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SYNOPSIS:

Under existing law, a local board of education may contract with a local chief of police or sheriff to employ school resource officers.

This bill would authorize a sheriff and county commission or local chief of police and city council to contract with a nonpublic K-12 school for the provision of school resource officers in certain circumstances.

This bill would require a sheriff or local chief of police to charge the nonpublic school for the full cost of employing any school resource officer.

A BILL
TO BE ENTITLED
AN ACT

Relating to school safety; to authorize certain public entities to contract with a nonpublic K-12 school to provide school resource officers in certain circumstances; and to require public entities to charge the nonpublic school for the full cost of employing any school resource officer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) (1) A sheriff and county commission or a local chief of police and city council may contract with a



29 nonpublic school, including private, church, parochial, and
30 religious schools, offering educational instruction in grades
31 K-12, as well as home-schooling entities, to provide school
32 resource officers, as defined in Section 16-1-44.1, Code of
33 Alabama 1975.

34 (2) No party may enter into a contract pursuant to
35 subdivision (1) unless the applicable governmental entities
36 already provide a school resource officer to each public K-12
37 school in the entity's jurisdiction.

38 (3) Any contract created pursuant to subdivision (1)
39 shall be automatically void if the applicable government
40 entities stop providing a school resource officer to any
41 public K-12 school in the entity's jurisdiction.

42 (b) Any contract created pursuant to subsection (a)
43 shall provide that the nonpublic school must fully reimburse
44 the county commission or city council for the full salary,
45 benefits, and all other costs associated with each school
46 resource officer made available through the contract.

47 (c) (1) A nonpublic school shall provide proof of
48 occurrence-based liability insurance, which shall be primary
49 coverage, in an amount no less than, and with coverage
50 consistent with, the liability insurance carried by the county
51 commission or city council.

52 (2) The insurance policy shall name the county
53 commission, the sheriff, and his or her deputies or the
54 municipality, the chief of police, and his or her officers as
55 additional insureds.

56 (4) If the nonpublic school fails to have the insurance



57 coverage required by this subsection in full force during the
58 entire term of the contract, the nonpublic school shall assume
59 liability for all acts taken by a school resource officer
60 within the line and scope of the private employment.

61 (d) Nothing in this section shall have the effect of
62 waiving any immunity or statutory cap on damages to which a
63 county commission, city council, sheriff, chief of police, or
64 deputies or officers are entitled.

65 Section 2. This act shall become effective June 1,
66 2024.