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Chapter No. 477  
12/SS01/R968SG  
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***SENATE BILL NO. 2814***

Originated in Senate *Liz Welch* Secretary

SENATE BILL NO. 2814

AN ACT TO AMEND SECTION 51-9-176, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PEARL RIVER VALLEY WATER DISTRICT RESERVOIR POLICE TO PARTICIPATE IN MULTIJURISDICTIONAL TRAINING, LAW ENFORCEMENT AND EMERGENCY OPERATIONS; TO CHANGE THE NAME OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT RESERVOIR PATROL TO PEARL RIVER VALLEY WATER SUPPLY DISTRICT RESERVOIR POLICE; TO AMEND SECTIONS 51-9-171, 51-9-175, 51-9-177, 51-9-179, 51-9-181 AND 51-9-183, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 51-9-176, Mississippi Code of 1972, is amended as follows:

51-9-176. At the request of a Mississippi municipality, county, other legal political subdivision of the state or a Mississippi state agency, federal agency, or under a declaration of a state of emergency or disaster by the Governor or the President of the United States, the officers of the Pearl River Valley Water Supply District Reservoir Police may render law enforcement services including search and rescue using Pearl River Valley Water Supply District Reservoir Police equipment. Officers of the Pearl River Valley Water Supply District Reservoir Police may also participate in joint multijurisdictional training exercises, multijurisdictional law enforcement operations and multijurisdictional search and rescue operations. The officers may exercise the law enforcement authority granted under Section 51-9-175 in the jurisdiction of the training, operation or emergency. The Pearl River Valley Water Supply District Reservoir Police, with the approval of the governing board, may enter into agreements with jurisdictions regarding the circumstances in which emergency assistance may be provided and administered. Unless

otherwise directed by an agreement, officers will remain under the authority of the Pearl River Valley Water Supply District Reservoir Police Chief or to whomever and to what level of authority is delegated by the Pearl River Valley Water Supply District Reservoir Police Chief or by assignment through the National Incident Management System or by the stated declaration of disaster or emergency. The Pearl River Valley Water Supply District Reservoir Police may seek reimbursement for services and related expenses if available.

**SECTION 2.** Section 51-9-171, Mississippi Code of 1972, is amended as follows:

51-9-171. This article shall be cited as "The Pearl River Valley Water Supply District Reservoir Police Officer Law of 1978."

**SECTION 3.** Section 51-9-175, Mississippi Code of 1972, is amended as follows:

51-9-175. (1) The board of directors of the district may appoint and commission qualified persons as reservoir police officers of the district. Any such reservoir police officer so appointed shall be certified by the Board on Law Enforcement Officer Standards and Training or in accordance with the Board on Law Enforcement Officer Standards and Training and shall attain certification or recertification within one (1) year of appointment, and shall at all times be answerable and responsible to the board of directors of the district.

(2) A reservoir police officer appointed and commissioned as provided in subsection (1) of this section shall, before entering upon his duties as such officer, take the oath of office prescribed by Section 268, Mississippi Constitution of 1890, which shall be endorsed upon his commission. The commission, with the oath endorsed upon it, shall be entered in the official minute book of the district.

(3) A reservoir police officer appointed and commissioned pursuant to the provisions of this article, shall, while engaged in the performance of his duties, carry on his person a badge identifying him as a reservoir police officer of the district and an identification card issued by the district. When in uniform, each such reservoir police officer shall wear his badge in plain view.

(4) A reservoir police officer may exercise the same powers of arrest and the right to bear firearms that may be exercised by any state, municipal or other police officer in this state, but only with respect to violations of law or violations of regulations adopted pursuant to Section 51-9-127, which are committed on the property owned by the district. This includes property which is owned by the district but has been leased or rented to other parties. Any right granted under this subsection in no way relieves the requirements of appropriate affidavit and warrant for arrest from the appropriate jurisdiction and authority pursuant to the laws of this state.

(5) On behalf of each person who is trained as a reservoir police officer at the Mississippi Law Enforcement Officers' Training Academy, the district shall be required to pay to the academy at least an amount equal to the per student cost of operation of the academy as tuition.

**SECTION 4.** Section 51-9-177, Mississippi Code of 1972, is amended as follows:

51-9-177. A person arrested by a reservoir police officer shall be handled or processed in the jurisdiction in which the offense was committed, in the same manner as if the arrest had been made by a sheriff or constable. If the reservoir police officer detains any person arrested by him, he shall forthwith deliver the arrested person to the sheriff of the county in which the offense was committed, and the reservoir police officer shall

have no further authority as to the custody of such arrested person.

**SECTION 5.** Section 51-9-179, Mississippi Code of 1972, is amended as follows:

51-9-179. The district, by the act of the appointment of any \* \* \* reservoir police officer, shall be liable and responsible for all acts of such reservoir police officer while he is acting or purporting to act under the provisions of this article, whether such action be authorized by this article or not; further, the district shall indemnify the State of Mississippi and any sheriff for any loss, costs or expenses incurred by virtue of any act, deed or omission committed by a reservoir police officer while he is acting or purporting to act under the provisions of this article, whether the act, deed or omission is authorized by this article or not.

**SECTION 6.** Section 51-9-181, Mississippi Code of 1972, is amended as follows:

51-9-181. Each reservoir police officer commissioned under this article shall file a bond in the sum of Ten Thousand Dollars (\$10,000.00) with the district for the lawful and faithful performance of his duties. The cost of the bond shall be borne by the district. The filing of the bond shall not relieve the district from any civil liability it may otherwise incur in accordance with the provisions of Section 51-9-179. The district shall indemnify and hold the State of Mississippi, the Commissioner of Public Safety, and any sheriff harmless from any and all liability which any or all of them might otherwise incur for the negligent or unlawful acts of a reservoir police officer.

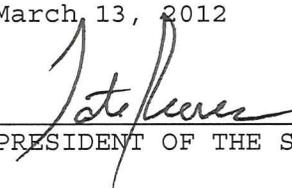
**SECTION 7.** Section 51-9-183, Mississippi Code of 1972, is amended as follows:

51-9-183. The powers and authority of any reservoir police officer, whether appointed or commissioned pursuant to the

provisions of this article or any former law of this state, may be terminated at any time by the board of directors of the district.

**SECTION 8.** This act shall take effect and be in force from and after its passage.

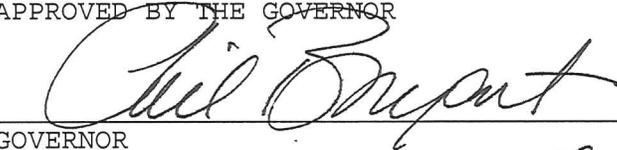
PASSED BY THE SENATE  
March 13, 2012

  
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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 5, 2012

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

  
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GOVERNOR

3:29 pm