

By: Warren

To: Education; Judiciary
BCOMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1039

1 AN ACT TO AMEND SECTION 37-7-321, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE SCHOOL SECURITY PERSONNEL AND EMPLOYEES EXERCISING THE
3 POWERS OF A PEACE OFFICER TO RECEIVE A MINIMUM LEVEL OF BASIC LAW
4 ENFORCEMENT TRAINING; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF
5 1972, TO REQUIRE THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS
6 AND TRAINING, ACTING JOINTLY WITH THE STATE BOARD OF EDUCATION, TO
7 PRESCRIBE THE REQUIRED MINIMUM TRAINING LEVEL FOR SUCH PERSONS;
8 AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 37-7-321, Mississippi Code of 1972, is
11 amended as follows:

12 37-7-321. (1) The school board of any school district
13 within the State of Mississippi * * *, in its discretion, may
14 employ one or more persons as security personnel and may designate
15 such persons as peace officers in or on any property operated for
16 school purposes by such board upon their taking such oath and
17 making such bond as required of a constable of the county in which
18 the school district is situated.

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

30 (3) The school board is authorized and empowered, in its
31 discretion, and subject to the approval of the Federal
32 Communications Commission, to install and operate a noncommercial
33 radio broadcasting and transmission station for educational and
34 vocational educational purposes.

35 SECTION 2. Section 45-6-7, Mississippi Code of 1972, is
36 amended as follows:

37 45-6-7. In addition to the powers conferred upon the board
38 elsewhere in this chapter, the board shall have power to:

39 (a) Promulgate rules and regulations for the
40 administration of this chapter, including the authority to require
41 the submission of reports and information by law enforcement
42 agencies of the state and its political subdivisions.

43 (b) Establish minimum educational and training
44 standards for admission to employment or appointment as a law
45 enforcement officer or a part-time law enforcement officer: (i)
46 in a permanent position; and (ii) in a probationary status.

47 (c) Certify persons as being qualified under the
48 provisions of this chapter to be law enforcement officers or
49 part-time law enforcement officers.

50 (d) Revoke certification for cause and in the manner
51 provided in this chapter.

52 (e) Establish minimum curriculum requirements for basic
53 and advanced courses and programs for schools operated by or for
54 the state or any political subdivision thereof for the specific
55 purpose of training police and other law enforcement officers,
56 both full- and part-time.

57 (f) Consult and cooperate with counties,
58 municipalities, state agencies, other governmental agencies, and
59 with universities, colleges, community and junior colleges and
60 other institutions concerning the development of training schools,
61 programs or courses of instruction for personnel defined in this
62 chapter.

63 (g) Make recommendations concerning any matter within
64 its purview pursuant to this chapter.

65 (h) Make such inspection and evaluation as may be
66 necessary to determine if governmental units are complying with
67 the provisions of this chapter.

68 (i) Approve law enforcement officer training schools
69 for operation by or for the state or any political subdivision
70 thereof for the specific purpose of training personnel defined in
71 this chapter.

72 (j) Upon the request of agencies employing personnel
73 defined in this chapter, conduct surveys or aid municipalities and
74 counties to conduct surveys through qualified public or private
75 agencies and assist in the implementation of any recommendations
76 resulting from such surveys.

77 (k) Upon request of agencies within the purview of this
78 chapter, conduct general and specific management surveys and
79 studies of the operations of the requesting agencies at no cost to
80 those agencies. The role of the board under this subsection shall
81 be that of management consultant.

82 (l) Adopt and amend regulations consistent with law,
83 for its internal management and control of board programs.

84 (m) Enter into contracts or do such things as may be
85 necessary and incidental to the administration of this chapter.

86 (n) Establish jointly with the State Board of Education
87 the minimum level of basic law enforcement training required of
88 persons employed by school districts as school security guards, or
89 school resource officers or in other positions that have the
90 powers of a peace officer.

91 SECTION 3. This act shall take effect and be in force from
92 and after July 1, 2000.