutive meetings of the board shall  
54 be subject to removal by the Governor. The president of the board  
55 shall notify the Governor in writing when a member has failed to  
56 attend three (3) consecutive regular meetings.

57 (3) The remaining seven (7) members of the board shall be  
58 the following:

59 (a) The Attorney General, or \* \* \* a deputy Attorney  
60 General as a designee \* \* \*;

61 (b) The Director of the Mississippi Highway Safety  
62 Patrol, or his designee \* \* \*;

63 (c) The President of the Mississippi \* \* \* Association  
64 of Chiefs of Police, or his designee \* \* \*;

65 (d) The \* \* \* Commissioner of the Mississippi \* \* \*  
66 Department of Public Safety or his designee;

67 (e) The President of the Mississippi Constable  
68 Association, or his designee who is a member of the  
69 association \* \* \*;

70 (f) The President of the Mississippi Campus Law  
71 Enforcement Officers Association, or his designee who is a member  
72 of the association \* \* \*; and



73 (g) The President of the Mississippi Sheriffs'  
74 Association, or his designee who is a member of the association.

75 The Attorney General, the Director of the Mississippi Highway  
76 Safety Patrol and the respective presidents of the foregoing  
77 associations, or their designees, shall serve only for their  
78 respective terms of office.

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

83 (5) There shall be a chairman and a vice chairman of the  
84 board, elected by and from the membership of the board. The board  
85 shall adopt rules and regulations governing times and places for  
86 meetings and governing the manner of conducting its business, but  
87 the board shall meet at least every three (3) months.

88 \* \* \*

89 ( \* \* \*6) If a person appointed to the board no longer  
90 occupies the status qualifying that person's appointment, that  
91 position on the board shall be immediately vacated and filled ex  
92 officio or by appointment of the Governor as otherwise provided in  
93 this section.

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



97 ( \* \* \*8) Except as otherwise provided in this chapter, the  
98 training officers of all police academies in the state whose  
99 curricula are approved by the board shall be advisors to the  
100 board. They shall be entitled to all privileges of the board  
101 members, including travel expenses and subsistence, but shall not  
102 be eligible to vote at board meetings.

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

105 45-6-7. In addition to the powers conferred upon the board  
106 elsewhere in this chapter, the board shall have power to:

107 (a) Promulgate rules and regulations for the  
108 administration of this chapter, including the authority to require  
109 the submission of reports and information by law enforcement  
110 agencies of the state and its political subdivisions.

111 (b) Establish minimum educational and training  
112 standards for admission to employment or appointment as a law  
113 enforcement officer or a part-time law enforcement officer: (i)  
114 in a permanent position; and (ii) in a probationary status. The  
115 minimum educational and training standards for any law enforcement  
116 officer assigned to field or investigative duties shall include at  
117 least two (2) hours of training related to handling complaints of  
118 human trafficking and commercial sexual exploitation of children  
119 as defined in Section 43-21-105, communicating with such victims,  
120 and requiring the officer to contact the Department of Child



121 Protection Services when human trafficking or commercial sexual  
122 exploitation is suspected.

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

126 (d) Revoke certification for cause and in the manner  
127 provided in this chapter. The board is authorized to conduct  
128 investigations and subpoena documents regarding revocations. The  
129 board shall maintain a current list of all persons certified under  
130 this chapter who have been placed on probation, suspended,  
131 subjected to revocation of certification, or any combination of  
132 these. The board may establish a hearing panel for the purpose of  
133 providing a hearing to any law enforcement officer for whom the  
134 board believes there is a basis for reprimand, suspension,  
135 cancellation of, or recalling the certification of a law  
136 enforcement officer. The hearing panel shall provide its written  
137 findings and recommendations to the board.

138 (e) Establish minimum curriculum requirements for basic  
139 and advanced courses and programs for schools operated by or for  
140 the state or any political subdivision thereof for the specific  
141 purpose of training police and other law enforcement officers,  
142 both full- and part-time, which shall include a minimum of two (2)  
143 hours of training in a course or courses related to the  
144 identification of and support for victims of human trafficking and  
145 commercial sexual exploitation.



146           (f) Consult and cooperate with counties,  
147 municipalities, state agencies, other governmental agencies, and  
148 with universities, colleges, community and junior colleges and  
149 other institutions concerning the development of training schools,  
150 programs or courses of instruction for personnel defined in this  
151 chapter.

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

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

157           (i) Approve law enforcement officer training schools  
158 for operation by or for the state or any political subdivision  
159 thereof for the specific purpose of training personnel defined in  
160 this chapter.

161           (j) Upon the request of agencies employing personnel  
162 defined in this chapter, conduct surveys or aid municipalities and  
163 counties to conduct surveys through qualified public or private  
164 agencies and assist in the implementation of any recommendations  
165 resulting from such surveys.

166           (k) Upon request of agencies within the purview of this  
167 chapter, conduct general and specific management surveys and  
168 studies of the operations of the requesting agencies at no cost to  
169 those agencies. The role of the board under this subsection shall  
170 be that of management consultant.



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

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

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

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

182 45-6-19. (1) The chief of police of any state agency,  
183 county, municipality, public two-year or four-year college or  
184 university and any extension thereof in the State of Mississippi,  
185 and the Pearl River Valley Water Supply District, is required to  
186 annually complete twenty (20) hours of executive level continuing  
187 education courses which are approved by the Mississippi Board on  
188 Law Enforcement \* \* \* Officer Standards and Training. Any new  
189 chief of police having never previously served in that capacity,  
190 is required to complete forty (40) hours of executive level  
191 continuing education courses for his first year of service. Such  
192 education courses may be provided by an accredited law enforcement  
193 academy or by the Mississippi Association of Chiefs of Police.

194 (2) Any \* \* \* law enforcement officer of any state agency,  
195 county, municipality, public two-year or four-year college or





196 university and any extension thereof in the State of Mississippi,  
197 and the Pearl River Valley Water Supply District, is required to  
198 annually complete a specified number of hours, as stated in this  
199 subsection, of continuing education courses which are approved by  
200 the Mississippi Board on Law Enforcement \* \* \* Officer Standards  
201 and Training. The following number of hours of continuing  
202 education courses is required for \* \* \* law enforcement officers  
203 specified in this subsection based upon the number of years  
204 following July 1, 2004:

205 0-2 years after July 1, 2004 .....8 hours of annual training  
206 3-4 years after July 1, 2004 .....16 hours of annual training  
207 5 or more years after July 1, 2004..24 hours of annual training  
208 Such education courses may be provided by an accredited law  
209 enforcement academy or by the Mississippi Association of Chiefs of  
210 Police.

211 (3) The Mississippi Board on Law Enforcement \* \* \* Officer  
212 Standards and Training shall reimburse each state agency, county,  
213 municipality, public two-year or four-year college or university  
214 and any extension thereof or the Pearl River Valley Water Supply  
215 District for the expense incurred for chiefs of police and state  
216 agency, county, municipal \* \* \*, public two-year or four-year  
217 college or university and any extension thereof and the Pearl  
218 River Valley Water Supply District law enforcement officers in  
219 attendance at approved training programs as required by this  
220 section.



221 (4) Any chief of police or state agency, county,  
222 municipal \* \* \*, public two-year or four-year college or  
223 university and any extension thereof and the Pearl River Valley  
224 Water Supply District law enforcement officer who fails to comply  
225 with the provisions of this section shall be subject to having his  
226 certification as a chief of police or state agency, county,  
227 municipal \* \* \*, public two-year or four-year college or  
228 university and any extension thereof and the Pearl River Valley  
229 Water Supply District law enforcement officer revoked by the  
230 Mississippi Board on Law Enforcement \* \* \* Officer Standards and  
231 Training, in accordance with Section 45-6-11.

232 (5) The Mississippi Board on Law Enforcement \* \* \* Officer  
233 Standards and Training is authorized to institute and promulgate  
234 all rules necessary for considering the revocation of any  
235 municipal chief of police or state agency, county,  
236 municipal \* \* \*, public two-year or four-year college or  
237 university and any extension thereof and the Pearl River Valley  
238 Water Supply District law enforcement officer who does not comply  
239 with the provisions of this section, and may grant, for sufficient  
240 cause shown, an extension of time in which compliance with the  
241 provisions of this section may be made.

242 (6) Any chief of police or state agency, county,  
243 municipal \* \* \*, public two-year or four-year college or  
244 university and any extension thereof and the Pearl River Valley  
245 Water Supply District law enforcement officer who is aggrieved by



246 any order or ruling made under the provisions of this section has  
247 the same rights and procedure of appeal as from any other order or  
248 ruling of the Mississippi Board on Law Enforcement Officers  
249 Standards and Training.

250 **SECTION 4.** Section 45-1-101, Mississippi Code of 1972, is  
251 amended as follows:

252 45-1-101. (1) This section may be referred to as the "HR218  
253 Qualification Law."

254 (2) Any retired law enforcement officer who resides in this  
255 state and for whom the law enforcement agency from which the  
256 officer retired does not participate in the necessary  
257 certification for the retired officer to be certified according to  
258 the Law Enforcement Officers Safety Act of 2004 \* \* \* or who does  
259 not reside in convenient proximity to the law enforcement agency  
260 from which the officer retired, may obtain the necessary  
261 certification from the Mississippi Association of Chiefs of  
262 Police.

263 **SECTION 5.** This act shall take effect and be in force from  
264 and after July 1, 2024.

