MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Banks

To: Judiciary B; Education

HOUSE BILL NO. 397

AN ACT TO AMEND SECTION 37-7-323, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF LOCAL LAW ENFORCEMENT AGENCIES AND THEIR SWORN LAW ENFORCEMENT OFFICERS TO PREVENT AND INVESTIGATE CRIMINAL ACTIVITY AND VIOLATION OF LAW ON SCHOOL PROPERTY IN SCHOOL DISTRICTS WHEREIN SUCH AGENCIES' POLICE POWER JURISDICTION LIES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 37-7-323, Mississippi Code of 1972, is amended as follows:

37-7-323. Any act which, if committed within the limits of a city, town or village, or in any public place, would be a violation of the general laws of this state, shall be criminal and punishable if done on the campus, grounds or roads of any of the public schools of this state. The *** * *** municipal or county law enforcement agency and its sworn law enforcement officers *** * *** authorized with police powers in the jurisdiction in which any school district is located are vested with the powers and subjected to the duties of a constable for the purpose of preventing and investigating all violations of law on school property within the district, and for preserving order and decorum

thereon. The * * * municipal or county law enforcement agency and its sworn law enforcement officers * * * authorized with police powers in the jurisdiction in which any school district is located are also vested with the powers and subjected to the duties of a constable for the purpose of preventing and investigating all violations of law that occur within five hundred (500) feet of any property owned by the school district, if reasonably determined to have a possible impact on the safety of students, faculty or staff of the school district while on said property. * * * However, * * * nothing in this section shall be interpreted to require * * * any such school district or its employees be liable for any failure to act to any event occurring outside the boundaries of property owned by the school district.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

ST: Public schools; clarify authority of local law enforcement agencies to prevent and investigate crimes on property of.