

By: Warren

To: Education; Judiciary
B

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

30 Any person employed in such position by a school board who
31 does not exercise the powers of a peace officer as his primary
32 duty is exempt from the requirements of this subsection.

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

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

40 45-6-7. In addition to the powers conferred upon the board
41 elsewhere in this chapter, the board shall have power to:

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

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

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

53 (d) Revoke certification for cause and in the manner
54 provided in this chapter.

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

60 (f) Consult and cooperate with counties,
61 municipalities, state agencies, other governmental agencies, and
62 with universities, colleges, community and junior colleges and

63 other institutions concerning the development of training schools,
64 programs or courses of instruction for personnel defined in this
65 chapter.

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

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

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

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

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

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

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

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

94 SECTION 2. This act shall take effect and be in force from
95 and after July 1, 2000.