

By: Senator(s) DeBar

To: Education;  
Appropriations

SENATE BILL NO. 2742

1 AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF  
 2 1972, TO ENACT THE MISSISSIPPI SCHOOL SAFETY GUARDIAN ACT TO  
 3 PROVIDE THAT THE GOVERNING BODY OF A SCHOOL, IN CONSULTATION WITH  
 4 SCHOOL ADMINISTRATORS AND THE MISSISSIPPI DEPARTMENT OF PUBLIC  
 5 SAFETY, MAY DESIGNATE EMPLOYEES TO PARTICIPATE IN A SCHOOL SAFETY  
 6 GUARDIAN PROGRAM DEVELOPED BY THE DEPARTMENT OF PUBLIC SAFETY BY  
 7 WHICH DESIGNATED AND TRAINED SCHOOL EMPLOYEES MAY CARRY CONCEALED  
 8 FIREARMS FOR THE PROTECTION OF THE STUDENTS, EMPLOYEES AND OTHERS  
 9 ON THE CAMPUS OF THE SCHOOL; TO PROVIDE CERTAIN DEFINITIONS; TO  
 10 PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL  
 11 SAFETY GUARDIANS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY  
 12 OF SCHOOL SAFETY GUARDIANS FROM PUBLIC DISCLOSURE; TO PROVIDE A  
 13 TRAINING AND CERTIFICATION PROCESS AND TO ENACT STANDARDS; AND FOR  
 14 RELATED PURPOSES.

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

16 **SECTION 1.** The following shall be codified as Section  
 17 45-9-181, Mississippi Code of 1972:

18 45-9-181. (1) This section shall be known and may be cited  
 19 as the "Mississippi School Safety Guardian Act."

20 (2) For purposes of this section, the following terms shall  
 21 have the meanings ascribed herein:

22 (a) "School" means any public or private educational  
 23 institution within the State of Mississippi and includes any  
 24 elementary or secondary school.



25           (b) "Governing body" means with respect to any public  
26 school district or public charter school, the local school board  
27 or charter school board, as applicable; with respect to any  
28 private school, the board or other governing body of the private  
29 school as provided in the charter, bylaws or other governing  
30 documents of the school.

31           (3) The governing body of a school, in consultation with  
32 school administrators and the Mississippi Department of Public  
33 Safety, may designate employees to participate in a School Safety  
34 Guardian Program developed by the Department of Public Safety by  
35 which designated and trained school employees may carry concealed  
36 firearms for the protection of the students, employees and others  
37 on the campus of the school. The scope and purpose of a School  
38 Safety Guardian Program includes responding to an active shooter  
39 situation or other situation that would cause death or bodily harm  
40 on the school campus or in the immediate vicinity of the school  
41 campus. The Guardian's weapon shall always remain under his or  
42 her physical control on campus.

43           (4) A designated School Safety Guardian shall be immune from  
44 civil liability for any action taken by the School Safety Guardian  
45 if the action in question occurs during the reasonable exercise of  
46 and, within the course and scope of, the designated School Safety  
47 Guardian's official duties. School Safety Guardians shall be  
48 charged with these duties and must act in accordance with these  
49 duties to maintain their certification and immunity. If a School



50 Safety Guardian is found to have failed to carry out their  
51 official duties the immunity described in this subsection shall be  
52 waived.

53 (5) School Safety Guardians shall be paid a monthly stipend  
54 of Five Hundred Dollars (\$500.00) by the school district.

55 (6) The School Safety Guardian Program shall be administered  
56 by the Mississippi Department of Public Safety through the Office  
57 of Homeland Security. In consultation with the Mississippi  
58 Department of Education, the department shall establish the School  
59 Safety Guardian Program and promulgate rules, regulations and  
60 training requirements.

61 (7) To be eligible for the immunity provided in this  
62 section:

63 (a) The School Safety Guardian Program at a minimum  
64 must require that each designated member of the program who is not  
65 a law enforcement officer, as defined in Section 45-6-3, possesses  
66 a firearms license issued under Section 45-9-101 and has completed  
67 an instructional course in the safe handling and use of firearms  
68 as described in Section 97-37-7; has completed instructional  
69 training through a law enforcement training academy approved by  
70 the Mississippi Department of Public Safety ("department") not  
71 less than once every twelve (12) months; and has been CPR and  
72 First Aid certified; and

73 (b) The identities of any person designated by the  
74 school's governing body to serve as a School Safety Guardian must



75 be documented at the time of the designation and shall be  
76 communicated to school administrators and local law enforcement,  
77 but records relating to School Safety Guardians shall be exempt  
78 from the provisions of the Mississippi Public Records Act of 1983.

79 (8) The department may establish a process to enable  
80 Mississippi law enforcement training academies that are approved  
81 by the department to offer an instructional course in the safe  
82 handling and use of firearms under Section 97-37-7(2) to offer  
83 additional School Safety Guardian training and certification.

84 (9) The School Safety Guardian training certification  
85 process must include:

86 (a) An instructional course developed by the  
87 Mississippi Department of Public Safety;

88 (b) A criminal background check;

89 (c) A psychological screening;

90 (d) A shooting proficiency test; and

91 (e) An annual re-certification training.

92 (10) A law enforcement training academy may provide School  
93 Safety Guardian training to any employee of a school or school  
94 district who:

95 (a) Holds a license to carry a concealed handgun issued  
96 under Section 45-9-101;

97 (b) Who has completed an instructional course in the  
98 safe handling and use of firearms as described in Section 97-37-7;

99 and



100 (c) Who has current certification in CPR and First Aid.

101 (11) The department may establish a fee in an amount that is  
102 sufficient to cover the costs of the School Safety Guardian  
103 training certification under this section to be paid to the  
104 training academy by the governing body of the school.

105 (12) The department may adopt rules to administer this  
106 section, including a method to identify license holders who have  
107 completed a School Safety Guardian training certification course  
108 and establishing a fee to be charged by the department for the  
109 issuance or reissuance of identification of the license holder as  
110 being School Safety Guardian certified.

111 (13) A person who is indicted or charged with a violation of  
112 criminal law while acting as a School Safety Guardian may assert  
113 as a defense, in addition to any other defense available, that at  
114 the time of the action in question, the person was a certified  
115 School Safety Guardian, was then actually engaged in the  
116 performance of the person's duties as a School Safety Guardian,  
117 and had met the requirements of this section at the time of the  
118 action in question.

119 **SECTION 2.** This act shall take effect and be in force from  
120 and after July 1, 2023.

