SENATE BILL NO. 2517

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

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

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

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

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

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

(c) "Law enforcement officer" means any person appointed or employed full time by the state or any political subdivision thereof, who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of the criminal and traffic laws of this state and/or the ordinances of any political subdivision thereof. The term "law enforcement officer" also includes employees of the Department of Corrections who are designated as law enforcement officers by the Commissioner of Corrections pursuant to Section 47-5-54. However, the term "law enforcement officer" shall not mean or include any elected official or any person employed as a legal assistant to a district attorney in this state, compliance agents of the State Board of Pharmacy,
or any person or elected official who, subject to approval by the
board, provides some criminal justice related services for a law
enforcement agency. As used in this paragraph "appointed or
employed full time" means any person who is receiving gross
compensation for his duties as a law enforcement officer of One
Hundred Twenty-five Dollars ($125.00) or more per week or Five
Hundred Dollars ($500.00) or more per month.

(d) "Part-time law enforcement officer" shall mean any
person appointed or employed in a part-time, reserve or auxiliary
capacity by the state or any political subdivision thereof who is
duly sworn and vested with authority to bear arms and make
arrests, and whose primary responsibility is the prevention and
detection of crime, the apprehension of criminals and the
enforcement of the criminal and traffic laws of this state or the
ordinances of any political subdivision thereof. However, the
term "part-time law enforcement officer" shall not mean or include
any person or elected official who, subject to approval by the
board, provides some criminal justice related services for a law
enforcement agency. As used in this paragraph "appointed or
employed" means any person who is performing such duties at any
time whether or not they receive any compensation for duties as a
law enforcement officer provided that such compensation is less
than One Hundred Twenty-five Dollars ($125.00) per week or Five
Hundred Dollars ($500.00) per month.

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

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