MISSISSIPPI LEGISLATURE
REGULAR SESSION 2016
By: Senator(s) Tindell
To: Judiciary, Division A

SENATE BILL NO. 2306

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

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

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

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

(3) This section shall be implemented in a manner consistent with federal laws regulating immigration, protecting the civil
rights of all persons and respecting the privileges and immunities of United States citizens.

SECTION 2. (1) All law enforcement officers of this state are authorized to assist federal agencies in the enforcement of federal immigration law.

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

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

(4) A law enforcement officer shall not be liable in any civil action for an arrest based on probable cause and in good faith under this section, or failure, in good faith, to make an arrest under the authority this section. A law enforcement officer is indemnified by the law enforcement officer's agency against reasonable costs and expenses, including attorney's fees, incurred by the officer in connection with any action, suit or proceeding brought pursuant to this section in which the officer
may be a defendant by reason of the officer being or having been a member of the law enforcement agency.

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