

By: Senator(s) King, Chaney, Morgan

To: Education

SENATE BILL NO. 2409

1 AN ACT TO AMEND SECTIONS 37-7-323 AND 37-7-321, MISSISSIPPI  
2 CODE OF 1972, TO EXPAND THE JURISDICTION OF LAW ENFORCEMENT  
3 OFFICERS EMPLOYED AND DESIGNATED BY A PUBLIC SCHOOL DISTRICT TO  
4 INCLUDE THE AREA WITHIN 500 FEET OF SCHOOL PROPERTY; AND FOR  
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-7-323, Mississippi Code of 1972, is  
8 amended as follows:

9 37-7-323. Any act which, if committed within the limits of a  
10 city, town or village, or in any public place, would be a  
11 violation of the general laws of this state, shall be criminal and  
12 punishable if done on the campus, grounds or roads of any of the  
13 public schools of this state. The peace officers duly appointed  
14 by the school board of any school district are vested with the  
15 powers and subjected to the duties of a constable for the purpose  
16 of preventing all violations of law on school property within the  
17 district, and for preserving order and decorum thereon. The peace  
18 officers duly appointed by the school board of any school district  
19 are also vested with the powers and subjected to the duties of a  
20 constable for the purpose of preventing all violations of law that  
21 occur within five hundred (500) feet of any property owned by the  
22 school district, if reasonably determined to have a possible  
23 impact on the safety of students, faculty or staff of the school  
24 district while on said property. Provided, however, that nothing  
25 in this section shall be interpreted to require action by any such  
26 peace officer appointed by a school district to events occurring  
27 outside the boundaries of school property, nor shall any such  
28 school district or its employees be liable for any failure to act

29 to any event occurring outside the boundaries of property owned by  
30 the school district.

31 **SECTION 2.** Section 37-7-321, Mississippi Code of 1972, is  
32 amended as follows:

33 37-7-321. (1) The school board of any school district  
34 within the State of Mississippi, in its discretion, may employ one  
35 or more persons as security personnel and may designate such  
36 persons as peace officers in or on any property operated for  
37 school purposes by such board upon their taking such oath and  
38 making such bond as required of a constable of the county in which  
39 the school district is situated.

40 (2) Any person employed by a school board as a security  
41 guard or school resource officer or in any other position that has  
42 the powers of a peace officer must receive a minimum level of  
43 basic law enforcement training, as jointly determined and  
44 prescribed by the Board on Law Enforcement Officer Standards and  
45 Training and the State Board of Education, within two (2) years of  
46 the person's initial employment in such position. Upon the  
47 failure of any person employed in such position to receive the  
48 required training within the designated time, the person may not  
49 exercise the powers of a peace officer in or on the property of  
50 the school district.

51 (3) The school board is authorized and empowered, in its  
52 discretion, and subject to the approval of the Federal  
53 Communications Commission, to install and operate a noncommercial  
54 radio broadcasting and transmission station for educational and  
55 vocational educational purposes.

56 (4) If a law enforcement officer is duly appointed to be a  
57 peace officer by a school district under this section, the local  
58 school board may enter into an interlocal agreement with other law  
59 enforcement entities for the provision of equipment or traffic  
60 control duties, however, the duty to enforce traffic regulations  
61 and to enforce the laws of the state or municipality off of school

62 property lies with the local police or sheriff's department which  
63 cannot withhold its services solely because of the lack of such an  
64 agreement.

65         **SECTION 3.** This act shall take effect and be in force from  
66 and after July 1, 2006.