CHAPTER 24

Off‑Duty Private Jobs of Law Enforcement Officers

**SECTION 23‑24‑10.** Use of official uniforms and weapons by officers on private job.

Uniformed law enforcement officers, as defined in Section 23‑23‑10, and reserve police officers, as defined in Section 23‑28‑10(A), may wear their uniforms and use their weapons and like equipment while performing private jobs in their off duty hours with the permission of the law enforcement agency and governing body by which they are employed.

HISTORY: 1978 Act No. 529 Section 2; 1990 Act No. 380, Section 1; 1994 Act No. 411, Section 1.

Code Commissioner's Note

At the direction of the Code Commissioner, the reference to Section 23‑6‑400(D)(1) [repealed in 2006] was changed to Section 23‑23‑10.

**SECTION 23‑24‑20.** Duties of employing agencies.

Each agency head shall determine before such off‑duty work is approved that the proposed employment is not of such nature as is likely to bring disrepute on the agency, the officer, or the law enforcement profession, and that the performance of such duties and the use of such agency equipment is in the public interest.

HISTORY: 1978 Act No. 529, Section 3.

**SECTION 23‑24‑30.** Liability of public employer for off‑duty acts.

Off‑duty work performed by law enforcement officers shall not be considered as work done within the scope of his employment and no public service district, municipality, county, state, or any of its political subdivisions shall be liable for acts performed by off‑duty law enforcement officers as permitted by this chapter.

HISTORY: 1978 Act No. 529, Section 4.

**SECTION 23‑24‑40.** Procedure when officer causes death on private job.

Any law enforcement officer who causes the death of any person while off duty and performing private jobs under the provisions of this chapter shall, in addition to any other actions, be placed on inactive duty without pay for not more than thirty days. Such law enforcement officer shall not be reinstated until an investigation of the death has been held and he has been exonerated. Exoneration shall not occur until the matter has been considered by the solicitor of the judicial circuit where the death occurred and the solicitor has given an affidavit that after investigation he is convinced that the death was not caused by an unlawful act of the officer, or until the matter has been considered by a coroner's jury, or by a grand jury and the officer has been judged not guilty. If the officer is exonerated, he shall be paid any back pay due him.

HISTORY: 1978 Act No. 529, Section 5.

**SECTION 23‑24‑50.** Notice to agency concerning off‑duty employment.

Uniformed police officers performing private jobs during their off duty hours shall be required to notify the appropriate law enforcement agency of the place of employment, the hours to be worked and the type of employment.

HISTORY: 1978 Act No. 529, Section 6.