

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2239**

**BY: Committee**

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

7       **SECTION 1.** Section 17-25-11, Mississippi Code of 1972, is  
8 amended as follows:

9       17-25-11. (1) Certified law enforcement officers or  
10 certified part-time law enforcement officers, as defined in  
11 Section 45-6-3, who are employed by a county \* \* \*, municipality  
12 or the Mississippi Highway Patrol may wear the official uniform  
13 and may utilize the official firearm and the official vehicle  
14 issued by the employing jurisdiction while in the performance of  
15 private security services in off-duty hours. The governing  
16 authority of a municipality must approve of such use of the



uniform, official weapon and vehicle by municipal law enforcement officers by act spread upon the minutes of such board and approved by the chief executive. The sheriff of a county must approve such use of the uniform, official weapon and vehicle by deputy sheriffs. The Colonel of the Mississippi Highway Patrol must approve such use of the uniform, official weapon and vehicle by highway patrol officers. Approval shall be on an employee-by-employee basis and not by general order. Any proceedings regarding application or approval and the minutes regarding same shall be a public record.

(2) Each governing board and chief executive \* \* \*, sheriff or Colonel of the Mississippi Highway Patrol shall determine before the use of the official uniform, weapon and vehicle is approved that the proposed employment is not likely to bring disrepute to the employing jurisdiction or its law enforcement agency, the officer at issue, or law enforcement generally, and that the use of the official uniform, weapon and vehicle in the discharge of the officer's private security endeavor promotes the public interest.

(3) (a) Acts and omissions of an officer in discharge of private security employment shall be deemed to be the acts and omissions of the person or entity who hires or enters into any independent contractual service agreement with an officer for the private security services, and not the acts and omissions of the



41 employing jurisdiction whose uniform, weapon and vehicle are  
42 approved for the private security use.

43 (b) The person or entity, and the person's or entity's  
44 insurer, who hires or enters into any independent contractual  
45 service agreement with an officer for private security services  
46 shall:

47 (i) Hold harmless the employing jurisdiction and  
48 fully indemnify the employing jurisdiction for any expense or  
49 loss, including attorney's fees and any damage to the official  
50 vehicle, which results from any action taken against the employing  
51 jurisdiction arising out of the acts or omissions of the officer  
52 in discharge of private security services while wearing the  
53 official uniform or using the official weapon or vehicle; and

54 (ii) Name the employing jurisdiction as a named  
55 insured on its general liability and automobile liability policies  
56 for at least the amount of recovery provided for in Section  
57 11-46-15 for any damage to the official vehicle.

58 (c) If the person or entity, and the person's or  
59 entity's insurer, fails or refuses to endorse, indemnify and hold  
60 harmless the employing jurisdiction, the employing jurisdiction  
61 shall not approve the use of the official vehicle of the employing  
62 jurisdiction for private security services.

63 (d) Neither the state nor any subdivision thereof shall  
64 be liable for a claim or injury arising from the acts or omissions  
65 of an officer in the discharge of any private security employment



66 duties under this section, including travel to and from private  
67 security employment duties in the official vehicle.

68 (4) Certified police officers performing private jobs during  
69 their off-duty hours are required to notify the appropriate law  
70 enforcement agency of the place of employment, the hours to be  
71 worked, and the type of employment.

72 (5) The official uniform, weapon and vehicle may be worn and  
73 utilized only at locations which are within the jurisdiction of  
74 the governmental entity whose uniform, weapon and vehicle are  
75 involved.

76 **SECTION 2.** This act shall take effect and be in force from  
77 and after July 1, 2023, and shall stand repealed on June 30, 2023.

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

1 AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE MISSISSIPPI HIGHWAY PATROL OFFICERS TO USE THEIR  
3 OFFICIAL UNIFORM, FIREARM AND VEHICLE WHILE IN THE PERFORMANCE OF  
4 PRIVATE SECURITY SERVICES IN OFF DUTY HOURS; AND FOR RELATED  
5 PURPOSES.

