

By: Senator(s) Albritton

To: Judiciary, Division B

SENATE BILL NO. 2905

1 AN ACT TO AUTHORIZE CERTAIN LAW ENFORCEMENT OFFICERS TO USE  
2 UNIFORMS AND EQUIPMENT IN THE PERFORMANCE OF A PRIVATE JOB; TO  
3 PROVIDE DUTIES OF LAW ENFORCEMENT AGENCIES REGARDING SUCH  
4 EMPLOYMENT; TO LIMIT THE LIABILITY OF THE LAW ENFORCEMENT AGENCIES  
5 REGARDING SUCH EMPLOYMENT; TO REQUIRE NOTICE; AND FOR RELATED  
6 PURPOSES.

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

8 **SECTION 1.** Municipal police officers, part-time municipal  
9 police officers or certified law enforcement officers employed by  
10 the Department of Public Safety meeting the definition of a law  
11 enforcement officer or part-time law enforcement officer, as  
12 defined in Section 45-6-3, may wear their uniforms and use their  
13 weapons and like equipment while performing private jobs in their  
14 off-duty hours with the written permission of the head of their  
15 law enforcement agency. Such employment shall not be considered a  
16 violation of state ethics law.

17 **SECTION 2.** Each agency head or the Commissioner of Public  
18 Safety shall determine before such off-duty work is approved that  
19 the proposed employment is not of such nature as is likely to  
20 bring disrepute on the agency, the officer, or the law enforcement  
21 profession, and that the performance of such duties and the use of  
22 such agency equipment is in the public interest. Each agency head  
23 or the Commissioner of Public Safety may adopt rules and  
24 regulations governing off-duty work by its officers, including  
25 requirements that private employers agree to indemnify the agency  
26 or governing authority as a condition of approving the off-duty  
27 employment.

28 **SECTION 3.** Off-duty work performed by municipal police  
29 officers, part-time municipal police officers or certified law

30 enforcement officers employed by the Department of Public Safety  
31 shall not be considered as work done within the scope of his  
32 employment and no public service district, municipality, county,  
33 state, or any of its agencies or political subdivisions shall be  
34 liable for acts performed by off-duty law enforcement officers as  
35 permitted by this act.

36         **SECTION 4.** Certified municipal police officers, part-time  
37 municipal police officers or certified law enforcement officers  
38 employed by the Department of Public Safety performing private  
39 jobs during their off-duty hours shall be required to notify the  
40 appropriate law enforcement agency of the place of employment, the  
41 hours to be worked and the type of employment.

42         **SECTION 5.** This act shall take effect and be in force from  
43 and after its passage.