

By: Senator(s) Fillingane

To: Judiciary, Division A

SENATE BILL NO. 2991

1 AN ACT TO CREATE THE CAPITAL CITY SECURITY AND ECONOMIC  
 2 DEVELOPMENT ZONE; TO ESTABLISH THE BOUNDARIES OF THE CAPITAL CITY  
 3 SECURITY AND ECONOMIC DEVELOPMENT ZONE; TO PROVIDE FOR ENHANCEMENT  
 4 OF PENALTIES OF CERTAIN CRIMES AGAINST PERSONS AND CRIMES AGAINST  
 5 PROPERTY WHEN COMMITTED IN THE CAPITAL CITY SECURITY AND ECONOMIC  
 6 DEVELOPMENT ZONE; TO ESTABLISH THE CAPITAL CITY SECURITY AND  
 7 ECONOMIC DEVELOPMENT ZONE TASK FORCE; TO SPECIFY THE DUTIES OF THE  
 8 CAPITAL CITY SECURITY AND ECONOMIC DEVELOPMENT ZONE TASK FORCE; TO  
 9 SPECIFY THE MEMBERSHIP OF THE CAPITAL CITY SECURITY AND ECONOMIC  
 10 DEVELOPMENT ZONE TASK FORCE; TO AMEND SECTION 45-3-21, MISSISSIPPI  
 11 CODE OF 1972, TO GRANT GENERAL POLICE POWERS TO THE MISSISSIPPI  
 12 HIGHWAY SAFETY PATROL WITHIN THE CAPITAL CITY SECURITY AND  
 13 ECONOMIC DEVELOPMENT ZONE; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** (1) There is hereby created the Capital City  
 16 Security and Economic Development Zone.

17 (2) The boundaries of the Capital City Security and Economic  
 18 Development Zone shall be as follows:

19 All of that portion of Hinds County bounded and described as  
 20 follows: 1. Beginning at the point of intersection of Highway 80 E  
 21 and Water feature (TLID:4054012), and proceeding westerly along  
 22 Highway 80 E to Highway 80 W, and proceeding westerly along  
 23 Highway 80 W to Valley Street, and proceeding northerly along  
 24 Valley Street to Lynch Creek, and proceeding easterly along Lynch  
 25 Creek to Illinois Central Railroad, and proceeding westerly along  
 26 Illinois Central Railroad to Valley Street, and proceeding  
 27 northerly along Valley Street to Lynch Street, and proceeding  
 28 easterly along Lynch Street to Eastview Street, and proceeding  
 29 northerly along Eastview Street to Robinson Street, and proceeding  
 30 easterly along Robinson Street to S. Prentiss Street, and  
 31 proceeding northerly along S. Prentiss Street to 4th Avenue, and



32 proceeding easterly along 4th Avenue to Magnolia Street, and  
33 proceeding southerly along Magnolia Street to Robinson Street, and  
34 proceeding easterly along Robinson Street to Rose Street, and  
35 proceeding northerly along Rose Street to W. Monument Street, and  
36 proceeding northerly along W. Monument Street to Bailey Avenue,  
37 and proceeding northerly along Bailey Avenue to Access Road, and  
38 proceeding northerly along Access Road to Bailey Avenue, and  
39 proceeding northerly along Bailey Avenue to Idlewild Street, and  
40 proceeding westerly along Idlewild Street to Gordon Street, and  
41 proceeding northerly along Gordon Street to Livingston Road, and  
42 proceeding northerly along Livingston Road to Stonewall Street,  
43 and proceeding easterly along Stonewall Street to Illinois Central  
44 Railroad, and proceeding southerly along Illinois Central Railroad  
45 to Bailey Avenue, and proceeding northerly along Bailey Avenue to  
46 Stonewall Street, and proceeding easterly along Stonewall Street  
47 to Booker Washington Street, and proceeding northerly along Booker  
48 Washington Street to Gaddis Street, and proceeding easterly along  
49 Gaddis Street to N. Mill Street, and proceeding northerly along N.  
50 Mill Street to Hartfield Street, and proceeding easterly along  
51 Hartfield Street to Groves Avenue, and proceeding northerly along  
52 Groves Avenue to Patton Avenue, and proceeding easterly along  
53 Patton Avenue to Galloway Avenue, and proceeding southerly along  
54 Galloway Avenue to Old Canton Road, and proceeding easterly along  
55 Old Canton Road to Ridge Drive, and proceeding easterly along  
56 Ridge Drive to Wooddale Drive, and proceeding easterly along  
57 Wooddale Drive to Crane Boulevard, and proceeding northerly along  
58 Crane Boulevard to Old Canton Road, and proceeding easterly along  
59 Old Canton Road to Unnamed Special road (TLID:10295198), and  
60 proceeding easterly along Unnamed Special road (TLID:10295198) to  
61 Meadowbrook Road, and proceeding easterly along Meadowbrook Road  
62 to Roxbury Road, and proceeding southerly along Roxbury Road to  
63 Eastover Drive, and proceeding easterly along Eastover Drive to  
64 Ridgewood Road, and proceeding southerly along Ridgewood Road to



65 Lakeland Drive, and proceeding easterly along Lakeland Drive to  
66 Water feature (TLID:10302461), and proceeding westerly along Water  
67 feature (TLID:10302461) to the Rankin/Hinds county line, and  
68 proceeding northerly along the Rankin/Hinds county line to  
69 Illinois Central Railroad, and proceeding westerly along Illinois  
70 Central Railroad to Water feature (TLID:10285229), and proceeding  
71 southerly along Water feature (TLID:10285229) to Water feature  
72 (TLID:10285152), and proceeding southerly along Water feature  
73 (TLID:10285152) to Water feature (TLID:10285053), and proceeding  
74 westerly along Water feature (TLID:10285053) to Water feature  
75 (TLID:10262165), and proceeding southerly along Water feature  
76 (TLID:10262165) to Water feature (TLID:10263963), and proceeding  
77 southerly along Water feature (TLID:10263963) to Water feature  
78 (TLID:10261282), and proceeding southerly along Water feature  
79 (TLID:10261282) to Water feature (TLID:10259115), and proceeding  
80 westerly along Water feature (TLID:10259115) to Water feature  
81 (TLID:10258527), and proceeding westerly along Water feature  
82 (TLID:10258527) to Water feature (TLID:10257925), and proceeding  
83 southerly along Water feature (TLID:10257925) to the Rankin/Hinds  
84 county line, and proceeding southerly along the Rankin/Hinds  
85 county line to Water feature (TLID:4055109), and proceeding  
86 westerly along Water feature (TLID:4055109) to Water feature  
87 (TLID:4055071), and proceeding southerly along Water feature  
88 (TLID:4055071) to Water feature (TLID:4054672), and proceeding  
89 southerly along Water feature (TLID:4054672) to Water feature  
90 (TLID:4054653), and proceeding southerly along Water feature  
91 (TLID:4054653) to Water feature (TLID:4054012), and proceeding  
92 southerly along Water feature (TLID:4054012) to the point of  
93 beginning. 2. Except for beginning at the point of intersection of  
94 Jefferson Street and Old Brandon Road, and proceeding easterly  
95 along Jefferson Street to E. Silas Brown Street, and proceeding  
96 westerly along E. Silas Brown Street to Old Brandon Road, and



97 proceeding southerly along Old Brandon Road to the point of  
98 beginning.

99 (3) For the purposes of this section, the term "TLID" means  
100 TIGER line identification number, and the term TIGER means the  
101 Topologically Integrated Geographic Encoding and Referencing  
102 geography and datasets of the United States Bureau of the Census.

103 **SECTION 2.** (1) The penalty for any felony or misdemeanor  
104 listed in subsection (2) of this section that is proved to have  
105 been committed in the Capital City Security and Economic  
106 Development Zone created in Section 1 of Senate Bill [this one],  
107 2008 Regular Session, shall be subject to a fifty percent (50%)  
108 enhancement of the maximum penalties otherwise provided by law.  
109 Every person so convicted shall be sentenced to the maximum term  
110 of imprisonment prescribed in this section and such sentence shall not  
111 be reduced or suspended nor shall such person be eligible for  
112 parole or probation.

113 (2) The crimes that shall be subject to enhancement of  
114 penalty under this section are as follows:

- 115 (a) Section 97-3-19 relating to murder;
- 116 (b) Section 97-3-7 relating to aggravated assault;
- 117 (c) Section 97-3-53 relating to kidnapping;
- 118 (d) Section 97-3-65 relating to rape;
- 119 (e) Section 97-3-95 relating to sexual battery;
- 120 (f) Section 97-3-103 relating to drive-by shooting and  
121 drive-by bombing;
- 122 (g) Section 97-3-117 relating to carjacking;
- 123 (h) Section 97-3-79 relating to armed robbery;
- 124 (i) Section 97-17-23 relating to burglary of a  
125 dwelling;
- 126 (j) Section 97-17-42 relating to larceny of a motor  
127 vehicle; and
- 128 (k) Section 97-17-33 relating to burglary not of a  
129 dwelling.



130           (3) The penalty for any offense listed in subsection (2)  
131 shall be enhanced by punishment for a term of imprisonment of one  
132 and one half (1 1/2) times that authorized by law if the offense  
133 was committed in the Capital City Security and Economic  
134 Development Zone.

135           **SECTION 3.** (1) The district attorney of Hinds County shall  
136 establish a task force to be known as the Capital City Security  
137 and Economic Development Zone Task Force in order to implement a  
138 coordinated multidisciplinary team approach to develop a plan of  
139 coordination, collaboration and organization to sharply reduce  
140 crime within the Capital City Security and Economic Development  
141 Zone. The agencies to be included as members of the  
142 multidisciplinary team are: the district attorney's office, the  
143 Jackson Police Department, the Hinds County Sheriff's office, the  
144 Mississippi Highway Safety Patrol, the Mississippi Bureau of  
145 Investigation, the Mississippi Bureau of Narcotics, the University  
146 Medical Center Campus Police chief, the Jackson State University  
147 Campus Police chief, the director of security for the Mississippi  
148 Baptist Medical Center and the director of security for the St.  
149 Dominic-Jackson Memorial Hospital.

150           (2) The task force shall function so that the resources and  
151 information within each of the member organizations will be shared  
152 and available for the other members to determine crime sources and  
153 hot pickets of activity that need to be reduced and to facilitate  
154 the detection of crime and capture of criminals.

155           (3) The Capital City Security and Economic Development Zone  
156 Task Force shall meet weekly.

157           **SECTION 4.** Section 45-3-21, Mississippi Code of 1972, is  
158 amended as follows:

159           45-3-21. (1) The powers and duties of the Highway Safety  
160 Patrol shall be, in addition to all others prescribed by law, as  
161 follows:



162           (a) To enforce all of the traffic laws, rules and  
163 regulations of the State of Mississippi upon all highways of the  
164 state highway system and the rights-of-way of such highways;  
165 provided, however, that if any person commits an offense upon the  
166 state highway system and be pursued by a member of the Highway  
167 Safety Patrol, such patrol officer may pursue and apprehend such  
168 offender upon any of the highways or public roads of this state,  
169 or to any other place to which such offender may flee.

170           (b) To enforce all rules and regulations of the  
171 commissioner promulgated pursuant to legal authority.

172           (c) When so directed by the Governor, to enforce any of  
173 the laws of this state upon any of the highways or public roads  
174 thereof.

175           (d) Upon the request of the State Tax Commission, and  
176 with the approval of the Governor, to enforce all of the  
177 provisions of law with reference to the registration, license and  
178 taxation of vehicles using the highways of this state, and  
179 relative to the sizes, weights and load limits of such vehicles,  
180 and to enforce the provisions of all other laws administered by  
181 the State Tax Commission upon any of the highways or public roads  
182 of this state; and for such purpose the Highway Safety Patrol  
183 shall have the authority to collect and receive all taxes which  
184 may be due under any of such laws, and to report and remit same to  
185 the State Tax Commission in the manner required by law, or the  
186 rules and regulations of the commission.

187           (e) Upon request of the Mississippi Transportation  
188 Commission, and when so instructed by the commissioner, to aid and  
189 assist in the enforcement of all laws which such agencies are  
190 authorized or required to enforce, and in the enforcement of the  
191 rules and regulations of such agencies, including the Mississippi  
192 Motor Carrier Regulatory Law of 1938 and rules and regulations  
193 promulgated thereunder.



194           (f) To arrest without warrant any person or persons  
195 committing or attempting to commit any misdemeanor, felony or  
196 breach of the peace within their presence or view, and to pursue  
197 and so arrest any person committing such an offense to and at any  
198 place in the State of Mississippi where he may go or be. Nothing  
199 herein shall be construed as granting the Mississippi Highway  
200 Safety Patrol general police powers.

201           (g) To aid and assist any law enforcement officer whose  
202 life or safety is in jeopardy. Additionally, officers of the  
203 Highway Safety Patrol may arrest without warrant any fugitive from  
204 justice who has escaped or who is using the highways of the state  
205 in an attempt to flee. With the approval of the commissioner or  
206 his designee, officers of the Highway Safety Patrol may assist  
207 other law enforcement agencies in manhunts for convicted felons  
208 who have escaped and/or for alleged felons where there is probable  
209 cause to believe that the person being sought committed the felony  
210 and a felony had actually been committed.

211           (h) To cooperate with the State Forest Service by  
212 reporting all forest fires.

213           (i) Upon request of the sheriff or his designee, or  
214 board of supervisors of any county or the chief of police or mayor  
215 of any municipality, and when so instructed by the commissioner or  
216 his designee, to respond to calls for assistance in a law  
217 enforcement incident; such request and action shall be noted and  
218 clearly reflected on the radio logs of both the Mississippi  
219 Highway Safety Patrol district substation and that of the  
220 requesting agency, entered on the local NCIC terminal, if  
221 available, and a request in writing shall follow within  
222 forty-eight (48) hours. Additionally, the time of commencement  
223 and termination of the specific law enforcement incident shall be  
224 clearly noted on the radio logs of both law enforcement agencies.

225           (2) The Legislature declares that the primary law  
226 enforcement officer in any county in the State of Mississippi is



227 the duly qualified and elected sheriff thereof, but for the  
228 purposes of this subsection there is hereby vested in the  
229 Department of Public Safety, in addition to the powers hereinabove  
230 mentioned and the other provisions of this section under the terms  
231 and limitations hereinafter mentioned and for the purpose of  
232 insuring domestic tranquility and for the purpose of preventing or  
233 suppressing, or both, crimes of violence, acts and conduct  
234 calculated to, or which may, provoke or lead to violence and/or  
235 incite riots, mobs, mob violence, a breach of the peace, and acts  
236 of intimidation or terror, the powers and duties to include the  
237 enforcement of all the laws of the State of Mississippi relating  
238 to such purposes, to investigate any violation of the laws of the  
239 State of Mississippi and to aid in the arrest and prosecution of  
240 persons charged with violating the laws of the State of  
241 Mississippi which relate to such purposes. Investigators of the  
242 Bureau of Investigation of the Department of Public Safety shall  
243 have general police powers to enforce all the laws of the State of  
244 Mississippi. All officers of the Department of Public Safety  
245 charged with the enforcement of the laws administered by that  
246 agency, for the purposes herein set forth, shall have full power  
247 to investigate, prevent, apprehend and arrest law violators  
248 anywhere in the state, and shall be vested with the power of  
249 general police officers in the performance of their duties. The  
250 officers of the Department of Public Safety are authorized and  
251 empowered to carry and use firearms and other weapons deemed  
252 necessary in the discharge of their duties as such and are also  
253 empowered to serve warrants and subpoenas issued under the  
254 authority of the State of Mississippi. The Governor shall be  
255 authorized to offer and pay suitable rewards to persons aiding in  
256 the investigation, apprehension and conviction of persons charged  
257 with acts of violence, or threats of violence or intimidation or  
258 acts of terrorism. The additional powers herein granted to or  
259 vested in the Department of Public Safety or any of its officers





260 or employees by this section, excepting investigating powers, and  
261 those powers of investigators who shall have general police power,  
262 being the investigators in the Bureau of Investigation of the  
263 Department of Public Safety, shall not be exercised by the  
264 Department of Public Safety, or any of its officers or employees,  
265 except upon authority and direction of the Governor or Acting  
266 Governor, by proclamation duly signed, in the following instances,  
267 to wit:

268 (a) When requested by the sheriff or board of  
269 supervisors of any county or the mayor of any municipality on the  
270 grounds that mob violence, crimes of violence, acts and conduct of  
271 terrorism, riots or acts of intimidation, or either, calculated to  
272 or which may provoke violence or incite riots, mobs, mob violence,  
273 violence, or lead to any breach of the peace, or either, and acts  
274 of intimidation or terror are anticipated, and when such acts or  
275 conduct in the opinion of the Governor or Acting Governor would  
276 provoke violence or any of the foregoing acts or conduct set out  
277 in this subsection, and the sheriff or mayor, as the case may be,  
278 lacks adequate police force to prevent or suppress the same.

279 (b) Acting upon evidence submitted to him by the  
280 Department of Public Safety, or other investigating agency  
281 authorized by the Governor or Acting Governor to make such  
282 investigations, because of the failure or refusal of the sheriff  
283 of any county or mayor of any municipality to take action or  
284 employ such means at his disposal, to prevent or suppress the  
285 acts, conduct or offenses provided for in subsection (1) of this  
286 section, the Governor or Acting Governor deems it necessary to  
287 invoke the powers and authority vested in the Department of Public  
288 Safety.

289 (c) The Governor or Acting Governor is hereby  
290 authorized and empowered to issue his proclamation invoking the  
291 powers and authority vested by this paragraph, as provided in  
292 paragraphs (a) and (b) of this subsection, and when the Governor



293 or Acting Governor issues said proclamation in accordance  
294 herewith, said proclamation shall become effective upon the  
295 signing thereof and shall continue in full force and effect for a  
296 period of ninety (90) days, or for a shorter period if otherwise  
297 ordered by the Governor or Acting Governor. At the signing of the  
298 proclamation by the Governor or Acting Governor, the Department of  
299 Public Safety and its officers and employees shall thereupon be  
300 authorized to exercise the additional power and authority vested  
301 in them by this paragraph. The Governor and Acting Governor may  
302 issue additional proclamations for periods of ninety (90) days  
303 each under the authority of paragraphs (a) and (b) of this  
304 subsection (2).

305 (3) Notwithstanding any other provision of law to the  
306 contrary, the Mississippi Highway Safety Patrol and the  
307 Mississippi Bureau of Investigation shall have general police  
308 powers within the Capital City Security and Economic Development  
309 Zone established under Section 1 of Senate Bill No. 2991, 2008  
310 Regular Session, to investigate, prevent, apprehend and arrest law  
311 violators in the Capital City Security and Economic Development  
312 Zone.

313 (4) All proclamations issued by the Governor or Acting  
314 Governor shall be filed in the Office of the Secretary of State on  
315 the next succeeding business day.

316 (5) It is not the intention of this section to vest the wide  
317 powers and authority herein provided for, as general powers of the  
318 Department of Public Safety, and the same are not hereby so  
319 vested, but to limit these general powers to cases and incidents  
320 wherein it is deemed necessary to prevent or suppress the offenses  
321 and conditions herein mentioned in this and other subsections of  
322 this section, and under the terms and conditions hereinabove  
323 enumerated, it being the sense of the Legislature that the prime  
324 duties of the Department of Public Safety are to patrol the  
325 highways of this state and enforce the highway safety laws.



326       (6) Patrol officers shall have no interest in any costs in  
327 the prosecution of any case through any court; nor shall any  
328 patrol officer receive any fee as a witness in any court held in  
329 this state, whether a state or federal court.

330       (7) Provided, however, that the general police power vested  
331 by virtue of the terms of subsection (2) of this section is solely  
332 for the purposes set out in said subsection.

333       **SECTION 5.** This act shall take effect and be in force from  
334 and after July 1, 2008.

