

By: Senator(s) Browning

To: Judiciary

SENATE BILL NO. 2620

1 AN ACT TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE DEFINITION OF A PART-TIME LAW ENFORCEMENT OFFICER AS IT  
3 RELATES TO THE LAW ENFORCEMENT OFFICERS TRAINING PROGRAM; AND FOR  
4 RELATED PURPOSES.

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

6 SECTION 1. Section 45-6-3, Mississippi Code of 1972, is  
7 amended as follows:

8 45-6-3. For the purposes of this chapter, the following  
9 words shall have the meanings ascribed herein, unless the context  
10 shall otherwise require:

11 (a) "Commission" means the Criminal Justice Planning  
12 Commission.

13 (b) "Board" means the Board on Law Enforcement Officer  
14 Standards and Training.

15 (c) "Law enforcement officer" means any person  
16 appointed or employed full time by the state or any political  
17 subdivision thereof, who is duly sworn and vested with authority  
18 to bear arms and make arrests, and whose primary responsibility is  
19 the prevention and detection of crime, the apprehension of  
20 criminals and the enforcement of the criminal and traffic laws of  
21 this state and/or the ordinances of any political subdivision  
22 thereof. The term "law enforcement officer" also includes  
23 employees of the Department of Corrections who are designated as  
24 law enforcement officers by the Commissioner of Corrections  
25 pursuant to Section 47-5-54. However, the term "law enforcement  
26 officer" shall not mean or include any elected official or any  
27 person employed as an assistant to or investigator for a district

28 attorney in this state, compliance agents of the State Board of  
29 Pharmacy, or any person or elected official who, subject to  
30 approval by the board, provides some criminal justice related  
31 services for a law enforcement agency. As used in this paragraph  
32 "appointed or employed full time" means any person who is  
33 receiving gross compensation for his duties as a law enforcement  
34 officer of One Hundred Eighty-seven Dollars and Fifty Cents  
35 (\$187.50) or more per week or Seven Hundred Fifty Dollars  
36 (\$750.00) or more per month.

37 (d) "Part-time law enforcement officer" shall mean any  
38 person appointed or employed in a part-time, reserve or auxiliary  
39 capacity by the state or any political subdivision thereof who is  
40 duly sworn and vested with authority to bear arms and make  
41 arrests, and whose primary responsibility is the prevention and  
42 detection of crime, the apprehension of criminals and the  
43 enforcement of the criminal and traffic laws of this state or the  
44 ordinances of any political subdivision thereof. However, the  
45 term "part-time law enforcement officer" shall not mean or include  
46 any person or elected official who, subject to approval by the  
47 board, provides some criminal justice related services for a law  
48 enforcement agency. As used in this paragraph "appointed or  
49 employed" means any person who is performing such duties at any  
50 time whether or not they receive any compensation for duties as a  
51 law enforcement officer provided that such compensation is less  
52 than One Hundred Eighty-seven Dollars and Fifty Cents (\$187.50)  
53 per week or Seven Hundred Fifty Dollars (\$750.00) per month.

54 (e) "Law enforcement trainee" shall mean any person  
55 appointed or employed in a full-time, part-time, reserve or  
56 auxiliary capacity by the state or any political subdivision  
57 thereof for the purposes of completing all the selection and  
58 training requirements established by the board to become a law  
59 enforcement officer or a part-time law enforcement officer. Such  
60 individuals shall not have the authority to use force, bear arms,

61 make arrests or exercise any of the powers of a peace officer  
62 unless under the direct control and supervision of a law  
63 enforcement officer.

64 SECTION 2. This act shall take effect and be in force from  
65 and after its passage.