

By: Senator(s) Jordan

To: Judiciary

SENATE BILL NO. 2421

1 AN ACT TO AMEND SECTIONS 21-21-1 AND 21-23-13, MISSISSIPPI  
2 CODE OF 1972, TO PERMIT MUNICIPAL LAW ENFORCEMENT OFFICERS TO  
3 SERVE WARRANTS OUTSIDE THE CITY LIMITS UNDER CERTAIN  
4 CIRCUMSTANCES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 21-21-1, Mississippi Code of 1972, is  
7 amended as follows:

8 21-21-1. The marshal or chief of police shall be the chief  
9 law enforcement officer of the municipality and shall have control  
10 and supervision of all police officers employed by said  
11 municipality. The marshal or chief of police shall be an ex  
12 officio constable within the boundaries of the municipality, and  
13 he shall perform such other duties as shall be required of him by  
14 proper ordinance and have such authority as granted to him by law.  
15 Before performing any of the duties of his office, the marshal or  
16 chief of police shall give bond, with sufficient surety, to be  
17 payable, conditioned and approved as provided by law, in an amount  
18 to be determined by the municipal governing authority (which shall  
19 be not less than Fifty Thousand Dollars (\$50,000.00)). The  
20 premium upon said bond shall be paid from the municipal treasury.  
21 If any marshal or chief of police shall fail to perform any of the  
22 duties of his office, it shall be the duty of the district  
23 attorney or county attorney upon receiving notice thereof to  
24 immediately file quo warranto proceedings against such official.

25 The provisions of this section shall be applicable to all  
26 municipalities of this state, whether operating under a code  
27 charter, special charter, or the commission form of government,  
28 except in cases of conflict between the provisions of this section



29 and the provisions of the special charter of a municipality, or  
30 the law governing the commission form of government, in which case  
31 of conflict the provisions of the special charter or the statutes  
32 relative to the commission form of government shall control.

33 **SECTION 2.** Section 21-23-13, Mississippi Code of 1972, is  
34 amended as follows:

35 21-23-13. The marshal or chief of police of the municipality  
36 shall be the executive officer of the municipal court. He shall  
37 attend the sittings of the court in person or by duly appointed  
38 deputies, and he shall be under the direction of the municipal  
39 judge. Any police officer of the municipality may be an ex  
40 officio deputy marshal. The marshal or chief of police shall  
41 execute all process by himself or deputy and do whatever else may  
42 be required of him by the court in the line of his duty. The  
43 marshal, chief of police and any duly sworn municipal law  
44 enforcement officer are authorized to serve a citation, arrest  
45 warrant or bench warrant within the municipal limits, within the  
46 boundaries of any county in which the municipality is located, and  
47 within the boundaries of any county contiguous to any county in  
48 which the municipality is located.

49 **SECTION 3.** This act shall take effect and be in force from  
50 and after July 1, 2002.

