

By: Senator(s) Tindell

To: Judiciary, Division A

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 are authorized to assist federal agencies in the enforcement of  
23 federal 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.

