

By: Hyde-Smith

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 3036

1 AN ACT TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO
2 DELETE THE MAXIMUM AMOUNT OF COMPENSATION WHICH MAY BE PAID TO
3 PART-TIME LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 45-6-3, Mississippi Code of 1972, is
6 amended as follows:[JMR1]

7 45-6-3. For the purposes of this chapter, the following
8 words shall have the meanings ascribed herein, unless the context
9 shall otherwise require:

10 (a) "Commission" means the Criminal Justice Planning
11 Commission.

12 (b) "Board" means the Board on Law Enforcement Officer
13 Standards and Training.

14 (c) "Law enforcement officer" means any person
15 appointed or employed full time by the state or any political
16 subdivision thereof, who is duly sworn and vested with authority
17 to bear arms and make arrests, and whose primary responsibility is
18 the prevention and detection of crime, the apprehension of
19 criminals and the enforcement of the criminal and traffic laws of
20 this state and/or the ordinances of any political subdivision
21 thereof. The term "law enforcement officer" also includes
22 employees of the Department of Corrections who are designated as
23 law enforcement officers by the Commissioner of Corrections
24 pursuant to Section 47-5-54. However, the term "law enforcement
25 officer" shall not mean or include any elected official or any
26 person employed as an assistant to or investigator for a district

27 attorney in this state, compliance agents of the State Board of
28 Pharmacy, or any person or elected official who, subject to
29 approval by the board, provides some criminal justice related
30 services for a law enforcement agency. As used in this paragraph
31 "appointed or employed full time" means any person who is
32 receiving gross compensation for his duties as a law enforcement
33 officer of One Hundred Twenty-five Dollars (\$125.00) or more per
34 week or Five Hundred Dollars (\$500.00) or more per month.

35 (d) "Part-time law enforcement officer" shall mean any
36 person appointed or employed in a part-time, reserve or auxiliary
37 capacity by the state or any political subdivision thereof who is
38 duly sworn and vested with authority to bear arms and make
39 arrests, and whose primary responsibility is the prevention and
40 detection of crime, the apprehension of criminals and the
41 enforcement of the criminal and traffic laws of this state or the
42 ordinances of any political subdivision thereof. However, the
43 term "part-time law enforcement officer" shall not mean or include
44 any person or elected official who, subject to approval by the
45 board, provides some criminal justice related services for a law
46 enforcement agency. As used in this paragraph "appointed or
47 employed" means any person who is performing such duties at any
48 time whether or not they receive any compensation for duties as a
49 law enforcement officer * * *.

50 (e) "Law enforcement trainee" shall mean any person
51 appointed or employed in a full-time, part-time, reserve or
52 auxiliary capacity by the state or any political subdivision
53 thereof for the purposes of completing all the selection and
54 training requirements established by the board to become a law
55 enforcement officer or a part-time law enforcement officer. Such
56 individuals shall not have the authority to use force, bear arms,
57 make arrests or exercise any of the powers of a peace officer
58 unless under the direct control and supervision of a law
59 enforcement officer.

60 SECTION 2. This act shall take effect and be in force from
61 and after July 1, 2000.