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Chapter No. 457  
16/SS01/R47SG  
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**SENATE BILL NO. 2777**

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2777

AN ACT TO CREATE THE DUI MODERNIZATION AND TECHNOLOGY ACT; TO CREATE THE DUI INFORMATION-EXCHANGE IMPROVEMENT ADVISORY COMMITTEE; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO PROVIDE THE DUTIES OF THE TASK FORCE; TO CREATE THE MANDATORY STATEWIDE OFFENSE-REPORTING SYSTEM TASK FORCE TO STUDY CERTAIN ISSUES RELATING TO THE USE OF UNIFORM OFFENSE REPORTS BY LAW ENFORCEMENT AGENCIES STATEWIDE; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO PRESCRIBE THE DUTIES OF THE TASK FORCE MEMBERS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The DUI Information-Exchange Improvement Advisory Committee is created to address the problem of a lack of timely information regarding DUI arrests and convictions being available to law enforcement, prosecutors and courts. The Director of the Social Science Research Center at Mississippi State University shall appoint the chair. The other members shall be the following twenty (20) persons:

(a) The Director of Management Information Systems,  
Department of Public Safety;

(b) The Director of the Driver Services Division,  
Department of Public Safety;

- (c) The Director of the Criminal Information Center, Department of Public Safety;
- (d) The Deputy Director of the Mississippi Highway Patrol;
- (e) The President of the Mississippi Municipal Court Clerk's Association, or a designee;
- (f) The President of the Justice Court Clerk's Association of Mississippi, or a designee;
- (g) A municipal court prosecutor appointed by the President of the Mississippi Prosecutors Association;
- (h) A county prosecutor appointed by the Mississippi Prosecutors Association;
- (i) The Traffic Safety Resource Prosecutor, Mississippi Attorney General's Office;
- (j) A representative of the Electronic Citation program appointed by the Director of the Social Science Research Center at Mississippi State University;
- (k) The President of the Mississippi Association of Chiefs of Police, or a designee;
- (l) The President of the Mississippi Sheriffs' Association, or a designee;
- (m) The President of the Mississippi Municipal Judges Association, or a designee;
- (n) The President of the Justice Court Judges Association, or a designee;

(o) The Director of the Administrative Office of Courts, or a designee;

(p) A member appointed by the Commissioner of Public Safety from the State Traffic Records Coordinating Committee, Office of the Highway Safety Division of Public Safety Planning;

(q) The State Defender of the Mississippi Office of Public Defender, or a designee;

(r) The Director of the Office of the Highway Safety Division of Public Safety Planning, or a designee;

(s) The Executive Director of the Mississippi Department of Transportation, or a designee; and

(t) A representative of the Coalition of Interlock Manufacturers.

(2) All appointed members of the committee shall be so appointed within thirty (30) days of the effective date of this act. The committee shall hold its first meeting within sixty (60) days of the effective date of this act. At its first meeting, the advisory committee shall elect a vice chairman from its membership and shall adopt rules for transacting its business and keeping records. Members of the advisory committee shall serve without compensation.

(3) The duties of the committee shall be to:

(a) (i) Make a comprehensive study of the flow of information between trial court clerks and judges, DUI prosecutors, the Driver Services Division of the Department of

Public Safety, the Criminal Information Center of the Department of Public Safety, the Mississippi Alcohol Safety Education Program, the Mississippi Department of Mental Health, and all law enforcement agencies in the state to improve the imposition of enhanced penalties for repeat DUI offenders.

(ii) Make recommendations to implement electronic submission of all records and determine the probable potential costs of electronic submission statewide.

(iii) Make recommendations for implementing court-supervised drug testing for repeat offenders who are allowed to drive following a conviction for driving under the influence of a substance other than alcohol.

(iv) Review nonadjudication and sentencing records to determine whether repeat DUI offenders are actually being prosecuted and sentenced as repeat offenders.

(v) Assess the practicability of the Department of Public Safety producing a self-authenticating record of DUI convictions that is admissible under the Mississippi Rules of Evidence.

(b) Report its findings and recommendations to the Legislature by December 1, 2016.

(4) The Social Science Research Center at Mississippi State University shall provide staff to assist the committee in carrying out its duties required by this section.

(5) This section shall stand repealed on July 1, 2017.

SECTION 2. (1) There is hereby created the Mandatory Statewide Offense-Reporting System Task Force to undertake a comprehensive review of all state and local law enforcement agencies' use of offense reports. The task force shall be composed of eight (8) members, as follows:

(a) The President of the Mississippi Association of Chiefs of Police, or a designee;

(b) The President of the Mississippi Sheriffs' Association, or a designee;

(c) The Director of the Mississippi Department of Public Safety's Criminal Information Center, or a designee;

(d) The Director of the Mississippi Department of Information Technology Services, or a designee;

(e) The Commissioner of Corrections, or a designee;

(f) The Director of the Administrative Office of Courts, or a designee;

(g) The Director of the Joint Committee on Performance Evaluation and Expenditure Review, or a designee as a nonvoting member; and

(h) A member to be appointed by the Governor to serve at the will and pleasure of the Governor as the chairperson of the task force.

(2) The appointed member of the task force must be appointed within thirty (30) days of the effective date of this act. Any vacancy in the task force shall not affect its powers, but shall

be filled as prescribed in subsection (1). The task force shall hold its first meeting within sixty (60) days of the effective date of this act, on the call of the chairperson of the task force. A majority of the membership of the task force shall constitute a quorum, and shall meet at the call of the chairperson, or upon an affirmative vote of a majority of the task force. All members must be notified in writing of all meetings at least five (5) days before the date on which a meeting of the task force is scheduled.

(3) The purpose of the task force is to work toward producing uniform offense reports and to investigate whether it is possible to require a standardized offense reporting system to get a clearer picture of crime in Mississippi and allow for single-source reporting to the Department of Justice through uniform crime reporting. The task force shall investigate whether an increase in grant funding would result. A goal of the task force is to work to provide a true picture of crime in the state and movement of offenders which could help predict and prevent criminal activity. The task force shall coordinate its work with the arrest and dispositions reporting as a valuable tool for measuring the impact of programs that seek to reduce recidivism, incarceration, and provide more support services in communities. A major focus of the task force will be to recommend an automated reporting system as opposed to manual reports that are compiled every six (6) months.

(4) The Joint Committee on Performance Evaluation and Expenditure Review shall provide appropriate staff support to assist the task force in carrying out its duties. The Director of the Joint Committee on Performance Evaluation and Expenditure Review shall designate an appropriate employee to act as a point of contact for staff support to the task force. In addition, the task force may consult with employees of any state agency or department necessary to accomplish the task force's responsibilities under this section.

(5) The members of the task force shall serve without compensation.

(6) The task force shall prepare and submit a final report that contains a detailed statement of findings, conclusions and recommendations of the task force to the Legislature, the Governor, and to local and tribal governments by December 31, 2016. It is the intention of the Legislature that, given the importance of the matters before the task force, the task force should work toward unanimously supported findings and recommendations. The report submitted under this subsection shall be made available to the public.

SECTION 3. This act shall take effect and be in force from  
and after its passage.

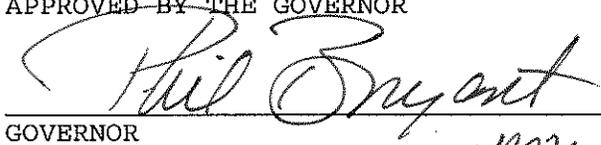
PASSED BY THE SENATE  
April 19, 2016

  
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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 19, 2016

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

~~APPROVED BY THE GOVERNOR~~

  
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GOVERNOR

May 4, 2016  
3:45pm