

By: Senator(s) Fillingane

To: Judiciary, Division B;
Appropriations

SENATE BILL NO. 2179
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO ENTER INTO A LEASE
3 OR SUBLEASE AGREEMENT FOR SPACE IN THE DEPARTMENT OF PUBLIC SAFETY
4 HEADQUARTERS BUILDING WITH A THIRD PARTY FOR THE PURPOSE OF
5 PROVIDING SERVICES AND ASSISTANCE TO THE DEPARTMENT AND ITS
6 EMPLOYEES; TO AMEND SECTION 45-3-51, MISSISSIPPI CODE OF 1972, TO
7 AUTHORIZE LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT
8 OF PUBLIC SAFETY TO RETAIN A SIDEARM UPON RETIREMENT; TO AUTHORIZE
9 A BENEFICIARY OF A LAW ENFORCEMENT OFFICER OF THE MISSISSIPPI
10 DEPARTMENT OF PUBLIC SAFETY TO RETAIN THE SIDEARM OF SUCH OFFICER
11 OR AGENT; TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, AS
12 AMENDED BY HOUSE BILL NO. 634, 2024 REGULAR SESSION, TO CONFORM;
13 TO CREATE THE STATE MEDICAL EXAMINER TASK FORCE TO REPLACE THE
14 STATE MEDICAL EXAMINER ADVISORY COUNCIL; TO AMEND SECTION
15 41-61-55, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS
16 RELATING TO THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; AND FOR
17 RELATED PURPOSES.

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

19 **SECTION 1.** Section 45-1-3, Mississippi Code of 1972, is
20 amended as follows:

21 45-1-3. (1) When not otherwise specifically provided, the
22 commissioner is authorized to make and promulgate reasonable rules
23 and regulations to be coordinated, and carry out the general
24 provisions of the Highway Safety Patrol and Driver's License Law
25 of 1938.



26 (2) The commissioner shall have the authority to administer
27 oaths.

28 (3) Notwithstanding any other provision of law, with written
29 approval from the Executive Director of the Department of Finance
30 and Administration, the commissioner may enter into a lease or
31 sublease agreement for space in the Department of Public Safety
32 headquarters building with a third party for the purpose of
33 providing services and assistance to the department and its
34 employees. The proceeds received from the lease under this
35 subsection shall be paid to the State Treasurer for deposit into
36 the General Fund.

37 **SECTION 2.** Section 45-3-51, Mississippi Code of 1972, is
38 amended as follows:

39 45-3-51. * * * Each person employed as a law enforcement
40 officer or agent by the Mississippi Department of Public Safety
41 who retires under the Highway Safety Patrol Retirement System or
42 the Public Employees' Retirement System, for superannuation or for
43 reason of disability or a beneficiary of such * * * law
44 enforcement officer or agent, who is killed in the line of duty
45 shall be allowed to retain, as his personal property, one (1)
46 sidearm which was issued under authority of Section 45-3-19 or
47 41-29-159. Likewise, a beneficiary of any law enforcement officer
48 killed in the line of duty shall be allowed to retain the
49 officer's sidearm.



50 **SECTION 3.** Section 45-9-131, Mississippi Code of 1972, as
51 amended by House Bill No. 634, 2024 Regular Session, is amended as
52 follows:

53 45-9-131. (1) Upon approval of the governing authority of
54 the municipality or county, a member of any municipal or county
55 law enforcement agency who retires under any state retirement
56 system or leaves such employment after being employed for ten (10)
57 continuous years of service may be allowed to purchase, as his or
58 her personal property, one (1) sidearm which was issued to the law
59 enforcement officer by the law enforcement agency from which he or
60 she retired or by whom he or she was employed at the time of
61 death. The governing authority of the municipality or county that
62 employed the member of the law enforcement agency shall determine
63 an agreed-upon price to be paid for the sidearm.

64 (2) Except as otherwise provided in subsection (4) of this
65 section, upon approval of the director of a state agency, board or
66 commission, a law enforcement officer employed by a state agency,
67 board or commission who retires under any state retirement system
68 may be allowed to purchase, as his or her personal property, one
69 (1) sidearm which was issued to the law enforcement officer by a
70 state agency, board or commission. The state agency, board or
71 commission that employed the law enforcement officer shall
72 determine an agreed-upon price to be paid for the sidearm.

73 (3) Except as otherwise provided in subsection (4) of this
74 section and subject to the satisfactory completion of any required



75 background checks, the next of kin of a law enforcement officer
76 who is killed in the line of duty is authorized to purchase the
77 sidearm that was issued to the officer. The amount to be paid for
78 any * * * sidearm purchased under the authority of this subsection
79 shall be an agreed-upon price as determined by the appropriate
80 governmental authority who employed the officer.

81 (4) * * * This section does not apply to a law enforcement
82 officer employed by the Department of Public Safety or a
83 beneficiary of a law enforcement officer employed by the
84 Department of Public Safety, who, pursuant to Section 45-3-51, may
85 retain one (1) sidearm upon the officer's retirement or death in
86 the line of duty.

87 **SECTION 4.** (1) There is established the State Medical
88 Examiner Task Force as a successor entity to the State Medical
89 Examiner Advisory Council created under Section 41-61-55(3). The
90 task force is comprised of the following nine (9) members:

91 (a) The State Health Officer or the officer's designee;

92 (b) The Dean of the University of Mississippi Medical
93 Center School of Medicine or the dean's designee;

94 (c) The Commissioner of Public Safety;

95 (d) The Attorney General or the Attorney General's
96 designee;

97 (e) The President of the Mississippi Coroners and
98 Medical Examiners Association or the president's designee;



99 (f) The President of the Mississippi Prosecutors
100 Association or the president's designee;

101 (g) The President of the Mississippi Public Defenders
102 Association or the president's designee;

103 (h) The President of the Mississippi Association of
104 Chiefs of Police or the president's designee; and

105 (i) The President of the Mississippi Sheriffs'
106 Association or the president's designee.

107 Each member of the task force serves at the pleasure of the
108 head of the member's agency or appointing authority.

109 (2) The members of the task force shall elect a member
110 annually to serve as chair. A member may not serve as chair more
111 than two (2) consecutive years. The chair shall call meetings of
112 the task force and shall cause written notice of the meetings to
113 be furnished to members of the task force at least thirty (30)
114 days before the date of a meeting.

115 (3) Members of the task force must serve without
116 compensation.

117 (4) The task force shall meet at least once annually.

118 (5) The first meeting of the task force must be held before
119 September 30, 2024. Notice of the time and place of the first
120 meeting must be provided to each member of the task force no less
121 than sixty (60) days before the scheduled meeting.

122 (6) Before December 31 of each year, the task force shall
123 prepare and submit an annual report containing recommendations and



124 advice to the Legislature. The report must include, but need not
125 be limited to, the following:

126 (a) Identification of needs and means to improve the
127 investigation of deaths affecting the public interest while using
128 best practices;

129 (b) Identification of state medical examiner resources;
130 and

131 (c) Recommendations to enhance the efficiency of the
132 Mississippi State Medical Examiner's Office.

133 **SECTION 5.** Section 41-61-55, Mississippi Code of 1972, is
134 amended as follows:

135 41-61-55. (1) There is hereby created the position of State
136 Medical Examiner, under the supervision of the Commissioner of
137 Public Safety and within the Office of Forensic Laboratories. The
138 State Medical Examiner shall be appointed by the Commissioner of
139 Public Safety subject to review by the dean of the University of
140 Mississippi Medical Center School of Medicine and the State Health
141 Officer. The State Medical Examiner may be discharged only for
142 good cause by the Commissioner of Public Safety.

143 (2) The State Medical Examiner must obtain a license to
144 practice medicine in Mississippi and be certified in forensic
145 pathology by the American Board of Pathology. The State Medical
146 Examiner may also be designated as the Chief Medical Examiner.

147 * * *



148 **SECTION 6.** This act shall take effect and be in force from
149 and after its passage.

