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Chapter No. 357

13/HR40/R1671

JAB / CST

HOUSE BILL NO. 770

Originated in House  Clerk

HOUSE BILL NO. 770

AN ACT TO AUTHORIZE THE MISSISSIPPI FAIR COMMISSION TO HIRE AND DESIGNATE LAW ENFORCEMENT OFFICERS ON A CONTRACTUAL BASIS TO PROVIDE SECURITY AND ENFORCE LAWS OF THE STATE ON THE MISSISSIPPI STATE FAIRGROUNDS COMPLEX; TO REQUIRE SUCH OFFICERS TO COMPLETE THE LAW ENFORCEMENT TRAINING ACADEMY; TO REQUIRE THE COMMISSION TO MAINTAIN A COMPLETE RECORD OF ALL LAW ENFORCEMENT TRAINING OF EACH EMPLOYEE IN HIS OR HER RECORD OF EMPLOYMENT; TO PRESCRIBE THE POWERS, DUTIES AND REQUIRED RESPONSIBILITIES OF SUCH OFFICERS; TO AMEND SECTIONS 29-5-2, 29-5-77 AND 29-5-81, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The Mississippi Fair Commission is authorized to hire and designate area law enforcement officers on a contractual basis to provide security and to enforce all laws of the State of Mississippi on the Mississippi State Fairgrounds Complex. All officers must have attended and satisfactorily completed the training course required for law enforcement officers at the Law Enforcement Officer's Training Academy or an equivalent facility. All officers must be current with this certification. A complete record of all law enforcement training

of each employee will be maintained in each employee's record of employment. Furthermore, the Mississippi Fair Commission may enter into a contract with any certified law enforcement officer to provide security to the Mississippi Fair Commission with jurisdiction to enforce all laws of the State of Mississippi on property known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property.

(2) (a) All officers while in performance of their duty on the premises or at any of the facilities under the direction or control of the Mississippi State Fair Commission and public property immediately adjacent to such facilities shall:

(i) Be required to dress in uniforms prescribed by the Mississippi State Fair Commission; and

(ii) Be authorized to carry weapons.

(b) Employees designated as officers shall be duly sworn and vested with authority to bear arms and make arrests, and shall exercise primarily the responsibilities of the prevention and detection of crime, the apprehension of criminals, and the enforcement of the ordinances and policies of the Mississippi State Fair Commission, a political subdivision of the State of Mississippi. Employees designated as such officers shall be considered law enforcement officers within the meaning of Section 45-6-3.

SECTION 2. Section 29-5-2, Mississippi Code of 1972, is amended as follows:

29-5-2. The duties of the Department of Finance and Administration shall be as follows:

(a) (i) To exercise general supervision and care over and keep in good condition the following state property located in the City of Jackson: the New State Capitol Building, the Woolfolk State Office Building, the Carroll Gartin Justice Building, the Walter Sillers Office Building, the War Veterans' Memorial Building, the Charlotte Capers Building, the William F. Winter Archives and History Building, the Ike Sanford Veterans Affairs Building, the Old State Capitol Building, the Governor's Mansion, the Heber Ladner Building, the Burroughs Building, the Robert E. Lee Office Building, the Robert E. Lee Parking Garage, the Manship House Restoration and Visitor Center, the State Records Center, the Robert G. Clark, Jr. Building, the Mississippi State Fairgrounds Complex, and all other properties acquired in the same transaction at the time of the purchase of the Robert E. Lee Hotel property from the First Federal Savings and Loan Association of Jackson, Mississippi, which properties are more particularly described in a warranty deed heretofore executed and delivered on April 22, 1969, and filed for record in the Office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, located in Jackson, Mississippi, on April 25, 1969, at 9:00 a.m., and recorded in Deed Book No. 1822, Page 136 et seq., the Central High Building, 101 Capitol Centre and the properties described in Section 1 of Chapter 542, Laws of 2009.

(ii) To exercise general supervision and care over and keep in good condition the Dr. Eldon Langston Bolton Building located in Biloxi, Mississippi.

(iii) To exercise general supervision and care over and keep in good condition the State Service Center, located at the intersection of U.S. Highway 49 and John Merl Tatum Industrial Drive in Hattiesburg, Mississippi.

(iv) To exercise general supervision and care over and keep in good condition any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board.

(b) To assign suitable office space for the various state departments, officers and employees who are provided with an office in any of the buildings under the jurisdiction or control of the Department of Finance and Administration. However, the assignment of space in the New Capitol Building shall be designated by duly passed resolution of the combined Senate Rules Committee and the House Management Committee, meeting as a joint committee, approved by the Lieutenant Governor and Speaker of the House of Representatives. A majority vote of the members of the Senate Rules Committee and a majority vote of the members of the House Management Committee shall be required on all actions taken,

resolutions or reports adopted, and all other matters considered by the full combined committee on occasions when the Senate Rules Committee and the House Management Committee shall meet as a full combined committee.

(c) To approve or disapprove with the concurrence of the Public Procurement Review Board, any lease or rental agreements by any state agency or department, including any state agency financed entirely by federal and special funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration, including space necessary for parking to be used by state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building. In no event shall any employee, officer, department, federally funded agency or bureau of the state be authorized to enter a lease or rental agreement without prior approval of the Department of Finance and Administration and the Public Procurement Review Board.

The Department of Finance and Administration is authorized to use architects, engineers, building inspectors and other personnel for the purpose of making inspections as may be deemed necessary in carrying out its duties and maintaining the facilities.

The provisions of this paragraph (c) shall stand repealed on July 1, 2014.

(d) To acquire by lease, lease-purchase agreement, or otherwise, as provided in Section 27-104-107, and to assign

through the Office of General Services, by lease or sublease agreement from the office, and with the concurrence of the Public Procurement Review Board, to any state agency or department, including any state agency financed entirely by federal and special funds, appropriate office space in the buildings acquired.

SECTION 3. Section 29-5-77, Mississippi Code of 1972, is amended as follows:

29-5-77. (1) The Department of Finance and Administration shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb including adjoining streets, sidewalks and leased parking lots within the Capitol complex, set forth in Section 29-5-2, the Court of Appeals Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board. The Department of Finance and Administration shall, through any person or persons appointed by the Department of Finance and Administration, or through the Department of Public Safety when requested by the Department of Finance and Administration, make arrests for any violation of any law of the State of Mississippi on those grounds of or within those

properties. The Department of Finance and Administration shall enforce the provisions of Sections 29-5-57 through 29-5-67, 29-5-71 through 29-5-77, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor.

(2) When in the opinion of the Governor or, in his absence, the Lieutenant Governor, it is readily apparent that an emergency exists that the persons appointed by the Department of Finance and Administration are unable to control in the accomplishment of the provisions of Sections 29-5-57 through 29-5-67, 29-5-71 through 29-5-77, and 29-5-81 through 29-5-95 in regard to law enforcement, then the Governor or, in his absence, the Lieutenant Governor, may call upon the Department of Public Safety, members of which shall have power to arrest and detain any persons violating the provisions of those sections of law, until the person can be brought before the proper authorities for trial.

(3) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Finance and Administration shall be authorized to enter into a contract for the Department of Finance and Administration to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(4) (a) The Department of Finance and Administration and the Department of Agriculture are authorized to enter into a

contract for the Department of Finance and Administration to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmer's Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Finance and Administration will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(b) The Department of Finance and Administration and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Finance and Administration to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Mississippi Fair Commission known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Finance and Administration and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Finance and Administration to supply the security personnel to the Mississippi Fair Commission with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property.

(5) The Department of Finance and Administration and the * * * Department of Revenue are authorized to enter into a contract for the Department of Finance and Administration to

supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the * * * Department of Revenue main office.

SECTION 4. Section 29-5-81, Mississippi Code of 1972, is amended as follows:

29-5-81. Grounds of public buildings over which the Department of Finance and Administration has jurisdiction shall comprise the following:

(a) In the City of Jackson, Mississippi:

(i) New State Capitol: Bounded on the north by High Street, on the west by North West Street, on the south by Mississippi Street, and on the east by North President Street;

(ii) Governor's Mansion: Bounded on the north by Amite Street, on the west by North West Street, on the south by Capitol Street and on the east by North Congress Street;

(iii) Woolfolk State Office Building: Bounded on the north by High Street, on the west by Lamar Street, on the south by Hamilton Street and on the east by North West Street;

(iv) Old State Capitol and War Veterans' Memorial Building Complex: Bounded on the north by Amite Street, on the west by North State Street and South State Street, on the south by Pearl Street and on the east by property of the Gulf, Mobile and Ohio Railroad Company;

(v) Carroll Gartin Justice Building and Walter Sillers Office Building Complex: Bounded on the north by George

Street, on the west by North West Street, on the south by High Street and on the east by North President Street;

(vi) Heber Ladner Building: Bounded on the north by Mississippi Street, on the west by North Congress Street, on the south by the property of Galloway Methodist Church used as a parking lot and on the east by the property on which the Mississippi Farm Bureau Federation Building stands;

(vii) State Board of Health Building: Bounded on the north by Stadium Drive, on the west by the property of Mississippi Hospital and Medical Service, on the southwest by property on which is located a Standard Oil service station, on the southeast by property leased by the Mississippi Federation of Women's Clubs and on the east by North State Street;

(viii) Robert E. Lee Building and other properties acquired in the same transaction: Particularly described in warranty deed executed and delivered on April 22, 1969, and filed for record in the Office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, located in Jackson, Mississippi, on April 25, 1969, at 9:00 a.m., and recorded in Deed Book No. 1822, Page 136 et seq.;

(ix) Charlotte Capers Building: Bounded on the north by the Old Capitol Building, on the west by South State Street, on the south by Pearl Street, and on the east by the Illinois Central Railroad tracks;

(x) William F. Winter Archives and History

Building: Bounded on the north by Mississippi Street, on the west by North Street, on the south by Amite Street, and on the east by Jefferson Street;

(xi) Mayfair Building: Bounded on the north by George Street, on the west by Northwest Street, on the south by Walter Sillers Office Building complex, and on the east by North President Street;

(xii) Court of Appeals Building: Bounded on the west by North State Street, on the north by George Street, on the east by North Street, and on the south by the building designated as 654 North State Street, including the parking area east of and adjacent to the 654 North State Street Building;

(xiii) Central High Building;

(xiv) 101 Capitol Centre: Located at 101 West Capitol Street, Jackson, Mississippi;

(xv) Robert G. Clark, Jr. Building: Located at 301 North Lamar Street, Jackson, Mississippi;

(xvi) The Barefield Property, the Sun-n-Sand Property and any other property described in Section 1 of Chapter 542, Laws of 2009 * * *;

(xvii) The Mississippi State Fairgrounds Complex, including, but not limited to, the Mississippi Coliseum, Trademart, Kirk Fordice Equine Center, Mississippi Street Armory, and all arenas, barns, buildings, campgrounds and property

whatsoever; such property being bounded on the north by High Street, on the west by Jefferson Street, on the east by Greymont Street, and on the south by Greymont Street.

(b) The Dr. Eldon Langston Bolton Building: Located in the City of Biloxi, Mississippi.

(c) The State Service Center: Located at the intersection of U.S. Highway 49 and John Merl Tatum Industrial Drive in the City of Hattiesburg, Mississippi.

(d) Any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board.

SECTION 5. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
January 31, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 7, 2013



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

3/18/13
5:25pm