

By: Representatives Smith (39th), Chism

To: Labor; Judiciary A

HOUSE BILL NO. 841

1 AN ACT TO AUTHORIZE LAW ENFORCEMENT OFFICERS TO USE UNIFORMS
2 AND EQUIPMENT IN THE PERFORMANCE OF A PRIVATE JOB; TO PROVIDE
3 DUTIES OF LAW ENFORCEMENT AGENCIES REGARDING SUCH EMPLOYMENT; TO
4 LIMIT THE LIABILITY OF THE LAW ENFORCEMENT AGENCIES REGARDING SUCH
5 EMPLOYMENT; TO REQUIRE NOTICE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Certified law enforcement officers or part-time
8 law enforcement officers, as defined in Section 45-6-3, may wear
9 their uniforms and use their weapons and like equipment while
10 performing private jobs in their off-duty hours with the written
11 permission of the law enforcement agency and with approval by the
12 governing body by which they are employed. Such employment shall
13 not be considered a violation of state ethics law.

14 **SECTION 2.** Each agency head shall determine before such
15 off-duty work is approved that the proposed employment is not of
16 such nature as is likely to bring disrepute on the agency, the
17 officer, or the law enforcement profession, and that the
18 performance of such duties and the use of such agency equipment is
19 in the public interest. Each agency head and governing authority
20 may adopt rules and regulations governing off-duty work by its
21 officers, including requirements that private employers agree to
22 indemnify the agency or governing authority as a condition of
23 approving the off-duty employment.

24 **SECTION 3.** Off-duty work performed by law enforcement
25 officers shall not be considered as work done within the scope of
26 his employment and no public service district, municipality,
27 county, state, or any of its agencies or political subdivisions

28 shall be liable for acts performed by off-duty law enforcement
29 officers as permitted by this chapter.

30 **SECTION 4.** Certified police officers performing private jobs
31 during their off-duty hours shall be required to notify the
32 appropriate law enforcement agency of the place of employment, the
33 hours to be worked and the type of employment.

34 **SECTION 5.** This act shall take effect and be in force from
35 and after its passage.