

By: Senator(s) Brown

To: Judiciary, Division B

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2236

1 AN ACT TO AUTHORIZE OFF-DUTY USE OF UNIFORMS AND WEAPONS BY
2 LAW ENFORCEMENT OFFICERS ENGAGING IN PRIVATE EMPLOYMENT UNDER
3 CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** (1) **Use of official uniforms and weapons by**

6 **officers on private job.** Certified law enforcement officers or
7 part-time law enforcement officers, as defined in Section 45-6-3,
8 may wear their uniforms and use their weapons and like equipment
9 while performing private jobs in their off-duty hours with the
10 written permission of the law enforcement agency. Such employment
11 shall not be considered a violation of state ethics law.

12 (2) **Duties of employing agencies.** Each agency head shall
13 determine before the off-duty work is approved that the proposed
14 employment is not of such nature as is likely to bring disrepute
15 on the agency, the officer or the law enforcement profession, and
16 that the performance of the duties and the use of the agency
17 equipment is in the public interest. Each agency head may adopt
18 rules and regulations governing off-duty work by its officers,
19 including requirements that private employers agree to indemnify
20 the agency as a condition of approving the off-duty employment.

21 (3) **Liability of public employer for off-duty acts.**

22 Off-duty work performed by law enforcement officers shall not be
23 considered as work done within the scope of his employment, and no
24 public service district, municipality, county, state, or any of
25 its agencies or political subdivisions shall be liable for acts
26 performed by off-duty law enforcement officers as permitted by
27 this section.

28 (4) **Notice to agency concerning off-duty employment.**
29 Certified police officers performing private jobs during their
30 off-duty hours shall be required to notify the appropriate law
31 enforcement agency of the place of employment, the hours to be
32 worked, and the type of employment.

33 **SECTION 2.** This act shall take effect and be in force from
34 and after passage.