

By: Representatives Bounds, Barnett, Paden,
Hines, Johnson, McCray, Foster, Williamson,
Hudson, Karriem, Mickens

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1434

1 AN ACT TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE SALARY THRESHOLD TO DETERMINE STATUS AS A FULL-TIME OR
3 PART-TIME LAW ENFORCEMENT OFFICER FOR DEPUTY SHERIFFS AND
4 MUNICIPAL POLICE OFFICERS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 45-6-3, Mississippi Code of 1972, is
7 amended as follows:

8 45-6-3. For the purposes of this chapter, the following
9 words shall have the meanings ascribed herein, unless the context
10 shall otherwise require:

11 (a) "Commission" means the Criminal Justice Planning
12 Commission.

13 (b) "Board" means the Board on Law Enforcement Officer
14 Standards and Training.

15 (c) "Law enforcement officer" means any person
16 appointed or employed full time by the state or any political
17 subdivision thereof, or by the state military department as
18 provided in Section 33-1-33, who is duly sworn and vested with
19 authority to bear arms and make arrests, and whose primary



responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of the criminal and traffic laws of this state and/or the ordinances of any political subdivision thereof. The term "law enforcement officer" also includes employees of the Department of Corrections who are designated as law enforcement officers by the Commissioner of Corrections pursuant to Section 47-5-54, and includes those district attorney criminal investigators who are designated as law enforcement officers. However, the term "law enforcement officer" shall not mean or include any elected official or any person employed as a legal assistant to a district attorney in this state, compliance agents of the State Board of Pharmacy, or any person or elected official who, subject to approval by the board, provides some criminal justice related services for a law enforcement agency. As used in this paragraph, "appointed or employed full time" means any person, other than a deputy sheriff or municipal law enforcement officer, who is receiving gross compensation for his or her duties as a law enforcement officer of Two Hundred Fifty Dollars (\$250.00) or more per week or One Thousand Seventy-five Dollars (\$1,075.00) or more per month; for a deputy sheriff or municipal law enforcement officer, the term "appointed for employed full time" means a deputy sheriff or municipal law enforcement officer who is receiving gross compensation for his or her duties as a law enforcement officer of



44 Four Hundred Seventy-five Dollars (\$475.00) or more per week or
45 Two Thousand Fifty Dollars (\$2,050.00) or more per month.

46 (d) "Part-time law enforcement officer" shall mean any
47 person appointed or employed in a part-time, reserve or auxiliary
48 capacity by the state or any political subdivision thereof who is
49 duly sworn and vested with authority to bear arms and make
50 arrests, and whose primary responsibility is the prevention and
51 detection of crime, the apprehension of criminals and the
52 enforcement of the criminal and traffic laws of this state or the
53 ordinances of any political subdivision thereof. However, the
54 term "part-time law enforcement officer" shall not mean or include
55 any person or elected official who, subject to approval by the
56 board, provides some criminal justice related services for a law
57 enforcement agency. As used in this paragraph, "appointed or
58 employed" means any person, other than a deputy sheriff or
59 municipal law enforcement officer, who is performing such duties
60 at any time whether or not they receive any compensation for
61 duties as a law enforcement officer provided that such
62 compensation is less than Two Hundred Fifty Dollars (\$250.00) per
63 week or One Thousand Seventy-five Dollars (\$1,075.00) per month;
64 for a deputy sheriff or municipal law enforcement officer, the
65 term "appointed or employed" means a deputy sheriff or municipal
66 law enforcement officer who is performing such duties at any time
67 whether or not they receive any compensation for duties as a law
68 enforcement officer provided that such compensation is less than



69 Four Hundred Seventy-five Dollars (\$475.00) per week or Two
70 Thousand Fifty Dollars (\$2,050.00) per month.

71 (e) "Law enforcement trainee" shall mean any person
72 appointed or employed in a full-time, part-time, reserve or
73 auxiliary capacity by the state or any political subdivision
74 thereof for the purposes of completing all the selection and
75 training requirements established by the board to become a law
76 enforcement officer or a part-time law enforcement officer. Such
77 individuals shall not have the authority to use force, bear arms,
78 make arrests or exercise any of the powers of a peace officer
79 unless:

80 (i) The trainee is under the direct control and
81 supervision of a law enforcement officer;

82 (ii) The trainee was previously certified under
83 this chapter; or

84 (iii) The trainee is a certified law enforcement
85 officer in a reciprocating state.

86 **SECTION 2.** This act shall take effect and be in force from
87 and after July 1, 2020.

