

By: Senator(s) Walls

To: Judiciary

SENATE BILL NO. 2517

1 AN ACT TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF "LAW ENFORCEMENT OFFICER"; AND FOR
3 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:

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 a legal assistant to * * * a district attorney
27 in this state, compliance agents of the State Board of Pharmacy,



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

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



60 unless under the direct control and supervision of a law
61 enforcement officer.

62 **SECTION 2.** This act shall take effect and be in force from
63 and after July 1, 2002.

