

**\*\*\* Pending \*\*\***

**COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 776**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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, or by the state military department as  
17 provided in Section 33-1-33, who is duly sworn and vested with  
18 authority to bear arms and make arrests, and whose primary  
19 responsibility is the prevention and detection of crime, the  
20 apprehension of criminals and the enforcement of the criminal and  
21 traffic laws of this state and/or the ordinances of any political  
22 subdivision thereof. The term "law enforcement officer" also  
23 includes employees of the Department of Corrections who are

24 designated as law enforcement officers by the Commissioner of  
25 Corrections pursuant to Section 47-5-54. However, the term "law  
26 enforcement officer" shall not mean or include any elected  
27 official or any person employed as an assistant to or investigator  
28 for a district attorney in this state, compliance agents of the  
29 State Board of Pharmacy, or any person or elected official who,  
30 subject to approval by the board, provides some criminal justice  
31 related services for a law enforcement agency. As used in this  
32 paragraph "appointed or employed full time" means any person who  
33 is receiving gross compensation for his duties as a law  
34 enforcement officer of Two Hundred Fifty Dollars (\$250.00) or more  
35 per week or One Thousand Seventy-five Dollars (\$1,075.00) or more  
36 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 Two Hundred Fifty Dollars (\$250.00) per week or One Thousand  
53 Seventy-five Dollars (\$1,075.00) 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 July 1, 2004.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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