

By: Senator(s) Hill

To: Judiciary, Division B

SENATE BILL NO. 2129

1 AN ACT TO AMEND SECTION 45-3-29, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT THE CRIME OF IMPERSONATING A PATROLMAN SHALL BE A
 3 FELONY; TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIME
 4 OF IMPERSONATING A PATROLMAN; TO AMEND SECTION 97-7-44,
 5 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF
 6 IMPERSONATING A LAW ENFORCEMENT OFFICER SHALL BE A FELONY; TO
 7 INCREASE THE PENALTY FOR IMPERSONATING A LAW ENFORCEMENT OFFICER;
 8 TO REPEAL SECTION 97-7-43, MISSISSIPPI CODE OF 1972, WHICH
 9 PROVIDES FOR THE OFFENSE OF IMPERSONATING STATE, COUNTY OR
 10 MUNICIPAL OFFICERS OR EMPLOYEES AND IS A DUPLICATIVE SECTION; AND
 11 FOR RELATED PURPOSES.

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

13 **SECTION 1.** Section 45-3-29, Mississippi Code of 1972, is
 14 amended as follows:

15 45-3-29. (1) Except as otherwise authorized under this
 16 section, it shall be unlawful for any person not authorized so to
 17 do to impersonate a state highway safety patrolman, wear or use
 18 the insignia or uniform thereof, or to in anywise imitate or
 19 impersonate such patrolman. Any person adjudged guilty of
 20 violating this section shall be guilty of a * * *felony and upon
 21 conviction, shall be punished by a fine of not more than * * *
 22 Five Thousand Dollars (\$5,000.00) or by imprisonment in the * * *



23 custody of the Department of Corrections * * * for a term not
24 exceeding * * * three (3) years, or by both such fine and
25 imprisonment. Nothing in this section, however, shall be
26 construed to prevent or preclude the boards of supervisors of the
27 several counties from employing county highway patrolmen as
28 presently authorized by law, and said county patrolmen shall, when
29 authorized by the commissioner and under rules and regulations
30 with respect thereto, after completing such examinations and
31 meeting such requirements as are specified by the commissioner, be
32 entitled to wear the uniform and insignia of state highway safety
33 patrolmen and discharge the duties thereof.

34 (2) It shall not be unlawful or a violation of this section
35 for a retired state highway safety patrol officer to wear the
36 uniform and insignia of the state highway safety patrol when
37 making presentations, delivering speeches or addressing public or
38 private audiences for the purpose of entertaining or amusing such
39 audiences provided such retired officer obtains written
40 authorization from the Commissioner of Public Safety before
41 engaging in such events. The approval of the commissioner shall
42 not be required for each separate event but shall remain effective
43 as an authorization for all such events until revoked or rescinded
44 by the commissioner.

45 **SECTION 2.** Section 97-7-44, Mississippi Code of 1972, is
46 amended as follows:



47 97-7-44. (1) Any person who falsely and willfully assumes
48 or pretends to be an officer or employee acting under the
49 authority of the State of Mississippi or any department, agency or
50 officer thereof; or of any county, municipality or any other
51 subdivision of the State of Mississippi, or of any department
52 agency or officer of such county, municipality or subdivision,
53 shall be guilty of a misdemeanor and punished for each separate
54 such offense by a fine of not more than Five Hundred Dollars
55 (\$500.00) or by imprisonment of not more than six (6) months in
56 jail, or by both such fine and imprisonment.

57 (2) Any person who violates this section by willfully
58 assuming or pretending to be a law enforcement officer shall be
59 guilty of a felony and shall be subject to a fine of not more than
60 Five Thousand Dollars (\$5,000.00) or by imprisonment in the
61 custody of the Department of Corrections for a term not exceeding
62 three (3) years, or by both such fine and imprisonment.

63 **SECTION 3.** Section 97-7-43, Mississippi Code of 1972, which
64 provides for the offense of impersonating state, county or
65 municipal officers or employees, is repealed.

66 **SECTION 4.** This act shall take effect and be in force from
67 and after July 1, 2023.

