MISSISSIPPI LEGISLATURE REGULAR SESSION 2006

By: Senator(s) King, Chaney, Morgan To: Education

SENATE BILL NO. 2409

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

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

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

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

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

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

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

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

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

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

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

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