

By: Senator(s) Wiggins, DeBar, England, Boyd, McCaughn, Branning, Kirby, Norwood

To: Judiciary, Division A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2268

1 AN ACT TO PROVIDE CERTAIN PROCEDURES FOR LAW ENFORCEMENT
2 AGENCIES CONCERNING THE INVESTIGATION INTO A MISSING OR
3 UNIDENTIFIED PERSON; TO REQUIRE A LAW ENFORCEMENT AGENCY TO
4 INITIATE CERTAIN PROCEDURES UPON THE RECEIPT OF A CREDIBLE REPORT
5 OF A MISSING OR UNIDENTIFIED PERSON; TO REQUIRE CERTAIN
6 INFORMATION ABOUT THE MISSING OR UNIDENTIFIED PERSON TO BE ENTERED
7 INTO THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM; TO
8 PROHIBIT A LAW ENFORCEMENT AGENCY FROM REQUIRING A DELAY BEFORE
9 ACCEPTING A REPORT OR REQUIRING THE APPEARANCE OF A NEXT OF KIN
10 BEFORE INITIATING A MISSING PERSONS INVESTIGATION; TO REQUIRE A
11 LAW ENFORCEMENT AGENCY OR THE STATE MEDICAL EXAMINER TO ENTER A
12 REPORT OF A MISSING CHILD INTO THE NATIONAL MISSING AND
13 UNIDENTIFIED PERSONS SYSTEM WITHOUT DELAY; TO REQUIRE THE STATE
14 MEDICAL EXAMINER TEST THE DNA OF UNIDENTIFIED HUMAN REMAINS USING
15 FORENSIC GENETIC GENEALOGY TESTING; TO AMEND SECTION 41-61-53,
16 MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "UNCLAIMED HUMAN
17 REMAINS" AND "UNIDENTIFIED HUMAN REMAINS"; TO AMEND SECTION
18 41-61-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A BODY IS
19 UNIDENTIFIED HUMAN REMAINS, THE BODY SHALL BE SUBMITTED TO THE
20 STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-61, MISSISSIPPI
21 CODE OF 1972, TO PROVIDE THAT UPON DISCOVERY UNIDENTIFIED HUMAN
22 REMAINS OR ANATOMICAL MATERIAL SUSPECTED OF BEING PART OF THE
23 HUMAN BODY SHALL BE SUBMITTED TO THE STATE MEDICAL EXAMINER; TO
24 PROVIDE THAT THE WILLFUL DESTRUCTION OF A BODY, BODY PART OR
25 UNIDENTIFIED HUMAN REMAINS SHALL BE A FELONY; TO REQUIRE THE
26 COUNTY MEDICAL EXAMINER INVESTIGATOR TO ENTER INTO THE NATIONAL
27 MISSING AND UNIDENTIFIED PERSONS SYSTEM ALL UNCLAIMED HUMAN
28 REMAINS CASES WITHIN A CERTAIN AMOUNT OF DAYS; TO AMEND SECTION
29 41-39-5, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY PHYSICIAN,
30 HOSPITAL, FUNERAL DIRECTOR, EMBALMER, COUNTY MEDICAL EXAMINER OR
31 OTHER PERSON ACQUIRING POSSESSION OF UNIDENTIFIED HUMAN REMAINS TO
32 SUBMIT THE REMAINS TO THE STATE MEDICAL EXAMINER AND NOT SUBJECT
33 THE REMAINS TO CREMATION, EMBALMING OR OTHER DESTRUCTIVE
34 TREATMENT; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO



35 REQUIRE A CERTAIN AMOUNT OF TRAINING RELATED TO THE INVESTIGATION
36 OF UNIDENTIFIED AND MISSING PERSONS FOR LAW ENFORCEMENT OFFICERS;
37 AND FOR RELATED PURPOSES.

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

39 **SECTION 1.** (1) As used in this section, the following words
40 shall have the meanings herein ascribed unless the context clearly
41 requires otherwise:

42 (a) "Forensic genetic genealogy testing" means the
43 combination of laboratory testing, genetic genealogy, and law
44 enforcement investigative techniques to develop investigate leads
45 as to the identify of unidentified human remains. "Forensic
46 genetic genealogy testing" includes developing genealogy DNA
47 profiles consisting of one hundred thousand (100,000) or more
48 markers that are compatible with multiple genealogy databases
49 consented for law enforcement use.

50 (b) "Missing person" means a person reported to a law
51 enforcement agency as missing and unaccounted for from expected
52 and normal activities. "Missing person" includes, but is not
53 limited to, children under eighteen (18) years of age and those
54 missing persons described in Sections 43-15-401 and 45-41-1.

55 (c) "Unidentified person" means a person living or
56 deceased who is unidentified after all available methods used to
57 identify a person have been exhausted, including a decedent
58 released to the State Medical Examiner in which the positive
59 identity of the decedent cannot be established by the State
60 Medical Examiner. "Unidentified person" includes unidentified
61 human remains as defined in 41-61-53(1).



62 (2) (a) When a credible report of a missing person or
63 unidentified person is received, a law enforcement agency shall
64 initiate the following procedures upon receipt of the report, if
65 possible, but no later than ten (10) days of receiving the missing
66 person or unidentified person report:

67 (i) Submit the missing person or unidentified
68 person case to the National Missing and Unidentified Persons
69 System and to any database of missing persons or unidentified
70 persons currently required by the law enforcement agency,
71 providing all appropriate data. The requirements of this
72 subparagraph (i) may be fulfilled by a law enforcement agency
73 submitting the report to the National Crime Information Center
74 (NCIC). The State Medical Examiner shall transfer the submitted
75 data into the National Missing and Unidentified Persons System on
76 behalf of the law enforcement agency;

77 (ii) Locate and obtain biometric records,
78 including medical and dental records, medical and dental X-rays,
79 or other medical imaging, and enter those records into the
80 National Missing and Unidentified Persons System. Records
81 described under this subparagraph (ii) are considered confidential
82 and shall not be released to the public;

83 (iii) Utilize a CODIS approved buccal swab
84 collection kit or similar and obtain voluntary DNA samples from
85 appropriate family members to submit to the State Medical Examiner
86 who shall coordinate submission of samples to a CODIS/NDIS



87 participating laboratory for DNA testing and development of a full
88 genetic profile, including, but not limited to, testing of
89 mitochondrial DNA, short tandem repeats on the Y-chromosome, and
90 nuclear analyses, to be documented in the National Missing and
91 Unidentified Persons System, missing persons or unidentified
92 persons file, and submitted to the Federal Bureau of
93 Investigation's National DNA Index System using the Combined DNA
94 Index System. If necessary, the law enforcement agency may
95 request assistance in obtaining family reference DNA samples; and

96 (iv) Attempt to locate any fingerprints from
97 available resources and submit the fingerprints to the National
98 Missing and Unidentified Persons System.

99 (b) At the request of a law enforcement agency, any of
100 the requirements of paragraph (a) of this subsection may be
101 fulfilled by the State Medical Examiner of behalf of the law
102 enforcement agency.

103 (3) A law enforcement agency or the State Medical Examiner
104 shall input the following data, if available for an unidentified
105 person, into the National Missing and Unidentified Persons System:

106 (a) Copies of fingerprints on standardized fingerprint
107 cards measuring eight inches by eight inches (8" x 8") or the
108 equivalent digital image, including partial prints of any fingers;

109 (b) Forensic dental report or radiology imaging;

110 (c) Detailed personal descriptions;

111 (d) Deoxyribonucleic acid (DNA) information;



112 (e) Radiology imaging and medical data; and
113 (f) All other identifying data, including date and
114 place of death.

115 (4) (a) A law enforcement agency shall not require a delay
116 before accepting or investigating a report of a missing person
117 when reliable information has been provided to the law enforcement
118 agency that the person is missing.

119 (b) A law enforcement agency shall not mandate the
120 appearance of a next of kin before initiating a missing persons
121 investigation.

122 (5) (a) If a law enforcement agency receives a report of a
123 missing person from another law enforcement agency or from a
124 medical examiner, the law enforcement agency shall maintain a
125 record of the case file.

126 (b) The information contained in a report of a missing
127 person from another law enforcement agency or from a medical
128 examiner shall be made available to appropriate law enforcement
129 agencies and medical examiners attempting to identify unidentified
130 persons.

131 (6) (a) A law enforcement agency shall not establish or
132 maintain a policy that requires the observance of a waiting period
133 before accepting and investigating a report of a missing child.

134 (b) Notwithstanding the timeframe provided in
135 subsection (2) of this section, upon receipt of a report of a
136 missing child, a law enforcement agency shall enter the report



137 into the National Missing and Unidentified Persons System without
138 delay.

139 (7) When a person previously reported missing has been found
140 or when an unidentified person has been identified, the
141 responsible law enforcement agency or the Department of Public
142 Safety shall promptly inform the State Medical Examiner who shall
143 report to the National Missing and Unidentified Persons System
144 within five (5) days of the person being found.

145 (8) This section does not prohibit an authorized law
146 enforcement agency or medical examiner from maintaining case files
147 related to missing persons or unidentified bodies.

148 (9) Notwithstanding the timeframe provided in subsection
149 (2)(a) of this section, after the State Medical Examiner has had
150 possession of unidentified human remains for forty-five (45) days,
151 the State Medical Examiner shall test the DNA using forensic
152 genetic genealogy testing.

153 (10) The duties required under this section are in addition
154 to any duties and procedures required of a law enforcement agency
155 by Sections 43-15-401 and 45-41-1.

156 **SECTION 2.** Section 41-61-53, Mississippi Code of 1972, is
157 amended as follows:

158 41-61-53. For the purposes of Sections 41-61-51 through
159 41-61-79, the following definitions shall apply:

160 (a) "Certification of death" means signing the death
161 certificate.



162 (b) "Coroner" means the elected county official
163 provided for in Sections 19-21-101 through 19-21-107.

164 (c) "County medical examiner investigator" means a
165 nonphysician coroner or deputy coroner trained to investigate and
166 certify deaths affecting the public interest.

167 (d) "County medical examiner" means a licensed
168 physician who is a coroner or deputy coroner trained to
169 investigate and certify deaths affecting the public interest.

170 (e) "Death affecting the public interest" means any
171 death of a human being where the circumstances are sudden,
172 unexpected, violent, suspicious or unattended.

173 (f) "Medical examiner" means the medical examiner
174 system which is composed of the State Medical Examiner, county
175 medical examiners and county medical examiner investigators
176 collectively, and is a jurisdictional identifier, not a title,
177 unless the context clearly requires otherwise.

178 (g) "Medical examiner investigator" means a
179 nonphysician appointed, trained and supervised by the State
180 Medical Examiner to investigate and assist with the certification
181 of deaths affecting the public interest.

182 (h) "Pronouncement of death" means the statement of
183 opinion that life has ceased for an individual.

184 (i) "State Medical Examiner" means the person appointed
185 by the Commissioner of Public Safety pursuant to Section 41-61-55
186 to investigate and certify deaths that affect the public interest.



187 (j) "Autopsy" means a postmortem examination.

188 (k) "Postmortem examination" means an examination of a
189 dead human body that may include the least invasive to most
190 invasive methods based on the expertise and judgment of the
191 pathologist handling the case.

192 (l) "Unclaimed human remains" means all coroner cases
193 with a confirmed identification that have not been claimed by
194 family or where no family has been located in order to claim the
195 remains.

196 (m) "Unidentified human remains" means deceased human
197 remains, skeletonized or with tissue, which require the
198 application of scientific identification methods to determine
199 positive identity, as established by the State Medical Examiner.
200 "Unidentified human remains" includes all deceased human remains
201 without a positive identity, including those deceased human
202 remains:

203 (i) With or without a presumptive identification;
204 or

205 (ii) Which are visually unrecognizable due to
206 traumatic injury or decomposition.

207 "Unidentified human remains" do not include deceased human
208 remains which have been determined to be solely archaeological in
209 origin through consultation between the State Medical Examiner and
210 the Mississippi Department of Archives and History.



211 **SECTION 3.** Section 41-61-59, Mississippi Code of 1972, is
212 amended as follows:

213 41-61-59. (1) A person's death that affects the public
214 interest as specified in subsection (2) of this section shall be
215 promptly reported to the medical examiner by the physician in
216 attendance, any hospital employee, any law enforcement officer
217 having knowledge of the death, the embalmer or other funeral home
218 employee, any emergency medical technician, any relative or any
219 other person present. The appropriate medical examiner shall
220 notify the municipal or state law enforcement agency or sheriff
221 and take charge of the body. When the medical examiner has
222 received notification under Section * * * 41-39-143 that the
223 deceased is medically suitable to be an organ and/or tissue donor,
224 the medical examiner's authority over the body shall be subject to
225 the provisions of Section * * * 41-39-143. When the body is
226 unidentified human remains, the medical examiner's jurisdiction of
227 the body shall be subject to the provisions of Section 41-61-61,
228 and the body shall be submitted to the State Medical Examiner.
229 The appropriate medical examiner shall notify the Mississippi
230 Bureau of Narcotics within twenty-four (24) hours of receipt of
231 the body in cases of death as described in subsection (2)(m) or
232 (n) of this section.

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



- 235 (a) Violent death, including homicidal, suicidal or
236 accidental death.
- 237 (b) Death caused by thermal, chemical, electrical or
238 radiation injury.
- 239 (c) Death caused by criminal abortion, including
240 self-induced abortion, or abortion related to or by sexual abuse.
- 241 (d) Death related to disease thought to be virulent or
242 contagious that may constitute a public hazard.
- 243 (e) Death that has occurred unexpectedly or from an
244 unexplained cause.
- 245 (f) Death of a person confined in a prison, jail or
246 correctional institution.
- 247 (g) Death of a person where a physician was not in
248 attendance within thirty-six (36) hours preceding death, or in
249 prediagnosed terminal or bedfast cases, within thirty (30) days
250 preceding death.
- 251 (h) Death of a person where the body is not claimed by
252 a relative or a friend.
- 253 (i) Death of a person where the * * * deceased * * *
254 human remains are unidentified human remains.
- 255 (j) Death of a child under the age of two (2) years
256 where death results from an unknown cause or where the
257 circumstances surrounding the death indicate that sudden infant
258 death syndrome may be the cause of death.



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

263 (l) Where a person is presented to a hospital emergency
264 room unconscious and/or unresponsive, with cardiopulmonary
265 resuscitative measures being performed, and dies within
266 twenty-four (24) hours of admission without regaining
267 consciousness or responsiveness, unless a physician was in
268 attendance within thirty-six (36) hours preceding presentation to
269 the hospital, or in cases in which the decedent had a prediagnosed
270 terminal or bedfast condition, unless a physician was in
271 attendance within thirty (30) days preceding presentation to the
272 hospital.

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

275 (n) When a stillborn fetus is delivered and the cause
276 of the demise is medically believed to be from the use by the
277 mother of any controlled substance as defined in Section
278 41-29-105.

279 (3) The State Medical Examiner is empowered to investigate
280 deaths, under the authority hereinafter conferred, in any and all
281 political subdivisions of the state. The county medical examiners
282 and county medical examiner investigators, while appointed for a
283 specific county, may serve other counties on a regular basis with



284 written authorization by the State Medical Examiner, or may serve
285 other counties on an as-needed basis upon the request of the
286 ranking officer of the investigating law enforcement agency. If a
287 death affecting the public interest takes place in a county other
288 than the one where injuries or other substantial causal factors
289 leading to the death have occurred, jurisdiction for investigation
290 of the death may be transferred, by mutual agreement of the
291 respective medical examiners of the counties involved, to the
292 county where the injuries or other substantial causal factors
293 occurred, and the costs of autopsy or other studies necessary to
294 the further investigation of the death shall be borne by the
295 county assuming jurisdiction.

296 (4) (a) In criminal trials where the testimony of a current
297 or former State Medical Examiner, Deputy State Medical Examiner,
298 or member of the Mississippi Forensics Laboratory is needed, the
299 use of audiovisual communications equipment to present such
300 testimony remotely is allowed when the state has provided written
301 notice to the defendant at least ninety (90) days prior to trial
302 of its intent to present such remote testimony, and the defendant
303 provides no written objection within fourteen (14) days of
304 receiving such notice. Should the defendant object, the remote
305 testimony shall only be permitted upon a finding by the court that
306 the rights of the defendant to confront the witness against the
307 defendant is not violated, that compelling circumstances exist to
308 allow such remote testimony, and that the remote testimony can be



309 provided with appropriate safeguards so as to assure the
310 reliability of the testimony of the witness during the trial.

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

316 (5) The chief county medical examiner or chief county
317 medical examiner investigator may receive from the county in which
318 he serves a salary of One Thousand Two Hundred Fifty Dollars
319 (\$1,250.00) per month, in addition to the fees specified in
320 Sections 41-61-69 and 41-61-75, provided that no county shall pay
321 the chief county medical examiner or chief county medical examiner
322 investigator less than Three Hundred Dollars (\$300.00) per month
323 as a salary, in addition to other compensation provided by law.
324 In any county having one or more deputy medical examiners or
325 deputy medical examiner investigators, each deputy may receive
326 from the county in which he serves, in the discretion of the board
327 of supervisors, a salary of not more than Nine Hundred Dollars
328 (\$900.00) per month, in addition to the fees specified in Sections
329 41-61-69 and 41-61-75; however, no county shall pay the deputy
330 medical examiners or deputy medical examiner investigators less
331 than Three Hundred Dollars (\$300.00) per month as a salary in
332 addition to other compensation provided by law. For this salary
333 the chief shall assure twenty-four-hour daily and readily



334 available death investigators for the county, and shall maintain
335 copies of all medical examiner death investigations for the county
336 for at least the previous five (5) years. He shall coordinate his
337 office and duties and cooperate with the State Medical Examiner,
338 and the State Medical Examiner shall cooperate with him.

339 **SECTION 4.** Section 41-61-61, Mississippi Code of 1972, is
340 amended as follows:

341 41-61-61. (1) Upon the death of any person where that death
342 affects the public interest, the medical examiner of the county in
343 which the body of the deceased is found or, if death occurs in a
344 moving conveyance, where the conveyance stops and death is
345 pronounced, shall be notified promptly by any person having
346 knowledge or suspicion of such a death, as provided in subsection
347 (1) of Section 41-61-59. The medical examiner shall then notify
348 the State Medical Examiner, in accordance with Section
349 41-61-63(2) (a). No person shall disturb the body at the scene of
350 such a death until authorized by the medical examiner, unless the
351 medical examiner is unavailable and it is determined by an
352 appropriate law enforcement officer that the presence of the body
353 at the scene would risk the integrity of the body or provide a
354 hazard to the safety of others. For the limited purposes of this
355 section, expression of an opinion that death has occurred may be
356 made by a nurse, an emergency medical technician, or any other
357 competent person, in the absence of a physician.



358 (2) The discovery of unidentified human remains or of
359 anatomical material suspected of being part of the human body
360 shall be promptly reported either (a) to the medical examiner of
361 the county in which the material is found, who shall report the
362 discovery to the State Medical Examiner, or (b) to the State
363 Medical Examiner. The unidentified human remains or the
364 anatomical material suspected of being part of the human body
365 shall be submitted to the State Medical Examiner.

366 (3) (a) A person who willfully moves, distributes or
367 conceals a body or body part in violation of this section is
368 guilty of a misdemeanor, and may be punished by a fine of not more
369 than Five Hundred Dollars (\$500.00), or by imprisonment for not
370 more than six (6) months in the county jail, or by both such fine
371 and imprisonment.

372 (b) A person who willfully destroys a body, body part
373 or unidentified human remains in violation of this section is
374 guilty of a felony, and may be punished by a fine of not more than
375 Five Thousand Dollars (\$5,000.00), or by imprisonment for not more
376 than two (2) years in the custody of the Department of
377 Corrections, or by both such fine and imprisonment.

378 (4) Upon oral or written authorization of the medical
379 examiner, if an autopsy is to be performed, the body shall be
380 transported directly to an autopsy facility in a suitable secure
381 conveyance, as determined by the State Medical Examiner, and the
382 expenses of transportation shall be paid by the county for which



383 the service is provided. The county may contract with individuals
384 or make available a vehicle to the medical examiner or law
385 enforcement personnel for transportation of bodies. If transport
386 must be delayed for any reason, the county shall store the body in
387 an environment conducive to maintaining preservation prior to
388 transporting the body to the State Medical Examiner's Office for
389 postmortem examination.

390 (5) The county medical examiner investigator shall enter
391 into the National Missing and Unidentified Persons System all
392 unclaimed human remains cases as defined in 41-61-53(1) within
393 five (5) days following the identification of the unclaimed human
394 remains but in no case longer than fifteen (15) days from the date
395 of death of the individual. The State Medical Examiner is
396 authorized to enter these cases into the National Missing and
397 Unidentified Persons System on behalf of the county medical
398 examiner investigator.

399 **SECTION 5.** Section 41-39-5, Mississippi Code of 1972, is
400 amended as follows:

401 41-39-5. (1) Any physician, hospital, funeral director,
402 embalmer, county medical examiner or other person acquiring
403 possession of unidentified human remains as defined in
404 41-61-53(m), or portion thereof, shall:

405 (a) Immediately submit the unidentified human remains
406 to the State Medical Examiner pursuant to Sections 41-61-59 and
407 41-61-61; and



408 (b) Not subject the unidentified human remains to
409 cremation, embalming or other destructive treatment.

410 (2) Any physician, hospital, funeral director,
411 embalmer * * * or other person acquiring possession of a dead
412 human body or portion thereof which is not claimed for burial or
413 cremation within forty-eight (48) hours of its acquisition and is
414 not unidentified human remains shall give written notice thereof
415 to the board of supervisors, or a member thereof, of the county in
416 which the dead body or portion thereof is located, furnishing such
417 identification of the decedent as may be available. The board of
418 supervisors or the coroner shall make reasonable efforts to notify
419 members of the decedent's family or other known interested
420 persons, and, if the dead body or portion thereof shall not be
421 claimed for burial or cremation by any interested person within
422 five (5) days of the aforementioned written notice, the board of
423 supervisors or coroner shall, as soon as it may think appropriate,
424 authorize and direct the burial or cremation and burial of the
425 residue of such dead body or portion thereof. In its discretion
426 and where otherwise permitted to do so by law, the board of
427 supervisors may direct the disposition of the dead body or portion
428 thereof as provided by Section 41-39-7. The reasonable expense of
429 such burial or cremation and burial of the residue of a dead body
430 shall be borne by the estate of the decedent or of any person
431 liable at law for the necessities of the decedent during his
432 lifetime or, if they are unable to pay the same, by the county of



433 residence or settlement of the decedent, if known, and, if not
434 known, by the county in which the dead body or portion thereof is
435 located.

436 (3) If the person having possession of such dead human body
437 or portion thereof shall have no available means of preserving the
438 same and shall so notify the board of supervisors, or a member
439 thereof, of the county in which the dead body or portion thereof
440 is located, it shall be the duty of the board of supervisors to
441 make arrangements for the preservation of the same until burial or
442 cremation and burial of the residue of the dead body as
443 hereinabove provided, and the expense of such preservation shall
444 be borne as hereinabove provided with respect to the expense of
445 burial or cremation.

446 (4) No county funds may be expended in excess of the amount
447 budgeted for the purposes of this section without the prior
448 approval of the board of supervisors of the county.

449 **SECTION 6.** Section 45-6-7, Mississippi Code of 1972, is
450 amended as follows:

451 45-6-7. In addition to the powers conferred upon the board
452 elsewhere in this chapter, the board shall have power to:

453 (a) Promulgate rules and regulations for the
454 administration of this chapter, including the authority to require
455 the submission of reports and information by law enforcement
456 agencies of the state and its political subdivisions.



457 (b) Establish minimum educational and training
458 standards for admission to employment or appointment as a law
459 enforcement officer or a part-time law enforcement officer: (i)
460 in a permanent position; and (ii) in a probationary status. The
461 minimum educational and training standards for any law enforcement
462 officer assigned to field or investigative duties shall include at
463 least two (2) hours of training related to handling complaints of
464 human trafficking and commercial sexual exploitation of children
465 as defined in Section 43-21-105, communicating with such victims,
466 and requiring the officer to contact the Department of Child
467 Protection Services when human trafficking or commercial sexual
468 exploitation is suspected and at least two (2) hours of training
469 related to the investigation of unidentified and missing persons.

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

473 (d) Revoke certification for cause and in the manner
474 provided in this chapter. The board is authorized to subpoena
475 documents regarding revocations. The board shall maintain a
476 current list of all persons certified under this chapter who have
477 been placed on probation, suspended, subjected to revocation of
478 certification, or any combination of these.

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



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

487 (f) Consult and cooperate with counties,
488 municipalities, state agencies, other governmental agencies, and
489 with universities, colleges, community and junior colleges and
490 other institutions concerning the development of training schools,
491 programs or courses of instruction for personnel defined in this
492 chapter.

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

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

498 (i) Approve law enforcement officer training schools
499 for operation by or for the state or any political subdivision
500 thereof for the specific purpose of training personnel defined in
501 this chapter.

502 (j) Upon the request of agencies employing personnel
503 defined in this chapter, conduct surveys or aid municipalities and
504 counties to conduct surveys through qualified public or private
505 agencies and assist in the implementation of any recommendations
506 resulting from such surveys.



507 (k) Upon request of agencies within the purview of this
508 chapter, conduct general and specific management surveys and
509 studies of the operations of the requesting agencies at no cost to
510 those agencies. The role of the board under this subsection shall
511 be that of management consultant.

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

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

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

521 **SECTION 7.** This act shall take effect and be in force from
522 and after July 1, 2024.

