

By: Representatives Fleming, Mitchell

To: County Affairs

HOUSE BILL NO. 189

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

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

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

8 19-25-69. (1) The sheriff shall have charge of the
9 courthouse and jail of his county, of the premises belonging
10 thereto, and of the prisoners in said jail. He shall preserve the
11 said premises and prisoners from mob violence, from any injuries or
12 attacks by mobs or otherwise, and from trespasses and intruders.
13 He shall keep the courthouse, jail, and premises belonging thereto,
14 in a clean and comfortable condition, and it shall be his duty to
15 prosecute all persons who are guilty of injuring or defacing same.
16 If, after a hearing by the Governor, held in accordance with due
17 process of law, it shall be ascertained that the sheriff has
18 wilfully failed, neglected or refused to preserve the courthouse,
19 or the jail, or any prisoners lawfully in his custody from injuries
20 by mob violence, then the Governor shall have the power and it
21 shall be his duty to remove such sheriff from office.

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



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

37 **SECTION 2.** This act shall take effect and be in force from
38 and after July 1, 2002.

