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Summers

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
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; TO AMEND SECTION 45-1-101, MISSISSIPPI CODE
9 OF 1972, TO CLARIFY REFERENCE TO RETIRED LAW ENFORCEMENT OFFICERS;
10 AND FOR RELATED PURPOSES.

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

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

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

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

19 (i) Two (2) members, each of whom is a chief of
20 police of a municipality in this state, with one (1) of the
21 appointees being appointed from a municipality having a population



22 of less than five thousand (5,000) according to the latest federal
23 decennial census * * *;

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

26 (iii) One (1) member who is a district attorney in
27 this state.

28 * * *

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

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



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

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

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

53 * * *

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

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

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

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

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



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

76 * * *

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

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

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

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

92 45-6-7. In addition to the powers conferred upon the board
93 elsewhere in this chapter, the board shall have power to:

94 (a) Promulgate rules and regulations for the
95 administration of this chapter, including the authority to require



96 the submission of reports and information by law enforcement
97 agencies of the state and its political subdivisions.

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

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

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



120 (e) Establish minimum curriculum requirements for basic
121 and advanced courses and programs for schools operated by or for
122 the state or any political subdivision thereof for the specific
123 purpose of training police and other law enforcement officers,
124 both full- and part-time, which shall include a minimum of two (2)
125 hours of training in a course or courses related to the
126 identification of and support for victims of human trafficking and
127 commercial sexual exploitation.

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

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

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

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

143 (j) Upon the request of agencies employing personnel
144 defined in this chapter, conduct surveys or aid municipalities and



145 counties to conduct surveys through qualified public or private
146 agencies and assist in the implementation of any recommendations
147 resulting from such surveys.

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

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

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

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

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

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



170 (40) hours of executive level continuing education courses for his
171 first year of service. Such education courses may be provided by
172 an accredited law enforcement academy or by the Mississippi
173 Association of Chiefs of Police.

174 (2) Any * * * law enforcement officer of any state agency,
175 county or municipality in the State of Mississippi is required to
176 annually complete a specified number of hours, as stated in this
177 subsection, of continuing education courses which are approved by
178 the Mississippi Board on Law Enforcement Officers Standards and
179 Training. The following number of hours of continuing education
180 courses is required for * * * law enforcement officers specified
181 in this subsection based upon the number of years following July
182 1, 2004:

183 0-2 years after July 1, 20048 hours of annual training
184 3-4 years after July 1, 200416 hours of annual training
185 5 or more years after July 1, 2004..24 hours of annual training

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

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



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

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

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

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

218 45-1-101. (1) This section may be referred to as the "HR218
219 Qualification Law."



220 (2) Any retired law enforcement officer who resides in this
221 state and for whom the law enforcement agency from which the
222 officer retired does not participate in the necessary
223 certification for the retired officer to be certified according to
224 the Law Enforcement Officers Safety Act of 2004 * * * or who does
225 not reside in convenient proximity to the law enforcement agency
226 from which the officer retired, may obtain the necessary
227 certification from the Mississippi Association of Chiefs of
228 Police.

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

