By: Representatives Yancey, Sanford, Hall To: Judiciary A

HOUSE BILL NO. 538
(As Sent to Governor)

AN ACT TO AMEND SECTION 25-1-119, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LAW PROHIBITING SANCTUARY POLICIES IN THE STATE INCLUDES ANY POLICY, ORDER, ORDINANCE, PRACTICE OR PROCEDURE, THAT LIMITS, RESTRICTS, BANS OR INTERFERES WITH THE ENFORCEMENT OF FEDERAL IMMIGRATION LAWS BY ANY PERSON; TO REQUIRE CERTAIN GOVERNMENT ENTITIES AND EMPLOYEES TO COOPERATE AND COMPLY WITH THE FEDERAL GOVERNMENT AND OTHER STATE AND LOCAL GOVERNMENTS WHEN ENFORCING FEDERAL IMMIGRATION LAWS; TO AUTHORIZE THE ATTORNEY GENERAL TO INVESTIGATE AND PROSECUTE ANY VIOLATION OF THIS SECTION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 25-1-119, Mississippi Code of 1972, is amended as follows:

25-1-119. (1) No * * * agency * * * or department * * * of this state; county, municipality or any other political subdivision of this state * * *; university, college, community college or junior college * * *; or any agent, employee * * *, officer or law enforcement agency thereof shall adopt, * * * implement or have in effect a policy, order * * *, ordinance, practice or procedure, that (a) limits, restricts, bans or interferes with the enforcement of lawful federal immigration laws by any person; (* * *b) limits or prohibits any person from

communicating or cooperating with federal agencies or officials to verify or report the immigration status of any person; or (* * *c) grants to any person the right to lawful presence or status within the state, or a county * * *, municipality or any other political subdivision of the state, or the campus of a university, college, community college or junior college in violation of state or federal law.

(2) Any policy, order * * *, ordinance practice or procedure, adopted in violation of this section shall be invalid and void from the date of its adoption or enactment and shall have no force or effect.

(3) All agencies and departments of this state; counties, municipalities and any other political subdivisions of this state; universities, colleges, community colleges and junior colleges; and all agents, employees, officers and law enforcement agencies thereof shall cooperate to the fullest extent possible with the federal government and other state and local governments in enforcing lawful federal immigration laws, complying with any immigration detainer request issued by the U.S. Immigration and Customs Enforcement, and providing information on all aliens within the state when requested by federal and other state and local government agencies, departments and law enforcement officials.

(4) The Attorney General shall investigate any agency or department of this state; county, municipality or any other

political subdivision of this state; university, college, community college or junior college; or any agent, employee, officer or law enforcement agency thereof alleged to be in violation of this section and upon finding a violation, the Attorney General shall:

(i) Bring an action for declaratory or injunctive relief to compel compliance;

(ii) Seek any other relief authorized by law to enforce this section; and

(iii) Pursue enforcement against any state or local official or employee to the fullest extent permitted by law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2026.