

By: Ross

To: Fees, Salaries and
Administration

SENATE BILL NO. 2667
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 51-9-171, 51-9-175, 51-9-177,
2 51-9-179, 51-9-181 AND 51-9-183, MISSISSIPPI CODE OF 1972, TO
3 REVISE THE NAME OF THE PEACE OFFICERS EMPLOYED BY THE PEARL RIVER
4 VALLEY WATER SUPPLY DISTRICT; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 51-9-171, Mississippi Code of 1972, is
7 amended as follows:[CSQ1]

8 51-9-171. Sections 51-9-171 through 51-9-185 shall be cited
9 as "The Pearl River Valley Water Supply District Reservoir Patrol
10 Officer Law of 1978."

11 SECTION 2. Section 51-9-175, Mississippi Code of 1972, is
12 amended as follows:[CSQ2]

13 51-9-175. (1) The board of directors of the district may
14 appoint and commission qualified persons as reservoir patrol
15 officers of the district. Any such reservoir patrol officer so
16 appointed shall be a full-time employee of the district and shall
17 not be employed by any privately owned guard or security service,
18 and shall at all times be answerable and responsible to the board
19 of directors of the district.

20 (2) A reservoir patrol officer appointed and commissioned as
21 provided in subsection (1) of this section shall, before entering
22 upon his duties as such officer, take the oath of office
23 prescribed by Section 268, Mississippi Constitution of 1890, which
24 shall be endorsed upon his commission. The commission, with the
25 oath endorsed upon it, shall be entered in the official minute
26 book of the district.

27 (3) A reservoir patrol officer appointed and commissioned

28 pursuant to the provisions of Sections 51-9-171 through 51-9-185,
29 shall, while engaged in the performance of his duties, carry on
30 his person a badge identifying him as a reservoir patrol officer
31 of the district and an identification card issued by the district.

32 When in uniform, each such reservoir patrol officer shall wear
33 his badge in plain view.

34 (4) A reservoir patrol officer may exercise the same powers
35 of arrest and the right to bear firearms that may be exercised by
36 any state, municipal or other police officer in this state, but
37 only with respect to violations of law or violations of
38 regulations adopted pursuant to Section 51-9-127, which are
39 committed on the property owned by the district. This includes
40 property which is owned by the district but has been leased or
41 rented to other parties. Any right granted under this subsection
42 in no way relieves the requirements of appropriate affidavit and
43 warrant for arrest from the appropriate jurisdiction and authority
44 pursuant to the laws of this state.

45 (5) On behalf of each person who is trained as a reservoir
46 patrol officer at the Mississippi Law Enforcement Officers'
47 Training Academy, the district shall be required to pay to the
48 academy at least an amount equal to the per student cost of
49 operation of said academy as tuition.

50 SECTION 3. Section 51-9-177, Mississippi Code of 1972, is
51 amended as follows:[CSQ3]

52 51-9-177. A person arrested by a reservoir patrol officer
53 shall be handled or processed in the jurisdiction in which the
54 offense was committed, in the same manner as if the arrest had
55 been made by a sheriff or constable. If the reservoir patrol
56 officer detains any person arrested by him, he shall forthwith
57 deliver the arrested person to the sheriff of the county in which
58 the offense was committed, and the reservoir patrol officer shall
59 have no further authority as to the custody of such arrested
60 person.

61 SECTION 4. Section 51-9-179, Mississippi Code of 1972, is
62 amended as follows:[CSQ4]

63 51-9-179. The district, by the act of the appointment of any
64 such reservoir patrol officer, shall be liable and responsible for
65 all acts of such reservoir patrol officer while he is acting or
66 purporting to act under the provisions of Sections 51-9-171
67 through 51-9-185, whether such action be authorized by Sections
68 51-9-171 through 51-9-185 or not; further, the district shall
69 indemnify the State of Mississippi and any sheriff for any loss,
70 costs or expenses incurred by virtue of any act, deed or omission
71 committed by such reservoir patrol officer while he is acting or
72 purporting to act under the provisions of Sections 51-9-171
73 through 51-9-185, whether such act, deed or omission is authorized
74 by Sections 51-9-171 through 51-9-185 or not.

75 SECTION 5. Section 51-9-181, Mississippi Code of 1972, is
76 amended as follows:[CSQ5]

77 51-9-181. Each reservoir patrol officer commissioned under
78 this article shall file a bond in the sum of Ten Thousand Dollars
79 (\$10,000.00) with the district for the lawful and faithful
80 performance of his duties. The cost of the bond shall be borne by
81 the district. The filing of such bond shall not relieve the
82 district from any civil liability it may otherwise incur in
83 accordance with the provisions of Section 51-9-179. The district
84 shall indemnify and hold the State of Mississippi, the
85 Commissioner of Public Safety, and any sheriff harmless from any
86 and all liability which any or all of them might otherwise incur
87 for the negligent or unlawful acts of said reservoir patrol
88 officer.

89 SECTION 6. Section 51-9-183, Mississippi Code of 1972, is
90 amended as follows:[CSQ6]

91 51-9-183. The powers and authority of any reservoir patrol
92 officer, whether appointed or commissioned pursuant to the
93 provisions of Sections 51-9-171 through 51-9-185 or any former law

94 of this state, may be terminated at any time by the board of
95 directors of the district.

96 SECTION 7. This act shall take effect and be in force from
97 and after July 1, 2000.