

By: Senator(s) Tollison

To: Judiciary, Division B;
Appropriations

SENATE BILL NO. 2403

1 AN ACT TO PROVIDE FOR THE HIRING OF SPECIAL CONTRACT AGENTS
2 BY THE BUREAU OF INVESTIGATION OF THE DEPARTMENT OF PUBLIC SAFETY;
3 AND FOR RELATED PURPOSES.

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

5 SECTION 1. (1) The Director of the Bureau of Investigation
6 is authorized to retain on a contractual basis such persons as he
7 shall deem necessary to detect and apprehend violators of the
8 criminal statutes of this state.

9 (2) Those persons contracting with the Director of the
10 Bureau of Investigation, pursuant to subsection (1), shall be
11 known as, and are hereinafter referred to as, "special contract
12 agents."

13 (3) The investigative services provided for in this section
14 shall be designed to support local law enforcement efforts.

15 (4) Special contract investigators shall have all powers
16 necessary and incidental to the fulfillment of their contractual
17 obligations, including the power of arrest when authorized by the
18 Director of the Bureau of Investigation.

19 (5) No person shall be a special contract investigator
20 unless he is at least twenty-one (21) years of age.

21 (6) The Director of the Bureau of Investigation shall
22 conduct a background investigation of all potential special
23 contract investigators. If the background investigation discloses
24 a criminal record, the applicant shall not be retained without the
25 express approval of the Director of the Bureau of Investigation
26 and the Commissioner of Public Safety. Any matters pertaining to
27 special contract investigators shall be exempt from the provisions

28 of a law relating to meetings open to the public, approved as now
29 or hereafter amended.

30 (7) Any contract pursuant to subsection (1) shall be:

31 (a) Reduced to writing; and

32 (b) Terminable upon written notice by either party, and
33 shall in any event terminate one (1) year from the date of
34 signing; and

35 (c) Approved as to form by the Attorney General.

36 Such contracts shall not be public records and shall not be
37 available for inspection under the provisions of a law providing
38 for the inspection of public records as now or hereafter amended.

39 (8) Special contract investigators shall not be considered
40 employees of the Bureau of Investigation for any purpose.

41 (9) The Director of the Bureau of Investigation shall have
42 all powers necessary and incidental to the effective operation of
43 this section.

44 (10) Notwithstanding any other provisions contained in this
45 section, all contracts authorized under this section and related
46 matters shall be made available to the Legislative Budget Office
47 and the State Fiscal Management Board.

48 **SECTION 2.** This act shall take effect and be in force from
49 and after July 1, 2006.