

By: Senator(s) Tate

To: Education

## SENATE BILL NO. 2161

1 AN ACT TO AMEND SECTION 21-19-49, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE MUNICIPALITIES, MUNICIPAL POLICE DEPARTMENTS AND  
3 SHERIFFS' DEPARTMENTS TO CONTRACT WITH INDEPENDENT SCHOOL  
4 GOVERNING AUTHORITIES TO PROVIDE LAW ENFORCEMENT OFFICERS TRAINING  
5 ACADEMY-CERTIFIED POLICE PROTECTION TO SAID INDEPENDENT SCHOOL ON  
6 SUCH TERMS AND FOR SUCH REIMBURSEMENT AS THE INDEPENDENT SCHOOL  
7 AND THE ENTITY MAY AGREE IN THEIR DISCRETION; TO AMEND SECTION  
8 37-7-321, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INDEPENDENT  
9 SCHOOL GOVERNING AUTHORITIES TO EMPLOY SECURITY PERSONNEL THAT  
10 HAVE THE POWER OF PEACE OFFICERS UPON THEIR TAKING SUCH OATH AND  
11 MAKING SUCH BOND AS REQUIRED OF A CONSTABLE OF THE COUNTY IN WHICH  
12 THE INDEPENDENT SCHOOL IS SITUATED; TO AUTHORIZE INDEPENDENT  
13 SCHOOLS, SUBJECT TO FEDERAL COMMUNICATIONS COMMISSION APPROVAL, TO  
14 INSTALL AND OPERATE NONCOMMERCIAL RADIO BROADCASTING AND  
15 TRANSMISSION STATIONS FOR EDUCATIONAL AND VOCATIONAL EDUCATIONAL  
16 PURPOSES; TO ALLOW INDEPENDENT SCHOOL GOVERNING AUTHORITIES TO  
17 ENTER INTO INTERLOCAL AGREEMENTS WITH OTHER LAW ENFORCEMENT  
18 ENTITIES FOR THE PROVISION OF EQUIPMENT OR TRAFFIC CONTROL DUTIES;  
19 AND FOR RELATED PURPOSES.

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

21 **SECTION 1.** Section 21-19-49, Mississippi Code of 1972, is  
22 amended as follows:

23 21-19-49. (1) The governing authority of any municipality  
24 or the board of supervisors of any county are hereby authorized  
25 and empowered to appropriate money or dedicate and convey  
26 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 building or a site for such school building of such school district, in cases where the governing authority or board of supervisors are of the opinion that the location of such school building within the corporate limits of the municipality or the county, or in close proximity thereto, will be of special benefit to the inhabitants of the municipality or county.

(2) Municipalities, municipal police departments and the sheriffs' departments may contract with the school board of any school district or any independent school governing authority to provide additional Law Enforcement Officers Training Academy-certified police protection to said school district or independent school on such terms and for such reimbursement as the school district or independent school and the entity may agree in their discretion. Any officer contracted under this subsection may serve as a school resource officer as provided in Section 37-7-321, upon agreement between the school district or independent school and the contracted entity.

(3) (a) The governing authority of any municipality or the board of supervisors of any county may allow off-duty municipal or county law enforcement officers who are hired individually for security purposes by the school district or districts within that municipality or county to use municipal or county law enforcement



uniforms and equipment, which includes vehicles, during such off-duty employment.

(b) 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.

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

(5) For the purposes of this section, "independent school" means any private or nonpublic school operating within the State of Mississippi that:

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

(ii) Is accredited by a state, regional or national accrediting organization; and

(b) Is not subject to the purview of authority of the State Board of Education.

**SECTION 2.** Section 37-7-321, Mississippi Code of 1972, is amended as follows:



37-7-321. (1) The school board of any school district or  
any independent school governing authority within the State of  
Mississippi, in its discretion, may employ one or more persons as  
security personnel and may designate such persons as peace  
officers or school resource officers in or on any property  
operated for school purposes by such board or independent school  
governing authority upon their taking such oath and making such  
bond as required of a constable of the county in which the school  
district or independent school is situated.

(2) Any person employed by a school board or independent  
school governing authority as a security guard or school resource  
officer or in any other position that has the powers of a peace  
officer must receive a minimum level of basic law enforcement  
training, as jointly determined and prescribed by the Board on Law  
Enforcement Officer Standards and Training and the State Board of  
Education, within two (2) years of the person's initial employment  
in such position. Upon the failure of any person employed in such  
position to receive the required training within the designated  
time, the person may not exercise the powers of a peace officer in  
or on the property of the school district or of the independent  
school.

(3) The school board or independent school governing  
authority is authorized and empowered, in its discretion, and  
subject to the approval of the Federal Communications Commission,  
to install and operate a noncommercial radio broadcasting and



transmission station for educational and vocational educational purposes.

(4) If a law enforcement officer is duly appointed to be a peace officer or a school resource officer by a school district or independent school governing authority under this section, the local school board or independent school governing authority may enter into an interlocal agreement with other law enforcement entities for the provision of equipment or traffic control duties, however, the duty to enforce traffic regulations and to enforce the laws of the state or municipality off of school property lies with the local police or sheriff's department which cannot withhold its services solely because of the lack of such an agreement.

(5) For the purposes of this section, "independent school" means any private or nonpublic school operating within the State of Mississippi that:

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

(ii) Is accredited by a state, regional or national accrediting organization; and

(b) Is not subject to the purview of authority of the State Board of Education.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2025.

