HOUSE BILL NO. 50

AN ACT TO AMEND SECTION 19-25-69, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF OF ANY COUNTY TO ESTABLISH AND ENFORCE POLICIES AND GUIDELINES PROVIDING FOR THE SECURITY OF THE COURTHOUSE AND ITS PERSONNEL; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 19-25-69, Mississippi Code of 1972, is amended as follows:

19-25-69. (1) The sheriff shall have charge of the courthouse and jail of his county, of the premises belonging thereto, and of the prisoners in said jail. He shall preserve the said premises and prisoners from mob violence, from any injuries or attacks by mobs or otherwise, and from trespasses and intruders. He shall keep the courthouse, jail, and premises belonging thereto, in a clean and comfortable condition, and it shall be his duty to prosecute all persons who are guilty of injuring or defacing same. If, after a hearing by the Governor, held in accordance with due process of law, it shall be ascertained that the sheriff has wilfully failed, neglected or refused to preserve the courthouse, or the jail, or any prisoners lawfully in his custody from injuries by mob violence, then the Governor shall have the power and it shall be his duty to remove such sheriff from office.

(2) However, in the case of a jail owned jointly by a county and municipality, under the provisions of Section 17-5-1, Mississippi Code of 1972, after the appointment of a jailer, pursuant to Section 47-1-49, Mississippi Code of 1972, responsible for all municipal prisoners lodged in said jail, neither the sheriff nor his bondsmen shall be responsible for actual
maintenance or operation of said jail, insofar as municipal
prisoners are concerned.

(3) The sheriff may establish and enforce policies and
guidelines providing for the security of the courthouse and its
personnel, including policies prescribing those law enforcement
officers and other personnel who are authorized to carry or
possess firearms or weapons within the courthouse. The provisions
of this subsection shall not be construed to prohibit a judge from
determining who may carry a weapon in his or her courtroom as
authorized under Section 45-9-101.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2001.