

By: Senator(s) Tindell, McDaniel, Hill,
Blackwell, DeBar, Watson

To: Judiciary, Division A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2306

1 AN ACT TO PROHIBIT THE ESTABLISHMENT OF SANCTUARY CITIES; TO
2 AUTHORIZE ALL MISSISSIPPI LAW ENFORCEMENT OFFICERS TO ASSIST
3 FEDERAL AGENCIES BY LEGALLY DETAINING ILLEGAL ALIENS; TO INDEMNIFY
4 LAW ENFORCEMENT OFFICERS FOR IMPLEMENTATION OF THIS ACT; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** (1) No official or governing authority of a
8 municipality of this state may limit or restrict the enforcement
9 of federal immigration laws to less than the full extent permitted
10 by federal law.

11 (2) A state, county or municipal law enforcement agency
12 shall notify federal immigration authorities of the incarceration
13 of a person who is not legally present in the United States and
14 shall fully honor any detainer placed by federal immigration
15 authorities upon a person who is not legally present in the United
16 States.

17 (3) This section shall be implemented in a manner consistent
18 with federal laws regulating immigration, protecting the civil



19 rights of all persons and respecting the privileges and immunities
20 of United States citizens.

21 **SECTION 2.** (1) All law enforcement officers of this state
22 shall assist federal agencies in the enforcement of federal
23 immigration law.

24 (2) If an alien who is unlawfully present in the United
25 States is convicted of a violation of state or local law, on
26 discharge from imprisonment or on the assessment of any monetary
27 obligation that is imposed, the United States Immigration and
28 Customs Enforcement or the United States Customs and Border
29 Protection shall be notified immediately.

30 (3) Notwithstanding any other law, a law enforcement agency
31 may securely transport to a federal facility in this state or to
32 any other point of transfer into federal custody that is outside
33 the jurisdiction of the law enforcement agency an alien for whom
34 the agency has received verification that the alien is unlawfully
35 present in the United States and is in the agency's custody.

36 (4) A law enforcement officer shall not be liable in any
37 civil action for an arrest based on probable cause and in good
38 faith under this section, or failure, in good faith, to make an
39 arrest under the authority this section. A law enforcement
40 officer is indemnified by the law enforcement officer's agency
41 against reasonable costs and expenses, including attorney's fees,
42 incurred by the officer in connection with any action, suit or
43 proceeding brought pursuant to this section in which the officer



44 may be a defendant by reason of the officer being or having been a
45 member of the law enforcement agency.

46 **SECTION 3.** This act shall take effect and be in force from
47 and after July 1, 2016.

