

Senate Amendments to House Bill No. 691

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 of
16 thirteen (13) members.

17 (2) (a) The Governor shall appoint six (6) members of the
18 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) * * * Two (2) members, each of whom is a
25 sheriff of a county in this state, with one (1) of the appointees
26 being appointed from a county having a population of less than
27 twenty thousand (20,000) according to the latest federal decennial
28 census;

29 (iii) One (1) member who is a district attorney in
30 this state * * *; and

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

35 * * *

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

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

54 (3) The remaining seven (7) members of the board shall be
55 the following:

56 (a) The Attorney General, or * * * a deputy Attorney
57 General as a designee * * *;

58 (b) The Director of the Mississippi Highway Safety
59 Patrol, or his designee * * *;

60 (c) The President of the Mississippi * * * Association
61 of Chiefs of Police, or his designee * * *;

62 (d) The * * * Commissioner of the Mississippi * * *
63 Department of Public Safety or his designee;

64 (e) The President of the Mississippi Constable
65 Association, or his designee who is a member of the
66 association * * *;

67 (f) The President of the Mississippi Campus Law
68 Enforcement Officers Association, or his designee who is a member
69 of the association * * *; and

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

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

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

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

85 * * *

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

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

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

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

102 45-6-7. In addition to the powers conferred upon the board
103 elsewhere in this chapter, the board shall have power to:

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

106 the submission of reports and information by law enforcement
107 agencies of the state and its political subdivisions.

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

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

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

132 cancellation of, or recalling the certification of a law
133 enforcement officer. The hearing panel shall provide its written
134 findings and recommendations to the board.

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

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

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

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

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

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

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

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

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

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

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

179 45-6-19. (1) The chief of police of any municipality in the
180 State of Mississippi is required to annually complete twenty (20)
181 hours of executive level continuing education courses which are
182 approved by the Mississippi Board on Law Enforcement * * * Officer
183 Standards and Training. Any new chief of police having never

184 previously served in that capacity, is required to complete forty
185 (40) hours of executive level continuing education courses for his
186 first year of service. Such education courses may be provided by
187 an accredited law enforcement academy or by the Mississippi
188 Association of Chiefs of Police.

189 (2) Any * * * law enforcement officer of any state agency,
190 county or municipality in the State of Mississippi is required to
191 annually complete a specified number of hours, as stated in this
192 subsection, of continuing education courses which are approved by
193 the Mississippi Board on Law Enforcement * * * Officer Standards
194 and Training. The following number of hours of continuing
195 education courses is required for * * * law enforcement officers
196 specified in this subsection based upon the number of years
197 following July 1, 2004:

- 198 0-2 years after July 1, 2004..... 8 hours of annual training;
- 199 3-4 years after July 1, 2004.....16 hours of annual training;
- 200 5 or more years after July 1,
- 201 2004.....24 hours of annual training.

202 Such education courses may be provided by an accredited law
203 enforcement academy or by the Mississippi Association of Chiefs of
204 Police.

205 (3) The Mississippi Board on Law Enforcement * * * Officer
206 Standards and Training shall reimburse each state agency, county
207 or municipality for the expense incurred for chiefs of police and
208 state agency, county or municipal * * * law enforcement officers

209 in attendance at approved training programs as required by this
210 section.

211 (4) Any chief of police or state agency, county or
212 municipal * * * law enforcement officer who fails to comply with
213 the provisions of this section shall be subject to having his
214 certification as a chief of police or state agency, county or
215 municipal * * * law enforcement officer revoked by the Mississippi
216 Board on Law Enforcement * * * Officer Standards and Training, in
217 accordance with Section 45-6-11.

218 (5) The Mississippi Board on Law Enforcement * * * Officer
219 Standards and Training is authorized to institute and promulgate
220 all rules necessary for considering the revocation of any
221 municipal chief of police or state agency, county or
222 municipal * * * law enforcement officer who does not comply with
223 the provisions of this section, and may grant, for sufficient
224 cause shown, an extension of time in which compliance with the
225 provisions of this section may be made.

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

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

234 45-1-101. (1) This section may be referred to as the "HR218
235 Qualification Law."

236 (2) Any retired law enforcement officer who resides in this
237 state and for whom the law enforcement agency from which the
238 officer retired does not participate in the necessary
239 certification for the retired officer to be certified according to
240 the Law Enforcement Officers Safety Act of 2004 * * * or who does
241 not reside in convenient proximity to the law enforcement agency
242 from which the officer retired, may obtain the necessary
243 certification from the Mississippi Association of Chiefs of
244 Police.

245 **SECTION 5.** This act shall take effect and be in force from
246 and after July 1, 2024, and shall stand repealed on June 30, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 13 TO NINE; TO AMEND SECTION 45-6-7,
4 MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD'S POWERS AND DUTIES
5 TO INCLUDE INVESTIGATIVE AUTHORITY; TO AMEND SECTION 45-6-19,
6 MISSISSIPPI CODE OF 1972, TO REQUIRE CONTINUING EDUCATION TRAINING
7 FOR ALL STATE AGENCY, COUNTY AND MUNICIPAL LAW ENFORCEMENT
8 OFFICERS; TO AMEND SECTION 45-1-101, MISSISSIPPI CODE OF 1972, TO
9 CLARIFY REFERENCE TO RETIRED LAW ENFORCEMENT OFFICERS; AND FOR
10 RELATED PURPOSES.

SS26\HB691PS.J

Amanda White
Secretary of the Senate