

By: Representative Bell (65th)

To: Public Health and Human Services

HOUSE BILL NO. 17

1 AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO  
2 ESTABLISH A TRAINING COMPONENT RELATING TO AUTISM SPECTRUM  
3 DISORDER; TO BRING FORWARD SECTIONS 45-6-7, 45-6-11 AND 45-6-19,  
4 MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND  
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** The Department of Public Safety shall establish a  
8 training component relating to autism spectrum disorder as defined  
9 in Section 83-9-26. The training component shall include, but  
10 need not be limited to, instruction on the recognition of the  
11 symptoms and characteristics of an individual on the autism  
12 disorder spectrum and appropriate responses to an individual  
13 exhibiting such symptoms and characteristics. The Mississippi  
14 Board on Law Enforcement Officers Standards and Training shall  
15 consider completion of the training component toward hours of  
16 instruction required for continued employment or appointment as a  
17 law enforcement officer.

18 **SECTION 2.** Section 45-6-7, Mississippi Code of 1972, is  
19 brought forward as follows:



20 45-6-7. In addition to the powers conferred upon the board  
21 elsewhere in this chapter, the board shall have power to:

22 (a) Promulgate rules and regulations for the  
23 administration of this chapter, including the authority to require  
24 the submission of reports and information by law enforcement  
25 agencies of the state and its political subdivisions.

26 (b) Establish minimum educational and training  
27 standards for admission to employment or appointment as a law  
28 enforcement officer or a part-time law enforcement officer: (i)  
29 in a permanent position; and (ii) in a probationary status. The  
30 minimum educational and training standards for any law enforcement  
31 officer assigned to field or investigative duties shall include at  
32 least two (2) hours of training related to handling complaints of  
33 human trafficking and commercial sexual exploitation of children  
34 as defined in Section 43-21-105, communicating with such victims,  
35 and requiring the officer to contact the Department of Child  
36 Protection Services when human trafficking or commercial sexual  
37 exploitation is suspected.

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

41 (d) Revoke certification for cause and in the manner  
42 provided in this chapter. The board is authorized to subpoena  
43 documents regarding revocations. The board shall maintain a  
44 current list of all persons certified under this chapter who have



45 been placed on probation, suspended, subjected to revocation of  
46 certification, or any combination of these.

47 (e) Establish minimum curriculum requirements for basic  
48 and advanced courses and programs for schools operated by or for  
49 the state or any political subdivision thereof for the specific  
50 purpose of training police and other law enforcement officers,  
51 both full- and part-time, which shall include a minimum of two (2)  
52 hours of training in a course or courses related to the  
53 identification of and support for victims of human trafficking and  
54 commercial sexual exploitation.

55 (f) Consult and cooperate with counties,  
56 municipalities, state agencies, other governmental agencies, and  
57 with universities, colleges, community and junior colleges and  
58 other institutions concerning the development of training schools,  
59 programs or courses of instruction for personnel defined in this  
60 chapter.

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

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

66 (i) Approve law enforcement officer training schools  
67 for operation by or for the state or any political subdivision  
68 thereof for the specific purpose of training personnel defined in  
69 this chapter.



70 (j) Upon the request of agencies employing personnel  
71 defined in this chapter, conduct surveys or aid municipalities and  
72 counties to conduct surveys through qualified public or private  
73 agencies and assist in the implementation of any recommendations  
74 resulting from such surveys.

75 (k) Upon request of agencies within the purview of this  
76 chapter, conduct general and specific management surveys and  
77 studies of the operations of the requesting agencies at no cost to  
78 those agencies. The role of the board under this subsection shall  
79 be that of management consultant.

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

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

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

89 **SECTION 3.** Section 45-6-11, Mississippi Code of 1972, is  
90 brought forward as follows:

91 45-6-11. (1) Law enforcement officers already serving under  
92 permanent appointment on July 1, 1981, and personnel of the  
93 Division of Community Services under Section 47-7-9, Mississippi  
94 Code of 1972, serving on July 1, 1994, shall not be required to



95 meet any requirement of subsections (3) and (4) of this section as  
96 a condition of continued employment; nor shall failure of any such  
97 law enforcement officer to fulfill such requirements make that  
98 person ineligible for any promotional examination for which that  
99 person is otherwise eligible. Provided, however, if any law  
100 enforcement officer certified under the provisions of this chapter  
101 leaves his employment as such and does not become employed as a  
102 law enforcement officer within two (2) years from the date of  
103 termination of his prior employment, he shall be required to  
104 comply with board policy as to rehiring standards in order to be  
105 employed as a law enforcement officer; except, that, if any law  
106 enforcement officer certified under this chapter leaves his  
107 employment as such to serve as a sheriff, he may be employed as a  
108 law enforcement officer after he has completed his service as a  
109 sheriff without being required to comply with board policy as to  
110 rehiring standards. Part-time law enforcement officers serving on  
111 or before July 1, 1998, shall have until July 1, 2001, to obtain  
112 certification as a part-time officer.

113       (2) (a) Any person who has twenty (20) years of law  
114 enforcement experience and who is eligible to be certified under  
115 this section shall be eligible for recertification after leaving  
116 law enforcement on the same basis as someone who has taken the  
117 basic training course. Application to the board to qualify under  
118 this paragraph shall be made no later than June 30, 1993.



119           (b) Any person who has twenty-five (25) years of law  
120 enforcement experience, whether as a part-time, full-time, reserve  
121 or auxiliary officer, and who has received certification as a  
122 part-time officer, may be certified as a law enforcement officer  
123 as defined in Section 45-6-3(c) without having to meet further  
124 requirements. Application to the board to qualify under this  
125 paragraph shall be made no later than June 30, 2009.

126           (3) (a) No person shall be appointed or employed as a law  
127 enforcement officer or a part-time law enforcement officer unless  
128 that person has been certified as being qualified under the  
129 provisions of subsection (4) of this section.

130           (b) No person shall be appointed or employed as a law  
131 enforcement trainee in a full-time capacity by any law enforcement  
132 unit for a period to exceed one (1) year. No person shall be  
133 appointed or employed as a law enforcement trainee in a part-time,  
134 reserve or auxiliary capacity by any law enforcement unit for a  
135 period to exceed two (2) years. The prohibition against the  
136 appointment or employment of a law enforcement trainee in a  
137 full-time capacity for a period not to exceed one (1) year or a  
138 part-time, reserve or auxiliary capacity for a period not to  
139 exceed two (2) years may not be nullified by terminating the  
140 appointment or employment of such a person before the expiration  
141 of the time period and then rehiring the person for another  
142 period. Any person, who, due to illness or other events beyond  
143 his control, could not attend the required school or training as



144 scheduled, may serve with full pay and benefits in such a capacity  
145 until he can attend the required school or training.

146 (c) No person shall serve as a law enforcement officer  
147 in any full-time, part-time, reserve or auxiliary capacity during  
148 a period when that person's certification has been suspended,  
149 cancelled or recalled pursuant to the provisions of this chapter.

150 (4) In addition to the requirements of subsections (3), (7)  
151 and (8) of this section, the board, by rules and regulations  
152 consistent with other provisions of law, shall fix other  
153 qualifications for the employment of law enforcement officers,  
154 including minimum age, education, physical and mental standards,  
155 citizenship, good moral character, experience and such other  
156 matters as relate to the competence and reliability of persons to  
157 assume and discharge the responsibilities of law enforcement  
158 officers, and the board shall prescribe the means for presenting  
159 evidence of fulfillment of these requirements. Additionally, the  
160 board shall fix qualifications for the appointment or employment  
161 of part-time law enforcement officers to essentially the same  
162 standards and requirements as law enforcement officers. The board  
163 shall develop and implement a part-time law enforcement officer  
164 training program that meets the same performance objectives and  
165 has essentially the same or similar content as the programs  
166 approved by the board for full-time law enforcement officers and  
167 the board shall provide that such training shall be available



168 locally and held at times convenient to the persons required to  
169 receive such training.

170 (5) Any elected sheriff, constable, deputy or chief of  
171 police may apply for certification. Such certification shall be  
172 granted at the request of the elected official after providing  
173 evidence of satisfaction of the requirements of subsections (3)  
174 and (4) of this section. Certification granted to such elected  
175 officials shall be granted under the same standards and conditions  
176 as established by law enforcement officers and shall be subject to  
177 recall as in subsection (7) of this section.

178 (6) The board shall issue a certificate evidencing  
179 satisfaction of the requirements of subsections (3) and (4) of  
180 this section to any applicant who presents such evidence as may be  
181 required by its rules and regulations of satisfactory completion  
182 of a program or course of instruction in another jurisdiction or  
183 military training equivalent in content and quality to that  
184 required by the board for approved law enforcement officer  
185 education and training programs in this state, and has  
186 satisfactorily passed any and all diagnostic testing and  
187 evaluation as required by the board to ensure competency.

188 (7) Professional certificates remain the property of the  
189 board, and the board reserves the right to either reprimand the  
190 holder of a certificate, suspend a certificate upon conditions  
191 imposed by the board, or cancel and recall any certificate when:

192 (a) The certificate was issued by administrative error;





193 (b) The certificate was obtained through  
194 misrepresentation or fraud;

195 (c) The holder has been convicted of any crime  
196 involving moral turpitude;

197 (d) The holder has been convicted of a felony;

198 (e) The holder has committed an act of malfeasance or  
199 has been dismissed from his employing law enforcement agency; or

200 (f) Other due cause as determined by the board.

201 (8) When the board believes there is a reasonable basis for  
202 either the reprimand, suspension, cancellation of, or recalling  
203 the certification of a law enforcement officer or a part-time law  
204 enforcement officer, notice and opportunity for a hearing shall be  
205 provided in accordance with law prior to such reprimand,  
206 suspension or revocation.

207 (9) Any full- or part-time law enforcement officer aggrieved  
208 by the findings and order of the board may file an appeal with the  
209 chancery court of the county in which such person is employed from  
210 the final order of the board. Such appeals must be filed within  
211 thirty (30) days of the final order of the board.

212 (10) Any full- or part-time law enforcement officer whose  
213 certification has been cancelled pursuant to this chapter may  
214 reapply for certification, but not sooner than two (2) years after  
215 the date on which the order of the board cancelling such  
216 certification becomes final.



217           **SECTION 4.** Section 45-6-19, Mississippi Code of 1972, is  
218 brought forward as follows:

219           45-6-19. (1) The chief of police of any municipality in the  
220 State of Mississippi is required to annually complete twenty (20)  
221 hours of executive level continuing education courses which are  
222 approved by the Mississippi Board on Law Enforcement Officers  
223 Standards and Training. Any new chief of police having never  
224 previously served in that capacity, is required to complete forty  
225 (40) hours of executive level continuing education courses for his  
226 first year of service. Such education courses may be provided by  
227 an accredited law enforcement academy or by the Mississippi  
228 Association of Chiefs of Police.

229           (2) Any police officer of any municipality in the State of  
230 Mississippi is required to annually complete a specified number of  
231 hours, as stated in this subsection, of continuing education  
232 courses which are approved by the Mississippi Board on Law  
233 Enforcement Officers Standards and Training. The following number  
234 of hours of continuing education courses is required for municipal  
235 police officers based upon the number of years following July 1,  
236 2004:

237           0-2 years after July 1, 2004 .....8 hours of annual training  
238           3-4 years after July 1, 2004 .....16 hours of annual training  
239           5 or more years after July 1, 2004..24 hours of annual training



240 Such education courses may be provided by an accredited law  
241 enforcement academy or by the Mississippi Association of Chiefs of  
242 Police.

243 (3) The Mississippi Board on Law Enforcement Officers  
244 Standards and Training shall reimburse each municipality for the  
245 expense incurred for chiefs of police and municipal police  
246 officers in attendance at approved training programs as required  
247 by this section.

248 (4) Any chief of police or municipal police officer who  
249 fails to comply with the provisions of this section shall be  
250 subject to having his certification as a chief of police or  
251 municipal police officer revoked by the Mississippi Board on Law  
252 Enforcement Officers Standards and Training, in accordance with  
253 Section 45-6-11.

254 (5) The Mississippi Board on Law Enforcement Officers  
255 Standards and Training is authorized to institute and promulgate  
256 all rules necessary for considering the revocation of any  
257 municipal chief of police or municipal police officer who does not  
258 comply with the provisions of this section, and may grant, for  
259 sufficient cause shown, an extension of time in which compliance  
260 with the provisions of this section may be made.

261 (6) Any chief of police or municipal police officer who is  
262 aggrieved by any order or ruling made under the provisions of this  
263 section has the same rights and procedure of appeal as from any



264 other order or ruling of the Mississippi Board on Law Enforcement  
265 Officers Standards and Training.

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

