

By: Representative Calvert

To: Education

HOUSE BILL NO. 703

1 AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES WITH
2 PRIMARY LAW ENFORCEMENT AUTHORITY OF ALL PUBLIC AND NONPUBLIC
3 SCHOOLS WITHIN THEIR JURISDICTION TO ENTER INTO MEMORANDUMS OF
4 UNDERSTANDING WITH INDEPENDENT NONPUBLIC SCHOOLS TO EMPLOY LAW
5 ENFORCEMENT OFFICERS AS SCHOOL RESOURCE OFFICERS (SROS) AT SUCH
6 SCHOOLS; TO SPECIFY THE TRAINING REQUIREMENTS FOR INDIVIDUALS
7 SERVING AS SROS AT INDEPENDENT NONPUBLIC SCHOOLS AND CONSEQUENCES
8 FOR NONCOMPLIANCE WITH TRAINING REQUIREMENTS; TO AMEND SECTIONS
9 21-19-49 AND 17-25-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY
10 THERETO; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) Local law enforcement agencies having
13 primary law enforcement authority over all public and nonpublic
14 schools within their jurisdiction, in conjunction with the
15 governing boards of independent nonpublic schools within the State
16 of Mississippi, through a Memorandum of Understanding (MOU),
17 signed by the law enforcement executive and the appropriate school
18 official(s), shall employ individuals to serve as school resource
19 officers (SROs) at independent nonpublic schools, under the
20 authority of Section 21-19-49(2), provided that the MOU shall
21 require a minimum of one (1) school resource officer to be
22 assigned to each independent nonpublic school campus operating



23 under the authority and control of the governing board of the
24 independent nonpublic school.

25 (2) Any person employed, under the authority of Section
26 21-19-49(2), by the governing board of the independent nonpublic
27 school as a security guard or school resource officer (SRO) or in
28 any other position that has the powers of a peace officer, who is
29 not a sworn law enforcement officer, must receive a minimum level
30 of basic law enforcement training, as determined and prescribed by
31 the Board on Law Enforcement Officer Standards and Training,
32 within two (2) years of the person's initial employment in such
33 position. The failure of any person employed in such position to
34 receive the required training within the designated time will
35 result in the withdrawal of that person's authority to exercise
36 the powers of a peace officer in or on the property of the
37 independent nonpublic school.

38 (3) For purposes of this section, the following terms shall
39 have the meanings ascribed in this subsection unless context of
40 use requires otherwise:

41 (a) "Independent nonpublic school" means a nonpublic
42 school operating within the State of Mississippi that:

43 (i) Is a member of the Midsouth Association of
44 Independent Schools (MAIS) and located in the State of
45 Mississippi;



(ii) Is accredited by a state, regional or national accrediting organization, including the State Board of Education; and

(iii) Is not subject to the purview of authority of the State Board of Education, unless such school is accredited by the board.

(b) "Governing board" means the board or other governing body of an accredited independent nonpublic school, as such governing body is prescribed in the charter, bylaws or other governing documents of the independent nonpublic school.

(c) "School resource officer" or "SRO" means a sworn law enforcement officer employed by a local law enforcement agency and assigned to independent nonpublic elementary or secondary school campuses to provide community policing efforts to combat school violence and improve student and school safety in or on the property of the school campus to which he or she is assigned.

SECTION 2. Section 21-19-49, Mississippi Code of 1972, is amended as follows:

21-19-49. (1) The governing authority of any municipality or the board of supervisors of any county are hereby authorized and empowered to appropriate money or dedicate and convey municipally-owned buildings and property or county-owned buildings and property, as the case may be, to the school district or districts situated within that municipality or county for the purpose of erecting, purchasing or otherwise providing the school



71 building or a site for such school building of such school
72 district, in cases where the governing authority or board of
73 supervisors are of the opinion that the location of such school
74 building within the corporate limits of the municipality or the
75 county, or in close proximity thereto, will be of special benefit
76 to the inhabitants of the municipality or county.

77 (2) Municipalities, municipal police departments and the
78 sheriffs' departments may contract with the school board of any
79 school district or the governing board of any independent
80 nonpublic school to provide additional Law Enforcement Officers
81 Training Academy-certified police protection to said school
82 district or independent nonpublic school on such terms and for
83 such reimbursement as the school district or independent nonpublic
84 school and the entity may agree in their discretion.

85 (3) (a) The governing authority of any municipality or the
86 board of supervisors of any county may allow off-duty municipal or
87 county law enforcement officers who are hired individually for
88 security purposes by the school district * * *, districts or
89 nonpublic schools within that municipality or county to use
90 municipal or county law enforcement uniforms and equipment, which
91 includes vehicles, during such off-duty employment.

92 (b) If the person or entity, and the person's or
93 entity's insurer, fails or refuses to endorse, indemnify and hold
94 harmless the employing jurisdiction, the employing jurisdiction



shall not approve the use of the official vehicle of the employing jurisdiction for private security services.

(4) The governing authority of any municipality, in its discretion, may donate funds, equipment or in-kind services to any school district or independent nonpublic school located within the boundaries of the municipality to assist the voluntary character development or public service programs of that school district or independent nonpublic school.

SECTION 3. Section 17-25-11, Mississippi Code of 1972, is amended as follows:

17-25-11. (1) Certified law enforcement officers or certified part-time law enforcement officers, as defined in Section 45-6-3, who are employed by a county, municipality or the Department of Public Safety may wear the official uniform and may utilize the official firearm and the official vehicle issued by the employing jurisdiction while in the performance of private security services in off-duty hours. The governing 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 Commissioner of the Department of Public Safety must approve such use of the uniform, official weapon and vehicle by officers of the department. Approval shall be on an employee-by-employee basis



120 and not by general order. Any proceedings regarding application
121 or approval and the minutes regarding same shall be a public
122 record.

123 (2) Each governing board and chief executive, sheriff or the
124 Commissioner of the Department of Public Safety shall determine
125 before the use of the official uniform, weapon and vehicle is
126 approved that the proposed employment is not likely to bring
127 disrepute to the employing jurisdiction or its law enforcement
128 agency, the officer at issue, or law enforcement generally, and
129 that the use of the official uniform, weapon and vehicle in the
130 discharge of the officer's private security endeavor promotes the
131 public interest.

132 (3) (a) Acts and omissions of an officer in discharge of
133 private security employment shall be deemed to be the acts and
134 omissions of the person or entity who hires or enters into any
135 independent contractual service agreement with an officer for the
136 private security services, and not the acts and omissions of the
137 employing jurisdiction whose uniform, weapon and vehicle are
138 approved for the private security use.

139 (b) The person or entity, and the person's or entity's
140 insurer, who hires or enters into any independent contractual
141 service agreement with an officer for private security services
142 shall:

143 (i) Hold harmless the employing jurisdiction and
144 fully indemnify the employing jurisdiction for any expense or



loss, including attorney's fees and any damage to the official vehicle, which results from any action taken against the employing jurisdiction arising out of the acts or omissions of the officer in discharge of private security services while wearing the official uniform or using the official weapon or vehicle; and

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

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

(d) Neither the state nor any subdivision thereof shall be liable for a claim or injury arising from the acts or omissions of an officer in the discharge of any private security employment duties under this section, including travel to and from private security employment duties in the official vehicle.

(e) The provisions of paragraphs (a) through (d) of this subsection shall not apply to any municipal or county law enforcement officers employed in the capacity as school resource officer at a nonpublic school under the authority granted to municipalities, municipal police departments and sheriffs' departments to contract with the school board of any school



district or the governing board of any independent nonpublic
school for such services as prescribed in Section 21-19-49(2).

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

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

SECTION 4. This act shall take effect and be in force from and after July 1, 2025.

