

By: Senator(s) Browning

To: Judiciary

SENATE BILL NO. 2620

1 AN ACT TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF A PART-TIME LAW ENFORCEMENT OFFICER AS IT
3 RELATES TO THE LAW ENFORCEMENT OFFICERS TRAINING PROGRAM; AND FOR
4 RELATED PURPOSES.

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

6 SECTION 1. Section 45-6-3, Mississippi Code of 1972, is
7 amended as follows:

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

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

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

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

28 attorney in this state, compliance agents of the State Board of
29 Pharmacy, or any person or elected official who, subject to
30 approval by the board, provides some criminal justice related
31 services for a law enforcement agency. As used in this paragraph
32 "appointed or employed full time" means any person who is
33 receiving gross compensation for his duties as a law enforcement
34 officer of One Hundred Eighty-seven Dollars and Fifty Cents
35 (\$187.50) or more per week or Seven Hundred Fifty Dollars
36 (\$750.00) or more per month.

37 (d) "Part-time law enforcement officer" shall mean any
38 person appointed or employed in a part-time, reserve or auxiliary
39 capacity by the state or any political subdivision thereof who is
40 duly sworn and vested with authority to bear arms and make
41 arrests, and whose primary responsibility is the prevention and
42 detection of crime, the apprehension of criminals and the
43 enforcement of the criminal and traffic laws of this state or the
44 ordinances of any political subdivision thereof. However, the
45 term "part-time law enforcement officer" shall not mean or include
46 any person or elected official who, subject to approval by the
47 board, provides some criminal justice related services for a law
48 enforcement agency. As used in this paragraph "appointed or
49 employed" means any person who is performing such duties at any
50 time whether or not they receive any compensation for duties as a
51 law enforcement officer provided that such compensation is less
52 than One Hundred Eighty-seven Dollars and Fifty Cents (\$187.50)
53 per week or Seven Hundred Fifty Dollars (\$750.00) per month.

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

61 make arrests or exercise any of the powers of a peace officer
62 unless under the direct control and supervision of a law
63 enforcement officer.

64 SECTION 2. This act shall take effect and be in force from
65 and after its passage.