

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2236**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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 or a generic police uniform and use their  
9 weapons and like equipment while performing private jobs in their  
10 off-duty hours with the written permission of the law enforcement  
11 agency. Such employment shall not be considered a violation of  
12 state ethics law.

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

23 uniforms and the use of agency weapons and equipment if the  
24 officer is engaged in off-duty work.

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

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

32       (4) **Notice to agency concerning off-duty employment.**

33 Certified police officers performing private jobs during their  
34 off-duty hours shall be required to notify the appropriate law  
35 enforcement agency of the place of employment, the hours to be  
36 worked, and the type of employment.

37       **SECTION 2.** This act shall take effect and be in force from  
38 and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.