



Mississippi State Senate

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MEMORANDUM

TO: ALL SENATORS

FROM: LEGISLATIVE SERVICES

DATE: MAY 3, 2023

Enclosed is a summary of general bills which were enacted during the 2023 Regular Legislative Session. Should any bill in which you are interested not appear or should you wish to have a more complete explanation of any measure, please let us know.

SUMMARY OF GENERAL LEGISLATION

2023 REGULAR SESSION

**Prepared by
Senate Legislative Services Office**

MAY 3, 2023

VETOED BILLS

The following general bills from the 2023 Regular Session have been vetoed by Governor Reeves as of May 3, 2023:

SB 2054. Vetoed 4/20/2023.

AN ACT TO AMEND SECTION 25-5-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REMOVAL OF APPOINTED STATE OFFICERS FOR CERTAIN FORMS OF WILLFUL NEGLIGENCE; AND FOR RELATED PURPOSES.

SB 2224. Vetoed 3/15/2023.

AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO EXAMINE AND ADDRESS ANY INEQUALITIES REGARDING PROVIDER REIMBURSEMENT RATES PAID BY AN INSURER, SUBCONTRACTOR, OTHER PAYOR OR BY THIRD-PARTY ADMINISTRATORS; TO PROVIDE THAT FAILURE TO COMPLY WITH RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER MAY RESULT IN A FINE NOT TO EXCEED \$10,000.00 PER VIOLATION; TO ADD A FOUR-YEAR REPEALER TO THE SECTION; TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENTS FOR A CLEAN CLAIM; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ADOPT RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THE SECTION; AND FOR RELATED PURPOSES.

SB 2612. Vetoed 4/20/2023.

AN ACT TO AMEND SECTION 19-5-9, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN COUNTIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF A COUNTY; TO AMEND SECTION 21-19-25, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN MUNICIPALITIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE MUNICIPALITY'S JURISDICTION; TO AMEND SECTION 73-59-1, MISSISSIPPI CODE OF 1972, TO INCREASE THE MONETARY THRESHOLD OF IMPROVEMENTS TO AN EXISTING RESIDENCE A PERSON MUST MEET IN ORDER TO FALL WITHIN THE DEFINITION OF REMODELER; TO AMEND 73-59-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH AN ALTERNATIVE LICENSURE PROCEDURE FOR THE STATE BOARD OF CONTRACTORS; AND FOR RELATED PURPOSES.

SB 2622. Vetoed 3/15/2023.

AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2024; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2026; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO PROVIDE CERTAIN QUALIFICATIONS OF PHYSICIANS QUALIFIED TO MAKE ADVERSE DETERMINATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED \$10,000 PER VIOLATION OF THE ACT; TO REQUIRE

HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO SET CERTAIN QUALIFICATIONS AND TIME CONSTRAINTS FOR PHYSICIANS MAKING ADVERSE DETERMINATIONS THROUGH ANY PROGRAM OF UTILIZATION REVIEW; TO AMEND SECTION 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

HB 603. Partially Vetoed 4/21/2023.

AN ACT TO DIRECT THE STATE TREASURER TO TRANSFER CERTAIN AMOUNTS FROM THE CAPITAL EXPENSE FUND TO THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND, THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND, THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND, THE ACE FUND, THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND, THE ECONOMIC DEVELOPMENT HIGHWAY FUND, THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND, THE ANIMAL DISEASE RESPONSE FUND, THE ECONOMIC DEVELOPMENT AND INFRASTRUCTURE FUND, THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FUND, THE CEF - DPS HEADQUARTERS BUILDING FUND, THE DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, AND THE 2023 DECLARATION OF INDEPENDENCE CENTER FOR THE STUDY OF AMERICAN FREEDOM FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND TO THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, AND TRANSFER A CERTAIN AMOUNT FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND TO THE CAPITAL EXPENSE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER CERTAIN AMOUNTS FROM THE STATE GENERAL FUND TO THE MEMA HAZARD MITIGATION FUND, AND THE MARCH 2023 STORM HOUSING MISSION FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND TO THE MISSISSIPPI MILITARY DEPARTMENT READINESS CENTERS FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE GULF COAST RESTORATION FUND TO THE 2023 GULFPORT COMMERCE CORRIDOR FUND; TO AMEND SECTION 29-17-6, MISSISSIPPI CODE OF 1972, TO DELETE THE 2022 PROJECT FOR THE MILITARY DEPARTMENT FROM THE 2022 STATE AGENCIES CAPITAL

IMPROVEMENTS FUND; TO CREATE THE FOLLOWING NEW SPECIAL FUNDS IN THE STATE TREASURY: THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2023 MISSISSIPPI MILITARY DEPARTMENT READINESS CENTERS FUND, THE MARCH 2023 STORM HOUSING MISSION FUND, THE ANIMAL DISEASE RESPONSE FUND, THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 GULFPORT COMMERCE CORRIDOR FUND, AND THE 2023 DECLARATION OF INDEPENDENCE CENTER FOR THE STUDY OF AMERICAN FREEDOM FUND; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND AND THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND FOR CERTAIN PROJECTS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND TO PAY THE COSTS OF CERTAIN INFRASTRUCTURE IMPROVEMENTS, GENERAL REPAIRS AND RENOVATIONS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND FOR CERTAIN PROJECTS; TO AUTHORIZE THE STATE TREASURER TO BORROW FUNDS FROM THE WORKING CASH-STABILIZATION RESERVE FUND TO OFFSET TEMPORARY CASH FLOW DEFICIENCIES IN THE GF OBLIGATIONS FUND; TO AMEND SECTION 17-23-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON THE REQUEST OF THE COMMISSIONER OF INSURANCE, THE STATE FISCAL OFFICER SHALL TRANSFER THE REQUESTED AMOUNTS FROM THE ANNUAL FIRE FUND TO THE RURAL FIRE TRUCK FUND, THE SUPPLEMENTARY RURAL FIRE TRUCK FUND, THE MUNICIPAL FIRE PROTECTION FUND AND/OR THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM AMOUNT OF FUNDS IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND THAT MAY BE ALLOCATED FOR CERTAIN TYPES OF PROJECTS; TO REVISE THE PURPOSES FOR WHICH MONIES IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND MAY BE USED; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING GRANTS MADE UNDER THIS SECTION; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; AND FOR RELATED PURPOSES.

HB 1089. Partially Vetoed 4/21/2023.

AN ACT TO AMEND SECTION 27-104-371, MISSISSIPPI CODE OF 1972, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED FROM DISBURSEMENTS FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 37-101-83, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSE OF A PROJECT FOR MISSISSIPPI VALLEY STATE UNIVERSITY FUNDED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 1, CHAPTER 109, LAWS OF 2022, TO REVISE THE APPROPRIATION OF GULF COAST RESTORATION

FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023 TO REVISE THE USE OF FUNDS TO THE HERITAGE SPRING WATER, LLC., AND TO DELETE ONE PROJECT; TO AMEND SECTION 5, CHAPTER 64, LAWS OF 2022, TO REVISE THE AUTHORIZED HEADCOUNT NUMBERS FOR THE DIVISION OF MEDICAID FOR PERMANENT AND TIME-LIMITED POSITIONS; TO AMEND SECTION 9, CHAPTER 98, LAWS OF 2022, TO REVISE THE PURPOSE OF THE APPROPRIATION TO THE WORKERS' COMPENSATION COMMISSION; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ACE FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES FROM THE PROCEEDS OF BONDS AND PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI BUSINESS INVESTMENT FUND AND THE MISSISSIPPI BUSINESS INVESTMENT SINKING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN A CERTAIN FUND CREATED IN THE MISSISSIPPI BUSINESS ACT MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-4-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ECONOMIC DEVELOPMENT HIGHWAY FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-1-183, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO TRANSFER FUNDS FROM THE 2022 INFRASTRUCTURE MATCH FUND TO THE DEPARTMENT'S AGENCY SUPPORT FUND SUBJECT TO CERTAIN PROVISIONS; AND FOR RELATED PURPOSES.

STATISTICS OF THE 2023 REGULAR SESSION

| | <u>2023</u> | <u>2022</u> | <u>2021</u> | <u>2020</u> |
|---|-------------|-------------|-------------|-------------|
| Bills Passed Both Houses | 472 | 460 | 374 | 418 |
| Bills That Became Law | 424 | 381 | 331 | 373 |
| Senate Bills Introduced | 1159 | 1212 | 1092 | 1063 |
| S.B. Passed by Senate | 299 | 293 | 240 | 286 |
| S.B. Passed by House | 243 | 212 | 162 | 194 |
| S.B. Died in Conference | 19 | 31 | 17 | 14 |
| S.B. Vetoed | 4 | 4 | 1 | 4 |
| S.B. Partially Vetoed | 0 | 1 | 1 | 0 |
| S.B. Vetoes Overridden | 0 | 0 | 0 | 0 |
| S.B. Approved by Governor | 216 | 162 | 138 | 154 |
| S.B. Became Law Without Governor's Signature | 1 | 1 | 2 | 19 |
| S.C.R. Introduced | 74 | 105 | 39 | 88 |
| S.C.R. Adopted by Senate | 60 | 92 | 27 | 73 |
| S.C.R. Adopted by House | 58 | 91 | 26 | 63 |
| S.R. Introduced | 111 | 63 | 63 | 66 |
| S.R. Adopted | 107 | 61 | 60 | 64 |
| House Bills Introduced | 1820 | 1769 | 1531 | 1814 |
| H.B. Passed by House | 387 | 379 | 339 | 377 |
| H.B. Passed by Senate | 229 | 248 | 212 | 220 |
| H.B. Died in Conference | 19 | 25 | 15 | 5 |
| H.B. Approved by Governor | 207 | 212 | 184 | 172 |
| H.B. Became Law Without Governor's Signature | 0 | 6 | 7 | 26 |
| H.B. Vetoed | 0 | 1 | 0 | 4 |
| H.B. Partially Vetoed | 2 | 1 | 1 | 2 |
| H.B. Vetoes Overridden | 0 | 0 | 0 | 1 |
| H.C.R. Introduced | 64 | 90 | 62 | 86 |
| H.C.R. Adopted by House | 35 | 59 | 41 | 52 |
| H.C.R. Adopted by Senate | 34 | 58 | 37 | 49 |
| Nominations Received | 97 | 158 | 94 | 47 |
| Nominations Approved | 89 | 147 | 78 | 38 |

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ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

SB 2053. Effective 7/1/23. Signed 4/13/23.

SB 2053, the Deficit Prevention Act, creates a new section which requires state agencies, departments and institutions to notify certain parties if such agency, department or institution determines that it is likely it will operate in a budget deficit in the current fiscal year. Those parties, which include the Governor, Lieutenant Governor, Speaker of the House, and the Chairmen of the House and Senate Appropriations Committees, must be notified within 15 days of such determination. The bill further provides that such agency, department or institution must then work with the Legislative Budget Office and the Department of Finance and Administration to develop a plan to avoid or limit the deficit.

SB 2312. See summary under County Affairs heading.

SB 2512. Effective 7/1/23. Signed 4/14/23.

SB 2512 creates a new section within Title 19, Chapter 5, to authorize county boards of supervisors to directly allocate Coronavirus State and Local Fiscal Recovery Funds made available under the American Rescue Plan Act of 2021 to any publicly constituted water or sewer association, water supply district, regional utility district or regional utility authority, or municipality for the purpose of funding water and sewer infrastructure projects.

SB 2514. Effective 7/1/23. Signed 4/17/23.

SB 2514 amends Sections 7-11-3 and 7-11-13 to clarify the authority of the Secretary of State to transfer land records to the Department of Archives and History for storage and preservation, if the Secretary of State determines that due to age, condition or material the preservation of such records is not within the capabilities of his office. The bill further provides that DFA shall permit the Secretary of State to access said documents or a copy thereof in order to fulfill his responsibilities as State Land Commissioner.

SB 2538. Effective upon passage. Signed 4/17/23.

SB 2538, the Mississippi Regional Pre-Need Disaster Clean Up Act, provides that counties and municipalities shall be authorized to participate in regional pre-need contracts, negotiated in advance by the State after a public bidding process, for disaster-related solid waste collection, disposal, and monitoring. SB 2538 amends Section 31-7-13 to establish the procedures, conditions and requirements for such contracts, including that there shall be nine regional contracts, one for each Mississippi Emergency Management Association (MEMA) district.

SB 2673. Effective 7/1/23. Signed 4/17/23.

SB 2673 provides for the separation of the Mississippi Real Estate Appraiser Licensing Board from the Mississippi Real Estate Commission, with the board to be known as the Mississippi Real Estate Appraisal Board after the separation is complete. The bill provides for the transition of functions and resources to an independent board and requires the Mississippi State Personnel Board, the Department of Finance and Administration and the Department of Information Technology Services to provide support during the transition. The bill amends Sections 73-34-3 and 73-34-5 to provide for the membership of the board. Further, the bill amends numerous other sections to reflect the new name of the board.

SB 2724. Effective upon passage. Signed 3/10/23.

SB 2724 exempts a Department of Public Safety contract for the construction of a new building in Pearl, Mississippi, from the public purchasing requirements of Sections 31-7-13 and 31-7-13.2.

SB 2844. Effective 7/1/23. Signed 4/17/23.

SB 2844 amends Section 25-1-77 to delete the requirement that when state agencies transfer vehicles between themselves, the recipient agency must pay the previous agency the National Automobile Dealers Association wholesale value or the estimate amount for which the vehicle would have sold at auction, as determined by the Bureau of Fleet Management within the Department of Finance and Administration, whichever is less.

SB 2853. Effective 7/1/23. Signed 4/12/23.

SB 2853 creates a new section within Title 31, Chapter 7, to require that, beginning January 1, 2025, state agencies and political subdivisions may only purchase small unmanned aircraft systems, or drones, which are manufactured in the United States by an American company and which possess certain collision avoidance systems. Further, the bill grants a 10% bid preference in public procurement for such drones to Mississippi manufacturers and servicing companies. The bill also prohibits state agencies from purchasing or operating drones manufactured or assembled from parts manufactured in the People's Republic of China.

HB 231. See summary under Drug Policy heading.

HB 538. Effective 7/1/23. Signed 3/22/23.

HB 538 amends Section 51-15-118 to provide that when a participating county in the Pat Harrison Waterway District withdraws from the district, such withdrawal shall not become effective until the close of the fiscal year in which the county has satisfied its obligations under the section with the district. The bill also amends Section 51-15-119 to require the board of directors of the district to provide its five-year plan containing a prioritized list detailing the purposes, goals and projected costs of projects which it intends to implement or is in the process of implementing to the Chairmen of the House and Senate Appropriations Committees.

HB 540. Effective 7/1/23. Signed 3/22/23.

HB 540 creates a pilot program to require the Department Of Finance and Administration to conduct solicitations for personal and professional services contracts in excess of \$75,000 for the Department Of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, instead of those agencies conducting their own solicitations.

HB 768. Effective 7/1/23. Signed 3/22/23.

HB 768 amends Section 25-9-127 to require an agency requesting an exemption from Mississippi State Personnel Board oversight to create a written plan describing the justification for requesting such exemption, including:

- The identification of issues the agency intends to address;
- The actions the agency plans to implement if the exemption is granted; and
- The number of affected positions, associated costs and the source of funds to pay for each action.

Such plan must be submitted to the Legislature and the State Personnel Board. If an agency is granted the exemption, it will be required to include in its annual report, the number of staff hired or promoted without the minimum qualifications for their positions during the exemption period and evidence to demonstrate that such staff are competent to perform their job duties.

HB 809. Effective 7/1/23. Signed 3/22/23.

HB 809 amends Section 77-2-7 to remove the requirement that the Public Service Commission submit to the Governor a list of qualified candidates for the position of Executive Director of the Public Utilities Staff. Instead, the Governor shall independently select and appoint such director.

HB 1310. See summary under Elections heading.

AGRICULTURE

SB 2523. Effective 7/1/23. Signed 3/21/23.

SB 2523 amends Sections 69-33-1, 69-33-3 and 69-33-9, Mississippi Code of 1972, to revise the criminal and civil penalties for violating the provisions of the pecan harvesting code. Sections 69-33-5 and 69-33-7, Mississippi Code of 1972, are brought forward for possible amendment.

- Section 69-33-1 amends the time period for harvesting season to begin on September 1 and end on January 31.
- Section 69-33-3 is amended to include a provision that states that anyone who is found to violate the law regarding picking up pecans in public right of ways, removing pecans from the limbs of pecan trees, or intentionally making the pecans fall, shall be guilty of a misdemeanor, and upon conviction shall be fined an amount not to exceed \$100 and/or be imprisoned for a period not to exceed 30 days in jail.
- Section 69-33-9 is amended to include a provision that any person who enters private property where pecan trees are grown for the purpose of removing pecans for their own financial benefit, and causes a detriment to the owner of the pecan trees, shall be found guilty of larceny and subject to the penalties of petit larceny or grand larceny. In addition to the potential fines and jail time, the court should also order restitution to the owner for the fair market value of the pecans. Fair market value shall be the value of the pecans at the time of the theft.

HB 232. Effective 7/1/23. Signed 3/22/23.

HB 232 amends Section 69-5-107, to relocate the fall dairy show typically held in Verona in Lee County, to Pontotoc in Pontotoc County.

HB 256. Effective 7/1/23. Signed 3/22/23.

HB 256 amends Section 69-37-17, to delete the repealer on the provision of law that requires the Mississippi Boll Weevil Management Corporation to submit the annual audit of its accounts to the Mississippi Department of Agriculture and Commerce no later than November 15.

HB 280. Effective 7/1/23. Signed 3/22/23.

HB 280 creates a study committee for the purpose of studying the purchasing, acquiring, leasing or holding an interest in agricultural land by foreign governments. The committee is comprised of nine members, consisting of the Commissioner of Agriculture and Commerce, legislators and appointees by the Governor, Lt. Governor and Speaker of the House. The committee is tasked with assessing and making recommendations to the Legislature regarding the total amount of agricultural land under foreign ownership; a 10-year review in the annual percentage change of agricultural land under foreign ownership; current purpose and usage of foreign-owned agricultural land; any changes in foreign ownership of water rights, water desalination facilities and energy production, storage or distribution facilities; the Mississippi Department of Agriculture and Commerce's assessment of the impact of any recent changes in foreign ownership of agricultural land in Mississippi, water rights and food security; any current prohibitions on the foreign ownership of Mississippi land and why such prohibitions are not being enforced and any legislative, regulatory or administrative policy changes the department recommends in light of the information in the report. The study committee shall develop and report its findings to the Legislature on or before December 1, 2023.

HB 363. Effective 7/1/23. Signed 3/22/23.

HB 363 amends Section 69-5-31, to exempt or maintain confidentiality of personal identifying information of law enforcement officers hired by the Department of Agriculture and Commerce, by requiring the department to redact the identities and personal information of officers contracted to serve on the Mississippi State Fairgrounds Complex, from all contracts disclosed as public records in compliance with the Mississippi Public Records Act; and to prohibit law enforcement contracts from being posted on the DFA's searchable website.

Section 69-42-1 is amended to delete the requirement for MDA to file an annual report on its efforts of administering a program it was tasked to develop and implement with regard to stimulating growth in the agricultural industry for agribusiness concerns and farmers.

Section 69-46-3 is amended to allow the Cochairmen of the Mississippi Land, Water and Timber Resources Board to determine meeting locations for meetings of the board which occur outside of the State Capitol in Jackson, MS.

Lastly, the bill repeals several provisions of law that provide for the establishment and which govern the administration of the "Mississippi Agribusiness Council Act of 1993.

HB 484. Effective 7/1/23. Signed 3/22/23.

HB 484 amends Sections 75-55-5 and 75-55-37, to delete the repealer on those sections of law, which provide definitions and penalties under the Petroleum Products Inspection Law of Mississippi.

Additionally, the bill amends Section 57-43-17, to authorize the Southern Rail Commission to prepare grant applications related to the establishment or maintenance of passenger rail service, enter into operating and other contractual agreements with providers of passenger rail service, and enter into agreements with owners or operators of railway tracks in order to provide for upgrades necessary to establish or maintain passenger rail service.

APPROPRIATIONS

SB 2167. See summary under Public Health and Welfare heading.

SB 2359. See summary under Tourism heading.

SB 2371. See summary under Economic and Workforce Development heading.

SB 2372. Effective on passage. Signed 4/17/23.

SB 2372 establishes the Mississippi Hospital Sustainability Grant Program for the purpose of strengthening, improving and preserving access to hospital care services for all Mississippians and in recognition of the challenges incurred by hospitals as a result of the COVID-19 pandemic. Under the bill, the State Department of Health administers the program to distribute funds to each hospital licensed by the State of Mississippi except for hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the Department of Mental Health. Further, the bill provides a distribution formula to allocate the funds as follows:

(a) Each hospital that has fewer than 100 licensed beds and that is not classified as a critical access hospital that operates an emergency department shall be eligible to receive \$625,000 to defray the costs of providing emergency department services.

(b) Each rural hospital that has fewer than 100 licensed beds and that is classified as a critical access hospital that operates an emergency department shall be eligible to receive \$500,000 to defray the costs of providing emergency department services.

(c) Each hospital that operates an emergency department and that has more than 100 licensed beds shall be eligible to receive \$1,000,000.

(d) Each hospital with fewer than 200 licensed beds with the majority of such beds being dedicated to providing specialty services such as women's health services, long-term acute care, rehabilitation or psychiatric services shall be eligible to receive \$500,000.

(e) Each rural hospital with fewer than 100 licensed beds with no emergency department shall be eligible to receive \$300,000 to defray the costs of providing access to hospital care in rural communities.

(f) In addition to the funds provided in paragraphs (a) through (e) above, each small rural hospital with 50 beds or less which operated an emergency department shall be eligible to receive \$250,000 to defray the costs of providing access to hospital care in rural communities.

(g) In addition to the funds distributed in paragraphs (a) through (c) and (e) through (f) above, any remaining funds appropriated for the purposes of this grant program shall be distributed to hospitals receiving funds in paragraphs (a) through (c) and (e) through (f) on a pro rata amount by dividing the total amount of the remaining funds by the number of licensed beds attributable to all licensed Mississippi hospitals except for licensed beds attributable to hospitals described in paragraph (d) and for licensed beds attributable to hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the Department of Mental Health and determining a dollar amount for each bed, and then multiplying that dollar amount by the number of licensed beds of that hospital.

Last, SB 2372 requires the Mississippi Hospital Association to form a work group to review the delivery of hospital services in Mississippi and make recommendations regarding the changes needed to sustain access to hospital care to certain public officials.

SB 2373. See summary under Universities and Colleges heading.

SB 2444. Effective on passage. Signed 4/14/23.

SB 2444 amends several programs that provide for the disbursement of ARPA funds.

Section 1 of SB 2444 amends Section 49-2-131 which establishes the Mississippi Municipality and County Water Infrastructure Grant Program administered by the Mississippi Department of Environmental Quality (MDEQ). The bill provides that MDEQ shall only accept two rounds of submissions under the grant program and that the second round of submissions shall be the final round. It also provides that MDEQ must apply a system for use in ranking the grant applications received, unless the Legislature funds all eligible grant requests under the program. Further, the bill provides that applications to the grant program shall be reviewed and scored as they are received, unless the Legislature funds all eligible grant requests under the program. The bill also provides that the remaining funds in the program as well as any funds not requested may be awarded or allocated in the final round of the program. Also, if the award was provided in the final round of grants and the Legislature provided the total amount of funds for all eligible grant requests, MDEQ is not required to submit the score of the application in its quarterly and annual reports to the Legislature.

Next, Section 2 of SB 2444 amends Section 41-3-16.1 which establishes the ARPA Rural Water Associations Infrastructure Grant Program administered by the State Department of Health (DOH). The bill provides that any rural water associations and any entity that received funding under the ARPA Rural Water Associations Infrastructure Grant Program or the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program before April 14, 2023, shall be ineligible for additional grants under the ARPA Rural Water Associations Infrastructure Grant Program. Also, the bill deletes language that a certain amount of the funds appropriated to DOH for the program be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction. The bill also provides that for the second round of grant awards, DOH should apply a greater weight to grant applications that promote the consolidation of separate systems and award certain points to systems that have consolidated within the five years prior to the date of their application. Further, in the second round of grant awards the maximum amount of funds that may be provided to any eligible association or entity from all grants under the program is \$2,000,000.

The bill makes one other amendment to Section 41-3-16.1 to define the term "entity." Under the bill, "entity" means:

- Any entity operating as a rural water association, regardless of whether such entities were user created, were initially organized not for profit, or have been granted tax-exempt status under state or federal law.
- Any nonprofit water or sewer provider not owned by the municipality or county and are not a Rural Water Association.

- Any entity eligible under this program shall be currently operating as a not-for-profit entity.

- "Entity" under this bill does not include any state agency. No state agency shall be eligible under this program.

Section 3 of SB 2444 also amends Section 57-123-11 which establishes a program for the purpose of providing funds to Mississippi Main Street Association to be administered by the Department of Finance and Administration (DFA). The bill provides that DFA shall make a second round of grants to disburse \$3,000,000 to Mississippi Main Street Association to be used for the purpose of making revitalization grants to certain Mississippi communities. The communities receiving funds are as follows:

- Eight communities with a population of more than 25,000 shall receive \$68,000.

- 40 communities with a population of not more than 25,000 shall receive \$61,400.

Next, Section 4 of SB 2444 amends Section 45-2-41 which establishes the Mississippi Law Enforcement and Fire Fighters Premium Pay Program administered by the Department of Public Safety (DPS). The bill provides any law enforcement officer or firefighter who received \$1,000 or more of premium pay from the county, municipality or other governmental entity that employed them from ARPA funds is not eligible to receive monies under this program. However, any law enforcement officer or firefighter who received less than \$1,000 of premium pay from the county, municipality or other governmental entity that employed the officer or firefighter from ARPA funds is eligible to receive from the monies under this program the difference between the amount of premium pay received from their employer and \$1,000.

Last, Section 5 of SB 2444 amends Section 25-3-25 to provide that a sheriff may receive the premium pay provided for in Section 45-2-41 as part of the sheriff's compensation.

SB 2454. Effective on passage. Signed 4/21/23.

SB 2454 directs the transfer of certain sums, makes technical amendments to provisions of law related to the state budget and amends an appropriation to the Department of Finance and Administration for the fiscal year 2023.

First, the bill directs the State Fiscal Officer, on April 21, 2023, to transfer a total of \$602,000,000 from the Capital Expense Fund to the following funds as listed below:

- \$450,000,000 to the 2022 Capacity Project Fund.
- \$100,000,000 to the 2022 Emergency Road and Bridge Fund.
- \$40,000,000 to the 2022 Infrastructure Match Fund.
- \$2,000,000 to the Mississippi Historic Site Preservation Fund.
- \$5,000,000 to the Mississippi Community Heritage Pres Grant Fund.
- \$5,000,000 to the Forestry Facility Grant Program.

Next, the bill directs the State Fiscal Officer, on April 21, 2023, to transfer the sum of \$10,000,000 from the General Fund to the Disaster Trust Fund.

Also, SB 2444 directs the State Fiscal Officer, during fiscal year 2024, to transfer the sum of:

- \$15,000,000 from the General Fund to the Mississippi Outdoor Stewardship Trust Fund;
- \$2,500,000.00 from the General Fund to the Human Trafficking Fund;

- \$30,000,000 from the Capital Expense Fund to the Strategic Multi-Modal Investments Fund created in Senate Bill No. 2559, 2023 Regular Session; and

- \$300,000 from the Capital Expense Fund to the Derelict Vessel Fund created in Section 49-27-71, Mississippi Code of 1972, to be used for the purposes of removal of Derelict Vessels provided in Section 49-27-71, Mississippi Code of 1972.

Further, SB 2444 amends Sections 65-1-141.1 and 65-1-141.2 to make a technical revision to the use of funds by the Mississippi Department of Transportation. The bill deletes references to a minute book and provides that the funds shall be used to provide for maintenance projects included in the Pavement Program of the Three-Year Plan as adopted by, amended by, or reissued by the Mississippi Transportation Commission.

Additionally, SB 2444 amends Section 2 of Senate Bill No. 2525, 2023 Regular Session, to provide that the Forestry Facility Grant Program Fund may be established with a sum of up to \$10,000,000.

Last, the bill amends Chapter 43, Laws of 2022, which is an appropriation to the Department of Finance Administration for the fiscal year 2023, to revise the purpose of the funds by deleting the reference to providing assistance to nonprofit museums and to revise the amount of funds appropriated from \$40,000,000 to \$35,000,000.

SB 2487. See summary under Universities and Colleges heading.

SB 2495. See summary under Corrections heading.

SB 2616. Effective 7/1/23. Signed 4/19/23.

SB 2616 amends Section 73-35-17 to reduce the application fee for a real estate broker's license from \$150 to \$100. It also reduces the application fee for a real estate salesperson's license from \$120 to \$100. Further, the bill provides that the following two fees shall repeal on July 1, 2025:

- The application fee for a real estate broker's license;

and

- The fee for each license as a real estate broker issued to a member of a partnership, association or officer of a corporation other than the member or officer named in the license issued to such partnership, association or corporation.

Last, SB 2616 directed the transfer of \$120,000 during the fiscal year 2024 from the Real Estate License Fund to the Real Estate Appraiser License Fund.

SB 2663. Effective on passage. Signed 3/14/23.

SB 2663 amends Section 39-5-22 to revise the eligibility standards for a grant from the "Mississippi Historic Site Preservation Fund." The bill deletes the requirement that the site be individually listed in the National Register of Historic Places; instead, the site must be determined eligible for listing in the National Register of Historic Places by the Historic Preservation Division of the Department of Archives and History. Further, the bill deletes the requirement that the site shall be specified by the Legislature in the annual appropriation to the department; instead, the site shall be approved by the Board of Trustees of the Department of Archives and History.

Last, the bill requires the Department of Archives and History to submit an annual report to the Lieutenant Governor, Speaker of the House, the Chairs of the House and Senate Appropriations Committees, and the Legislative Budget Office, containing a listing of the grant applications received, the name of the historic sites, the amount of grant funds requested and awarded from the received grant applications.

SB 2664. Effective on passage. Signed 3/28/23.

SB 2664 revises several appropriations in the fiscal year 2023, directs the transfer of certain monies, makes certain revisions to provisions of law related to the state budget, and creates special funds.

First, the bill amends Chapter 103, Laws of 2022, which is an appropriation to the Department of Public Safety for the fiscal year 2023, to revise the name of the fund referenced in Sections 1 and 4 of Chapter 103, Laws of 2022, from the Coronavirus State Fiscal Recovery Fund to the Coronavirus State Fiscal Recovery Lost Revenue Fund. Next, the bill directed the State Fiscal Officer to transfer \$12,000,000 from the Coronavirus State Fiscal Recovery Fund to the Coronavirus State Fiscal Recovery Lost Revenue Fund.

Second, SB 2664 amends Chapter 9, Laws of 2022, which is an appropriation to the Board of Psychology for the fiscal year 2023, to increase the amount of funds set aside for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11 from \$13,000 to \$26,000.

Third, the bill amends Chapter 74, Laws of 2022, which is an appropriation to the Authority for Educational Television for the fiscal year 2023, to revise the name of the fund referenced in Section 15, Chapter 74, Laws of 2022, from the General Fund to the Capital Expense Fund.

Fourth, the bill amends Chapter 81, Laws of 2022, which is an appropriation to the Department of Finance and Administration - Office of Insurance for the fiscal year 2023, to revise the purpose of Section 1 of Chapter 81 that the sum appropriated is for the purpose of reimbursing the plan for eligible expenses incurred on or after March 3, 2021, through the final expenditure date as determined by the U.S. Treasury.

Fifth, SB 2664 creates the "2022 MS Ports Improvements Fund" and the "2022 MS Land, Water and Timber Resources Fund" as special funds in the State Treasury. It also amends Chapter 482, Laws of 2022 to direct the State Fiscal Officer to transfer certain funds from the Capital Expense Fund into the "2022 MS Ports Improvements Fund" and the "2022 MS Land, Water and Timber Resources Fund."

Sixth, the bill amends Section 27-65-75 to extend the automatic repealer on education enhancement funds directed to transfer to the Educational Facilities Revolving Loan Fund.

Seventh, the bill amends Section 27-103-127 to create the "aeronautics, rail, and other program" within the Department of Transportation's budget.

Last, the bill directs the State Fiscal Officer, during the fiscal year 2023, to transfer the sum of:

- \$20,000,000 from the General Education EEF Fund to the Educational Facilities Revolving Loan Fund created in Section 37-47-24.
- \$1,266,024.98 from the Mississippi Veterans Affairs Grant Fund to the Mississippi Veterans' Home Fund.

SB 2722. See summary under Public Property heading.

SB 2723. See summary under Public Property heading.

SB 2749. See summary under Education heading.

SB 2750. See summary under Public Health and Welfare heading.

HB 419. See summary under Tourism heading.

HB 518. See summary under Public Health and Welfare heading.

HB 521. See summary under Insurance heading.

HB 529. See summary under Judiciary, Division B heading.

HB 584. See summary under Public Health and Welfare heading.

HB 602. Effective 7/1/23. Signed 4/17/23.

HB 602 amends Section 25-31-2 to increase the office operating allowance for district attorneys for the necessary expenses of operating the office of the district attorney from \$35,000 to \$50,000 for each district.

HB 603. Effective on passage. Partially vetoed 4/21/23.

I. HB 603 directs the State Fiscal Officer to make various transfers of funds in the State Treasury as follows:

- \$371,896,000 from the Capital Expense Fund to the 2023 Local Improvements Projects Fund created in this bill.
- \$193,252,000 from the Capital Expense Fund to the 2022 IHL Capital Improvements Fund created in Section 37-101-83.
- \$40,000,000 from the Capital Expense Fund to the 2022 Community and Junior Colleges Capital Improvements Fund created in Section 37-29-321.

- \$45,500,000 from the Capital Expense Fund to the 2022 State Agencies Capital Improvements Fund created in Section 29-17-6.
- \$10,000,000 from the Capital Expense Fund to the 2022 Department of Finance and Administration Statewide Repair and Renovation Fund created in Section 27-104-111.
- \$10,000,000 from the Capital Expense Fund to the ACE Fund created in Section 57-1-16.
- \$20,000,000 from the Capital Expense Fund to the Mississippi Site Development Grant Fund created in Section 57-1-701.
- \$2,000,000 from the Capital Expense Fund to the Economic Development Highway Fund created in Section 65-4-15.
- \$10,000,000 from the Capital Expense Fund to the Mississippi Industry Incentive Financing Revolving Fund created in Section 57-1-221.
- \$250,000 from the Capital Expense Fund to the Animal Disease Response Fund created in this bill.
- \$13,759,700 from the 2022 Local Improvements Projects Fund to the 2023 Local Improvements Projects Fund created in this bill.
- \$13,000,000 from the 2022 Local Improvements Projects Fund to the Capital Expense Fund.
- \$3,000,000 from the Capital Expense Fund to the Economic Development and Infrastructure Fund created in Section 57-1-501 to be used for the purposes provided in that section.
- \$4,000,000 from the Capital Expense Fund to the Mississippi Major Economic Impact Authority Fund created in Section 57-75-15 to be used for projects defined in Section 57-75-5(f)(ii).

- \$38,000,000 from the Capital Expense Fund to the CEF - DPS Headquarters Building Fund to be used by the Department of Finance and Administration as follows: \$32,000,000 for continuation of construction, furnishing and equipping the new Department of Public Safety headquarters building in Rankin County; and \$6,000,000 for continuation of construction, furnishing and equipping of the new Troop G Highway Patrol Substation in Starkville.

- \$6,518,942 from the State General Fund to the MEMA Hazard Mitigation Fund.

- \$6,000,000 from the Coronavirus State Fiscal Recovery Fund to the Coronavirus State Fiscal Recovery Lost Revenue Fund.

- \$2,000,000 from the 2022 State Agencies Capital Improvements Fund created in Section 29-17-6 to the Mississippi Military Department Readiness Centers Fund created in this bill.

- \$7,000,000 from the State General Fund to the March 2023 Storm Housing Mission Fund created in this bill.

- \$25,000,000 from the Capital Expense Fund to the 2023 DeSoto County Infrastructure Improvements Fund created in this bill.

- \$15,000,000 from the Capital Expense Fund to the 2023 Lafayette County Infrastructure Improvements Fund created in this bill.

- \$15,400,000 from the Gulf Coast Restoration Fund to the 2023 Gulfport Commerce Corridor Fund created in this bill.

- \$4,000,000 from the Capital Expense Fund to the 2023 Declaration of Independence Center for the Study of American Freedom Fund created in this bill.

II. The bill also creates the following new special funds in the State Treasury:

- The 2023 Local Improvements Projects Fund, to be disbursed by the Department of Finance and Administration as described in Part VII of the summary of the bill.

- The 2023 Mississippi Military Department Readiness Centers Fund, to be expended by the Mississippi Military Department to pay the costs of planning, repairs, renovations, expansions, upgrades and furnishing and equipping of Readiness Centers.

- The March 2023 Storm Housing Mission Fund, to be expended by the Mississippi Emergency Management Agency to provide the state match for the Federal Emergency Management Agency's temporary housing mission for the individuals impacted by the severe weather event on March 24 and 25, 2023.

- The Animal Disease Response Fund, to be expended by the Mississippi Board of Animal Health to respond to animal disease outbreaks.

- The 2023 DeSoto County Infrastructure Improvements Fund, to be used by the Department of Finance and Administration to assist the Mississippi Department of Transportation in paying the costs associated with infrastructure improvements on Interstate 55 from Church Road to Goodman Road in Desoto County.

- The 2023 Lafayette County Infrastructure Improvements Fund, to be used by the Department of Finance and Administration to assist the Mississippi Department of Transportation in paying the costs associated with infrastructure improvements on Highway 7 from Highway 9 to 0.2 miles North of Highway 6 in Lafayette County.

- The 2023 Gulfport Commerce Corridor Fund, to be used by the Department of Finance and Administration to assist in paying the costs associated with the Gulfport Commerce Corridor project located in the City of Gulfport.

- The 2023 Declaration of Independence Center for the Study of American Freedom Fund, to be expended by the Board of Trustees of State Institutions of Higher Learning to support the operations of the Declaration of Independence Center for the Study of American Freedom at the University of Mississippi, subject to certain conditions imposed on the Center.

III. The bill also provides that \$193,252,000 transferred by this bill into the 2022 IHL Capital Improvements Fund created in Section 37-101-83 will be disbursed by the Department of Finance and Administration for the following purposes:

(1) Alcorn State University.....\$13,197,500

- \$13,197,500 for repair, renovation, and expansion of and upgrades, improvements and additions to the David L. Whitney Complex and Wellness Center.

(2) Alcorn State University/Division of Agriculture.....\$620,000

- \$620,000 for preplanning for renovation of the poultry science facilities on the Lorman Campus into a Poultry/Animal Science Center Academic Research Center Building Complex.

(3) Delta State University.....\$8,122,500

- \$2,800,000 for repair, renovation, and upgrading of campus buildings and facilities.

- \$5,322,500 for repair and renovation of and upgrades, improvements and additions to the Walter Sillers Coliseum.

(4) Jackson State University.....\$8,013,000

- \$8,013,000 for construction, furnishing and equipping of a new residence hall and related facilities.

(5) Mississippi State University.....\$20,732,500

- \$5,732,500 for repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities to house the College of Architecture, Art and Design.

- \$15,000,000 for repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities of the Kinesiology and Autism Building.

(6) Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine.....\$14,755,000

- \$1,300,000 for repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.

- \$455,000 for preplanning for renovation of and upgrades and improvements to the Bost Extension Center.

- \$13,000,000 for repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.

(7) Mississippi University for Women.....\$9,312,500

- \$8,712,500 for repair, renovation, and upgrading of campus buildings and facilities.

- \$300,000 for preplanning for repair and renovation of and upgrades and improvements to Old Pohl Gym.

- \$300,000 for preplanning for repair and renovation of and upgrades and improvements to the Hogarth Center.

(8) Mississippi Valley State University.....\$3,427,500

- \$3,427,500 for demolition of Leflore Hall and preplanning for construction, furnishing and equipping of a new residence hall and related facilities.

(9) University of Mississippi.....\$18,382,500

- \$14,382,500 for planning and construction, furnishing and equipping of a new building and related facilities to house the School of Accountancy.

- \$4,000,000 for repair, renovation, and expansion of the Nursing School in Oxford.

(10) University of Mississippi Medical Center....\$56,886,500

- \$11,350,000 for repair, renovation, and upgrading of campus buildings and facilities.
- \$4,000,000 for upgrades and improvements to elevators and related facilities.
- \$1,536,500 for implementation of campus wayfinding system.
- \$40,000,000 for construction, furnishing and equipping of a new Dental School.

(11) University of Southern Mississippi.....\$22,162,500

- \$17,162,500 for construction, furnishing and equipping of a new science research facility.
- \$5,000,000 for repair and renovation of the Criminal Justice Building and improvements to the Forensic Lab.

(12) University of Southern Mississippi/Gulf Coast Campuses.....\$11,140,000

- \$640,000 for repair, renovation, and upgrading of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.
- \$10,000,000 for Ocean Enterprise at the Port of Gulfport.
- \$500,000 for Dubard School and Children's Center for Communication and Development - Gulf Park campus for furnishing and equipment.

(13) IHL Education and Research Center.....\$6,500,000

- \$6,500,000 for replacement of a chiller and related equipment for the campus air conditioning and heating system; replacement of cooling tower and related equipment for the campus air conditioning and heating system; replacement of roof for the Universities Center; and replacement of campus emergency management system.

IV. The bill also provides that \$40,000,000 transferred by this bill into the 2022 Community and Junior Colleges Capital Improvements Fund created in Section 37-29-321 will be disbursed by the Department of Finance and Administration to the community and junior colleges as follows:

| | |
|-----------------------------|--------------|
| Coahoma..... | \$ 1,878,939 |
| Copiah-Lincoln..... | 2,225,161 |
| East Central..... | 2,040,946 |
| East Mississippi..... | 2,391,284 |
| Hinds..... | 4,251,234 |
| Holmes..... | 3,037,415 |
| Itawamba..... | 2,728,619 |
| Jones..... | 2,703,237 |
| Meridian..... | 2,171,922 |
| Mississippi Delta..... | 1,973,915 |
| Mississippi Gulf Coast..... | 3,873,133 |
| Northeast Mississippi..... | 2,556,646 |
| Northwest Mississippi..... | 3,311,303 |
| Pearl River..... | 2,971,077 |
| Southwest Mississippi..... | 1,885,169 |

V. The bill also provides that \$45,500,000 transferred by this bill into the 2022 State Agencies Capital Improvements Fund created in Section 29-17-6 will be disbursed for the following purposes:

- (1) Mississippi Department of Health.....\$6,000,000
 - \$6,000,000 for planning, repair, and renovation to building envelope at Osborne Building.
- (2) Department of Mental Health.....\$15,000,000
 - \$15,000,000 for planning, repair, renovation, improvements, furnishing and upgrading of department facilities, grounds and infrastructure.

(3) Department of Corrections.....\$24,500,000

• \$24,500,000 for planning, repair and renovation and upgrading of department facilities, grounds and infrastructure.

VI. The bill also provides that \$10,000,000 transferred by this bill into the 2022 Department of Finance and Administration Statewide Repair and Renovation Fund created in Section 27-104-111 will be disbursed by the Department of Finance and Administration to pay the costs of site and infrastructure improvements, general repairs and renovations, weatherization, roofing, environmental mitigation, mechanical, electrical and structural repairs required for state-owned facilities, universities and community and junior colleges, repairs, renovations and improvements necessary for compliance with the Americans with Disabilities Act or other codes, purchase and installation of necessary furniture and equipment, and continuation and completion of previously authorized projects.

VII. The bill also provides that \$385,655,700 transferred by this bill into the 2023 Local Improvements Projects Fund will be disbursed by the Department of Finance and Administration for the following purposes:

• To assist the City of Indianola in paying costs associated with purchasing six new police cars for the city's police department.....\$ 400,000.00

• To assist Sunflower County in paying costs associated with completing construction of the county's Transitional Shelter for Homeless Families.....\$ 300,000.00

• To Tishomingo County to assist the Belmont Volunteer Fire Department in paying costs associated with the purchase of equipment.....\$ 25,000.00

- To Alcorn County to assist the Rienzi Volunteer Fire Department in paying costs associated with the purchase of equipment.....\$ 25,000.00
- To assist Prentiss County in paying costs associated with replacing bridge SA 59-029 and repaving and restoring County Road 1475 and County Road 1481 located in Supervisors District 5 in Prentiss County.....\$ 450,000.00
- To assist Alcorn County in paying costs associated with ongoing repair and renovation of the Alcorn County Courthouse.....\$ 1,000,000.00
- To Kossuth to assist in paying costs associated with renovation of the LC Follin Community Center.....\$ 150,000.00
- To assist the City of Corinth in paying costs associated with repair and renovation to include the Coliseum and South Corinth High School.....\$ 500,000.00
- To Alcorn County to assist in paying costs associated with construction of a new fire station for the Jacinto Volunteer Fire Department.....\$ 100,000.00
- To assist Alcorn County in paying costs associated with special operations at the county's Emergency Management Agency.....\$ 400,000.00
- To assist the City of Corinth in paying costs associated with improvements to and maintenance of Harper Road.....\$ 500,000.00
- To assist the City of Corinth in paying costs associated with general assistance to Corinth Theatre-Arts.....\$ 25,000.00
- To assist the City of Jackson in paying costs associated with renovations and upgrades for the Jackson Planetarium.....\$1,000,000.00*

- To assist the City of Waynesboro with infrastructure improvements at the Waynesboro Sports Complex.....\$ 1,500,000.00
- To assist George County in paying costs associated with construction of the Agricola Multipurpose Center in George County.....\$ 400,000.00
- To assist George County in paying costs associated with the construction of the Basin-Barton Multipurpose Facility.....\$ 1,800,000.00
- To assist Jackson County in paying costs associated with construction of a multipurpose arena.....\$ 750,000.00
- To assist Itawamba County in paying costs associated with repair and renovation of the Itawamba County Courthouse.....\$ 1,500,000.00
- To assist the Town of Tremont in paying costs associated with repair and remodeling of the town's Town Hall.....\$ 150,000.00
- To assist Itawamba County with providing funds to Volunteer Fire Departments located in the county, at the discretion of the Fire Coordinator.....\$ 150,000.00
- To assist the City of Fulton in paying costs associated with renovation and remodeling of the city's City Hall and costs associated with street repairs.....\$ 500,000.00
- To assist Itawamba Community College in paying costs associated with capital construction related to the Health Sciences program.....\$ 1,500,000.00
- To assist the City of Jackson to provide a federal match to the Jackson Redevelopment Authority for the train station.....\$ 420,000.00

- To assist the Lighthouse Academy for Dyslexia in Ocean Springs in paying costs for general purposes for dyslexia services.....\$ 200,000.00
- To assist the City of Long Beach in paying costs associated with purchasing portable equipment, including a portable stage to promote tourism.....\$ 200,000.00
- To assist Lee County in paying costs associated with the purchase of a fire truck for the Richmond Volunteer Fire Department.....\$ 350,000.00
- To assist the Town of Tunica in paying costs associated with road improvements.....\$ 500,000.00
- To assist the Town of Marks in paying costs associated with making water and sewer improvements in the town.....\$ 500,000.00
- To assist the Town of Coldwater in paying costs associated with paving the town square.....\$ 500,000.00
- To assist the Town of Coldwater in paying costs associated with the purchase of fire trucks.....\$ 250,000.00
- To assist the City of Pascagoula in paying costs associated with making upgrades and improvements to the Pascagoula City Hall building and related facilities.....\$ 2,000,000.00
- To assist the City of Pascagoula for the Pascagoula Police Department in providing an East Pascagoula Police SubStation.....\$ 2,000,000.00
- To assist the Petal School District Board of Trustees in paying costs associated with the repair and renovation of and upgrades and improvements to the district's Central Office Building and related facilities in Petal.....\$ 1,000,000.00

- To assist Lauderdale County in paying costs associated with building a new fire station for the Bailey Volunteer Fire Department.....\$ 100,000.00
- To assist Tishomingo County in paying costs associated with repairs to the Tishomingo County Courthouse.....\$ 500,000.00
- To assist Alcorn County in paying costs associated with building a new fire station on Kendrick Road for the Farmington Volunteer Fire Department.....\$ 100,000.00
- To assist the City of Lexington in paying costs associated with the purchase of sewage pumping and vacuuming equipment and making street improvements.....\$ 100,000.00
- To assist the Village of Eden with construction and repair of Town Hall and a safe room.....\$ 100,000.00
- To assist Holmes County in paying costs associated with renovation of the Holmes County Courthouse.....\$ 150,000.00
- To assist the Jackson Public School District with the Career Development Center in paying costs associated with parking lot resurfacing, including restriping and drainage repairs.....\$ 250,000.00
- To assist the Jackson Public School District with the Career Development Center in paying costs associated with trade shop repairs and upgrades, including roof leak repairs.....\$ 250,000.00
- To assist the Jackson Public School District with the Career Development Center in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson.....\$ 100,000.00

- To assist the Town of Centreville in paying costs associated with the completion of construction, furnishing and equipping of a recreation center.....\$ 500,000.00
- To assist Harrison County with the following fire stations with various costs, funds are to be allocated equally: Vidalia Fire Station, Delisle Fire Station, Cuevas Fire and Rescue Station, and Henderson Point Fire Station.....\$ 100,000.00
- To assist the City of Pass Christian with various costs for the city's fire department.....\$ 25,000.00
- To assist the City of Pass Christian with various costs for the city's police department.....\$ 25,000.00
- To assist the City of New Albany in paying costs associated with central business district renovations, upgrades and improvements as part of the city's downtown revitalization project.....\$ 500,000.00
- To assist Union County in paying costs associated with the repair and renovation of and upgrades and improvements to the Union County Courthouse and Veterans Park in New Albany.....\$ 500,000.00
- To assist the City of Jackson, acting through its Department of Planning and Development, in paying costs associated with the acquisition, demolition and/or removal of blighted properties in the City of Jackson and in the Mississippi House of Representatives District 71.....\$ 250,000.00
- To assist Lincoln County in paying costs associated with the acquisition and installation of HVAC systems and equipment for the county courthouse.....\$ 250,000.00

- To assist Lincoln County in paying costs associated with renovations to the jail.....\$ 500,000.00
- To assist Desoto County in paying costs associated with purchasing equipment for Alphaba-Cockrum-Ingrams Mill Volunteer Fire Department.....\$ 25,000.00
- To assist Desoto County in paying costs associated with purchasing equipment for the Lewisburg Volunteer Fire Department.....\$ 25,000.00
- To assist Desoto County in paying costs associated with the purchasing of equipment for the Love Volunteer Fire Department.....\$ 25,000.00
- To assist the City of Oxford in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police Department.....\$ 4,000,000.00
- To assist Lafayette County in paying the costs associated with the extension of West Oxford Loop in Lafayette County.....\$ 1,000,000.00
- To assist the City of D'Iberville in paying costs associated with the Mallett Road and Sangani Boulevard intersection and widening project.....\$ 1,000,000.00
- To assist the City of Philadelphia in paying costs associated with purchasing police cars for the Philadelphia Police Department.....\$ 160,000.00
- To assist Kemper County in paying costs associated with improvements within the county.....\$ 300,000.00
- To assist the Town of Scooba in paying costs associated with town improvements.....\$ 50,000.00
- To assist Kemper County in paying costs associated with purchasing fire equipment for the Kemper County Volunteer Fire Department.....\$ 60,000.00

- To assist Kemper County in paying costs associated with water line improvements for the Porterville Water Association.....\$ 200,000.00
- To assist East Mississippi Community College in paying costs associated with upgrades to equipment, furnishings and facilities for the Career Technical Education Program.....\$ 2,000,000.00
- To assist the City of Biloxi in paying costs associated with providing general support for the Boys and Girls Club of Biloxi.....\$ 1,000,000.00
- To assist Warren County in paying costs to assist the Warren County Sheriff's Office with site work and infrastructure improvements to the future Warren County Jail site.....\$ 1,000,000.00
- To assist Madison County in paying costs associated with the Reunion Parkway and Bozeman Road expansion project.....\$12,000,000.00
- To assist the Town of Edwards in paying costs associated with improvements to the town's fire station.....\$ 250,000.00
- To assist the Town of Raymond in paying costs associated with repair and rehabilitation of the water tank on the town square in downtown Raymond and the Raymond water tank on the Hinds Community College campus.....\$ 250,000.00
- To assist Clay County in paying costs associated with paving and resurfacing of Lake Grove Road and Randle Road in Supervisors District 4 in Clay County.....\$ 1,000,000.00
- To assist Monroe County with costs associated for the Prairie Rural Community Development Club to renovate the old Prairie School Building for use as a multi-purpose center.....\$ 250,000.00

- To assist the City of West Point in paying costs associated with renovations to City Hall.....\$ 500,000.00
- To assist Greene County in paying costs associated with road construction and road repairs in the county.....\$ 500,000.00
- To assist the City of Clinton in paying costs associated with Phase II of site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton.....\$ 8,000,000.00
- To assist the City of Clinton in paying costs associated with the Clinton Raymond Bolton Edwards Water and Sewer Plant Capacity Expansion project.....\$20,000,000.00
- To assist the Gloster Southern Railroad with costs associated with line installations and new lines.....\$ 8,000,000.00
- To assist the Town of Flora in paying costs associated with water, sewer and drainage from Odom Road to Jackson Street and water infrastructure from McGraw Street to Peach Street.....\$ 2,500,000.00
- To provide general assistance to the Mississippi Sports Hall of Fame.....\$ 500,000.00
- To assist the City of Greenville in paying the costs associated with repairs and renovations to Frisby Park, Greenville Municipal, Maude Bryan Park and Rounds Park.....\$ 500,000.00*

- To assist the City of Picayune in paying costs associated with construction, equipping and furnishing of a new burn building and any related structures and facilities for the Picayune Fire Department to replace the existing burn building.....\$ 350,000.00
- To assist the City of Picayune in paying costs associated with repairs and maintenance at the Picayune Memorial High School.....\$ 150,000.00
- To assist the Administrative Office of Courts in paying costs associated with technological upgrades, equipment, furnishings, and installation for Courtroom 4 of the Hinds County Courthouse.....\$ 50,000.00
- To assist the City of Hazlehurst in paying costs associated with repairs, renovations, educational programming, and expansion to the Mississippi Music Museum.....\$ 150,000.00
- To assist the City of Hazlehurst in paying costs associated with the Phase 5 Renovation Project of the Millsaps House.....\$ 200,000.00
- To assist the Village of Beauregard in paying costs associated with the construction of a community center.....\$ 400,000.00
- To assist the City of Eupora in paying costs associated with repaving and repair of streets.....\$ 400,000.00
- To assist the Town of French Camp in paying the costs associated with sidewalk repairs and infrastructure improvements for the town's Downtown Historic Area.....\$ 75,000.00
- To assist Choctaw County in paying costs associated with road repairs and resurfacing in Beat 3 Choctaw County.....\$ 300,000.00

- To assist Choctaw County in paying costs associated with road repairs and resurfacing in Beat 1

Choctaw County.....\$ 150,000.00
- To assist Choctaw County in paying costs associated with road repairs and resurfacing in Beat 5

Choctaw County.....\$ 150,000.00
- To provide funds to be distributed equally among the following fire departments in Choctaw County to assist in paying various department costs: Reform Volunteer Fire Department, Town of Ackerman Fire Department, ByWy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department, Town of French Camp Fire Department.....\$ 200,000.00
- To provide funds to be distributed equally among the following fire departments in Webster County to assist in paying various department costs: Tomnolen Fire Department, City of Eupora Fire Department and Town of Mathiston Fire Department.....\$ 75,000.00
- To assist the Town of Ackerman in paying costs associated with road repairs and resurfacing.....\$ 250,000.00
- To assist the Town of Mathiston in paying costs associated with improvements to the town's infrastructure.....\$ 200,000.00
- To assist VFW Post 3806 in the City of Eupora in paying costs associated with the Post building and Post activities.....\$ 25,000.00
- To assist American Legion Post 82 in the Town of Ackerman in paying costs associated with the Post building and Post activities.....\$ 25,000.00

- To assist the Town of Noxapater in paying costs associated with road repairs and resurfacing.....\$ 200,000.00
- To provide funds to be distributed equally among the following fire departments in Winston County to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Fire Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department and Beth Eden Volunteer Fire Department.....\$ 100,000.00
- To assist the Town of Weir in paying costs associated with repainting and other necessary repairs to the water tank.....\$ 200,000.00
- To assist the City of Grenada in paying costs associated with street resurfacing.....\$ 1,000,000.00
- To assist Grenada County in paying costs associated with improvements to the Nat Trout Road and Hawkins Entrance.....\$ 500,000.00
- To assist Carroll County in paying costs associated with general road resurfacing and maintenance.....\$ 750,000.00
- To provide funds to be distributed equally among the 18 volunteer fire departments in Lauderdale County to assist in paying various department costs.....\$ 360,000.00
- To assist the City of Pontotoc in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location.....\$ 1,000,000.00
- To assist the City of Pontotoc in paying costs associated with the completion of a pavilion at the gateway to the Tanglefoot Trail.....\$ 400,000.00

• To assist the City of Pontotoc in paying costs associated with building and equipping a training center that provides trainee safety and live fire training to firefighters and first responders, benefitting both the Pontotoc City Fire Department and Pontotoc County Volunteer Fire Departments.....\$ 500,000.00

• To assist the City of Pontotoc in paying costs associated with renovation of and upgrades, improvements and additions to the Pontotoc Town Square Museum and Post Office building and the McMackin House necessary to provide and improve accessibility to and inside the buildings through the Pontotoc County Historical Society.....\$ 50,000.00

• To assist the Town of Como in paying costs associated with road infrastructure repairs and improvements.....\$ 500,000.00

• To assist Adams County with costs associated with the Carthage Point Road drainage repair and flood control project.....\$ 500,000.00

• To assist the City of Natchez for the purpose of providing funding to defray the expenses of the Concord Avenue Drainage Improvement Project for construction costs.....\$ 500,000.00

• To assist the Town of Byhalia in paying costs associated with relocation of water, sewer, gas utility lines and other equipment currently located on or near Mississippi Highway 309 near the Byhalia schools, and to assist in paying costs associated with street paving improvements to Mississippi Highway 309.....\$ 1,000,000.00

• To assist the Byhalia Old School Commons in costs associated with the renovation of the historic Byhalia High School to provide civic, business, and hospitality for the town.....\$ 500,000.00

- To assist the Lafayette County Sheriff's Department in paying costs associated with building a substation in the Harmontown Community with Lafayette County.....\$ 250,000.00
- To assist the Town of New Houlka in paying costs associated with the purchase of a new fire truck.....\$ 150,000.00
- To assist the City of Houston in paying costs associated with repair and overlay of streets including Airport Road, Church Street, Pittsboro Street, Dulaney Street, 1st Avenue, Harrington Street, Washington Street, Hamilton Street, Castle Street, Scott Street, Terrace Road and 6th Avenue.....\$ 400,000.00
- To assist the Town of Bude in paying costs associated with improvements to the town's existing sewer lagoon for cleaning, removing excessive vegetation and including, but not limited to, dredging of sludge and sediment.....\$ 500,000.00
- To assist the Tennessee Valley Authority in paying costs associated with performing an assessment of the Holly Springs, Mississippi Utility Department and to be used for cutting of the right-of-way of the Holly Springs Utility Department.....\$ 500,000.00
- To assist Benton County in paying costs associated with repairs to the Benton County Historic Courthouse.....\$ 300,000.00
- To assist Benton County Sheriff's Department in paying costs associated with the purchase of equipment and vehicles.....\$ 400,000.00
- To assist Benton County in paying costs associated with improvements to Benton County Veterans Park.....\$ 300,000.00

- To assist the Town of Abbeville in paying costs associated with repairs and additions to the town's water system.....\$ 500,000.00
- To assist Union County in paying costs associated with road maintenance on County Road 47 in Supervisors District 2 in Union County.....\$ 900,000.00
- To assist DeSoto County with providing funds to assist in paying costs associated with construction, furnishing and equipping of a training facility for the Walls Volunteer Fire Department.....\$ 250,000.00
- To assist the City of Hattiesburg in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting.....\$ 2,000,000.00
- To assist Hancock County with costs associated with the Hancock County Utility Authority for sewer system improvements in the areas of Kiln Delisle Road and Fenton Dedeaux Road.....\$ 500,000.00
- To assist the Town of Caledonia in paying costs associated with the purchase and upgrades of equipment.....\$ 150,000.00
- To assist the Town of Caledonia in paying costs associated with upgrading the town's lighting infrastructure.....\$ 350,000.00
- To assist the Town of Brooksville with matching funds for the Federal EPA Stag Grant to complete the town's water and wastewater infrastructure program.....\$ 500,000.00

• To assist Noxubee County in paying costs associated with the county's community sports complex redevelopment project, including the addition of bleachers, concession stand, scoreboard, bathrooms and approximately 400 yards of roadway pavement.....\$ 500,000.00

• To provide funds to be distributed equally among the following fire departments in Scott County to assist in purchasing equipment: Forest Fire Department, North Scott Volunteer Fire Department, Homewood Volunteer Fire Department, Lake Volunteer Fire Department, Liberty Volunteer Fire Department, Ludlow Volunteer Fire Department, Morton Fire Department and Sebastopol Fire Department.....\$ 200,000.00

• To assist the City of Forest in paying costs associated with constructing and developing a turn lane at a road by Tyson Foods for safety purposes.....\$ 250,000.00

• To assist the Town of Summit for purpose of building a fire station for Summit Rural Fire Department.....\$ 500,000.00

• To assist Pike County in paying costs associated with renovation and repairs to the Courthouse Complex buildings.....\$ 750,000.00

• To assist the Town of Summit in paying costs associated with a building to house the ladder truck, 18-wheeler tanker truck, rescue pumper and smaller tanker truck for the Sunnyhill Volunteer Fire Department.....\$ 250,000.00

• To assist the City of Columbia in paying costs associated with the RA Johnson Drive stormwater retention pond project.....\$ 300,000.00

• To assist the City of Columbia in paying costs associated with downtown storm drainage system improvements.....\$ 500,000.00

- To assist Marion County in paying costs associated with paving roads within the county.....\$ 500,000.00
- To assist Marion County in paying costs associated with roof repairs on the board of supervisors' building, Hammond Hall and the Marion County Health Department.....\$ 500,000.00
- To assist the City of Purvis in paying costs associated with VFW Post 3955 to expand and modernize the facility.....\$ 150,000.00
- To assist the City of Pearl in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl.....\$ 500,000.00
- To assist the Town of Carrollton in paying costs associated with the installation of high-speed service via Delta Lightspeed.....\$ 400,000.00
- To assist the Town of North Carrollton in paying costs associated with the installation of high-speed service via Delta Lightspeed.....\$ 350,000.00
- To assist the City of Greenwood in paying costs associated with improvements to Yazoo River Trail and Yazoo River Landing.....\$ 750,000.00
- To assist Montgomery County in paying costs associated with an emergency generator, 65kw transfer switch, concrete pad and installation for the Stewart Water Association.....\$ 100,000.00
- To assist the Town of Kilmichael in paying costs associated with purchasing turnout suits and equipment for the Kilmichael Volunteer Fire Department.....\$ 100,000.00
- To assist Montgomery County for the purpose of the Red Hill Volunteer Fire Department.....\$ 250,000.00

- To assist the City of Winona in paying costs associated with purchasing a fire truck.....\$ 450,000.00
- To assist Carroll County in paying costs associated with improvements to County Road 83.....\$ 700,000.00
- To assist the City of Tylertown in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist Walthall County in paying costs associated with the construction of a frontage road along the south side of Highway 98 Bypass.....\$ 750,000.00
- To assist the City of Gautier in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center.....\$ 2,000,000.00
- To assist the City of Gautier in paying costs associated with constructing an inclusion and Americans With Disabilities Act (ADA) approved park area, including, but not limited to, playground equipment for children with disabilities.....\$ 1,000,000.00
- To assist the City of Gautier in paying costs associated with improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater.....\$ 2,000,000.00
- To assist the City of Water Valley in paying costs associated with maintenance, repairs and facilitation of broadband service by the city electric department.....\$ 750,000.00
- To assist the City of Charleston in paying costs associated with improvement and restoration of city streets.....\$ 500,000.00

- To assist Yalobusha County by providing funds to be used as matching funds for the Tennessee Valley Authority grant for the industrial park.....\$ 100,000.00
- To assist the City of Water Valley in paying costs associated with restoration and maintenance of the Water Valley Civic Center.....\$ 250,000.00
- To assist Oktibbeha County in paying costs associated with constructing a new building for Oktibbeha County Circuit and County Court.....\$ 1,000,000.00
- To assist the City of Starkville in paying costs associated with the city's Main Street Project.....\$ 1,500,000.00
- To assist the Town of Sumner in paying costs associated with the construction of a police department building and related facilities.....\$ 250,000.00
- To assist the Town of Webb in paying costs associated with the construction of a community center.....\$ 250,000.00
- To assist Newton County in paying costs associated with purchasing a fire truck.....\$ 250,000.00
- To assist the Town of Decatur in paying costs associated with the purchase of two patrol vehicles and equipment.....\$ 125,000.00
- To assist the Town of Sebastopol in paying costs associated with a building extension and fixtures for the town police department.....\$ 250,000.00
- To assist the Town of Seminary in paying costs associated with water and sewer infrastructure improvements.....\$ 250,000.00
- To assist Jefferson Davis County in paying costs associated with improvements to Broome Road.....\$ 100,000.00

- To assist Jones County in paying costs associated with mill and overlay to Graves Road from Buffalo Hill road to the city limits of Ellisville and to extend the project to Mississippi Highway 588.....\$ 600,000.00
- To assist the City of Laurel in paying costs associated with additions to and expansion of the Veterans Memorial Museum in Laurel.....\$ 200,000.00
- To assist Jones County Junior College in paying costs associated with construction of a building to house the School of Design.....\$ 200,000.00
- To assist the City of Brandon in paying costs associated with infrastructure repairs, maintenance, upgrades and improvements.....\$ 1,000,000.00
- To provide funds to be distributed equally among the following fire departments in Jasper County: Bay Springs Volunteer Fire Department, Central Volunteer Fire Department, Fellowship Volunteer Fire Department, Hal Volunteer Fire Department, Lake Eddins Volunteer Fire Department, Louin Volunteer Fire Department, Montrose Volunteer Fire Department, Mossville Volunteer Fire Department, Northeast Jasper Volunteer Fire Department, Paulding Volunteer Fire Department and Rose Hill Volunteer Fire Department.....\$ 110,000.00
- To assist Clarke County in paying costs associated with infrastructure for the new Howard Industrial Expansion Plant, including, but not limited to, water, sewer and fencing.....\$ 500,000.00
- To assist Mississippi Wireless Information Network in paying costs associated with adding new statewide communication towers in needed locations.....\$ 3,900,000.00

- To assist Tippah County in paying costs associated with the destruction of the old Tippah County Hospital.....\$ 500,000.00
- To assist the Town of Blue Mountain in paying costs associated with the purchase of equipment for the town's fire department.....\$ 50,000.00
- To assist the Town of Walnut in paying costs associated with the purchase of equipment for the town's fire department.....\$ 100,000.00
- To assist the City of Ripley in paying costs associated with the purchase of equipment for the city's fire department.....\$ 175,000.00
- To assist the Town of Falkner in paying costs associated with the purchase of equipment for the town's fire department.....\$ 50,000.00
- To assist the Town of Dumas in paying costs associated with the purchase of equipment for the town's fire department.....\$ 50,000.00
- To assist Tippah County in paying costs associated with the purchase of equipment for the Tippah County Sheriff's Department.....\$ 100,000.00
- To assist the Town of Falkner in paying costs associated with the Heritage Museum.....\$ 30,000.00
- To assist Tippah County with creating a Target Endowment Fund for various projects in the county.....\$ 75,000.00
- To assist the City of Ripley in paying costs associated with building maintenance for VFW Post 4881.....\$ 25,000.00
- To assist the City of Ripley with costs associated for building maintenance for American Legion Post 81.....\$ 25,000.00

- To assist the Town of Walnut in paying costs associated with gas system improvements.....\$ 75,000.00
- To assist Sharkey County in paying costs associated with repairs to the Sharkey County Courthouse located in Rolling Fork.....\$ 1,000,000.00
- To assist Hinds County in paying costs associated with purchasing and installing surveillance cameras on Dixon Road, McCain Avenue and South Drive.....\$ 25,000.00
- To assist the City of Verona in paying costs associated with site work and infrastructure related to the Old Town Project.....\$ 500,000.00
- To assist the Town of Taylorsville in paying costs associated with infrastructure repair and to upgrade water, sewer and fire protection systems to industrial area.....\$ 350,000.00
- To assist the City of Guntown in paying costs associated with repairing, reconstruction, resurfacing and other improvements such as curbs, drainage to Mike Avenue and to bring the road up to code, and any remaining funds shall be used for costs associated with making improvements to other streets in the city.....\$ 750,000.00
- To assist Prentiss County in paying costs associated with making improvements to roads and bridges in Supervisor District 3 in Prentiss County.....\$ 300,000.00
- To assist the Town of Lena in paying costs associated with road and water infrastructure projects.....\$ 500,000.00
- To assist the Town of D'Lo in paying costs associated with construction of a fire station.....\$ 50,000.00

- To assist the Town of D'Lo in paying costs associated with Phase II of paving town streets, including First Street from Highway 149 to South Pine, Second Street from Highway 149 to South Maple, Third Street from Highway 149 to South Maple, Fourth Street from Highway 149 to South Maple and Cemetary Road.....\$ 250,000.00

- To assist the Town of D'Lo in paying costs associated with Phase III of paving town streets, including South Oak from Highway 540 to end, West Fifth from Highway 149 to South Oak, East Fifth from Highway 149 to South Oak, West Pecan from Willow Street to Highway 149, and East Pecan from Highway 149 to Water Tower.....\$ 250,000.00

- To assist Rankin County to provide funds to be distributed equally among the following fire departments in Rankin County: Cleary Volunteer Fire Department, Star Volunteer Fire Department, Florence Volunteer Fire Department, SW Rankin Volunteer Fire Department and Monterey Volunteer Fire Department.....\$ 75,000.00

- To assist Copiah County to provide funds to be distributed equally among the following fire departments in Copiah County: Crystal Springs Volunteer Fire Department, Hopewell Volunteer Fire Department, New Zion Volunteer Fire Department and Dentville Volunteer Fire Department.....\$ 60,000.00

- To assist Simpson County with costs associated with the Old Pearl Volunteer Fire Department.....\$ 15,000.00

- To assist Rankin County with funds associated with the road connecting U.S. Highway 49 to Pearson Road.....\$ 500,000.00

- To assist the City of Crystal Springs in paying costs associated with Chautauqua Park Amphitheater.....\$ 500,000.00

- To assist Hinds County in paying costs associated with repairs for flood plain revisions to Eubanks Creek.....\$ 500,000.00
- To assist the City of Ocean Springs in paying costs associated with GIS mapping of infrastructure.....\$ 75,000.00
- To assist the City of Ocean Springs in paying costs associated with improvements or adding turn lanes, curbs, drainage and sidewalks.....\$ 400,000.00
- To assist the City of Ocean Springs in paying costs associated with covering the stage located at Fort Maurepas.....\$ 450,000.00
- To the Mississippi Development Authority for the purpose of providing funding to WISPR Systems in Batesville for research and development to expand its current small Unmanned Aircraft Systems (sUAS) manufacturing capabilities in Mississippi.....\$ 500,000.00*
- To assist the Mississippi Organ Recovery Agency in paying costs associated with a statewide communications program.....\$ 500,000.00
- To assist the City of Senatobia in paying costs associated with water, sewer and road infrastructure renovations in the Downtown Historic District.....\$ 2,000,000.00
- To assist Rankin County in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project.....\$ 3,000,000.00
- To assist the City of Senatobia in paying costs associated with infrastructure repairs and improvements at the Senatobia Sports Park.....\$ 600,000.00

- To assist the City of Senatobia in paying costs associated with sewer and water improvements to the New Image Water and Sewer System.....\$ 2,000,000.00
- To assist Tate County with reimbursement of funds for costs associated with Tate County Courthouse parking facility renovations; any remaining funds may be spent on drainage and road repairs as determined by the Tate County Board of Supervisors.....\$ 1,650,000.00
- To assist the Mississippi Department of Transportation in paying costs associated with improvements at the intersection of Highway 51 and Porter Street, and at the intersection of Highway 4 and I-55 intersection within the city limits of the City of Senatobia.....\$ 750,000.00
- To assist Northwest Mississippi Community College in paying costs associated with capital infrastructure and repairs to the main campus facilities.....\$ 2,000,000.00
- To assist the Cottonville-Savage Rural Water Association in paying costs associated with construction, repair and maintenance of, and acquiring equipment for, a water system.....\$ 285,000.00
- To assist Holmes Community College in paying costs associated with the construction of a new Allied Health building.....\$ 1,000,000.00
- To assist the Kosciusko School District in paying costs associated with infrastructure, construction and improvements to facilities throughout the district.....\$ 1,000,000.00
- To assist the Edinburg Domestic Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, a water system.....\$ 150,000.00

- To assist Leake County in paying costs associated with the construction, repair and renovation of North Jordan Street.....\$ 2,500,000.00
- To assist Leake County in paying costs associated with the construction, repair and renovation of Red Dog Road.....\$ 925,000.00
- To assist Leake County in paying costs associated with the local workforce initiative of the Leake County Development Association for students in Leake County.....\$ 50,000.00
- To assist Holmes County in paying costs associated with road resurfacing and repairs in Supervisor District 2 of the county.....\$ 500,000.00
- To assist the City of Carthage in paying costs associated with the construction, repair and renovation of the Carthage Coliseum.....\$ 1,000,000.00
- To assist Leake County in paying costs associated with acquiring firefighting equipment for Leake County Fire Departments.....\$ 100,000.00
- To assist the Town of West in paying costs associated with infrastructure improvements, renovations and rehabilitation of existing town properties, including, but not limited to, the Welcome Center, City Hall, Old City Hall and the Library, as well as the purchase of a new police vehicle, including the necessary equipment to outfit the vehicle.....\$ 300,000.00
- To assist Attala County in paying costs associated with the construction of an Attala County Fire Station, an Emergency Operations Center and E-911 Telecommunications Center.....\$ 3,600,000.00

- To assist Attala County in paying costs associated with the repair or replacement of the roof for the Old Jack Post Industrial Building.....\$ 850,000.00
- To assist the City of Kosciusko in paying costs associated with the construction, renovation and rehabilitation of the Strand Theatre.....\$ 500,000.00
- To assist Attala County in paying costs associated with the renovation, construction and rehabilitation of a building for the Carmack Community Club.....\$ 200,000.00
- To assist Carmack Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association.....\$ 150,000.00
- To assist Zama Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association.....\$ 150,000.00
- To assist the Department of Finance and Administration in paying costs associated with the program established under Section 3 of House Bill No. 419, 2023 Regular Session.....\$ 300,000.00*
- To assist Jasper County in paying costs associated with repairs, resurfacing and improvements to roads and bridges.....\$ 1,100,000.00
- To assist the Town of Heidelberg in paying costs associated with infrastructure improvements.....\$ 300,000.00
- To assist the City of Bay Springs in paying costs associated with infrastructure improvements.....\$ 150,000.00
- To assist the East Jasper Consolidated School District in paying costs associated with the acquisition of the old Heidelberg Academy.....\$ 150,000.00

- To assist Forrest County in paying costs associated with repairs and improvements on Monroe Road Extension.....\$ 325,000.00
- To assist Lawrence County in paying costs associated with pavement maintenance for the N.A. Sandifer Highway.....\$ 1,000,000.00
- To assist Lincoln County in paying costs associated with repairs and renovations to the county courthouse.....\$ 250,000.00
- To assist Holmes County in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist the City of Lexington in paying costs associated with renovations to the city hall and the municipal fire station.....\$ 500,000.00
- To assist the Town of Tchula in paying costs associated with repairs, resurfacing and improvements to town streets.....\$ 250,000.00
- To assist the City of Olive Branch in paying costs associated with the improvement and expansion of aircraft hangers.....\$ 1,500,000.00
- To assist Marshall County in paying costs associated with building the Chickasaw Trail Emergency Response Center.....\$ 1,500,000.00
- To assist Desoto County in paying costs associated with a parking lot and staging improvements at the National Guard Armory.....\$ 500,000.00
- To assist the City of Byram in paying costs associated with drainage repair projects.....\$ 500,000.00
- To assist the City of Byram in paying costs associated with improvements to the Terry Road Bridge.....\$ 250,000.00

- To assist the Town of Terry in paying costs associated with the renovation of a community center and improvements to Main Street.....\$ 300,000.00
- To assist Hinds County in paying costs associated with widening, straightening and clearing debris from Eubanks Creek.....\$ 500,000.00
- To assist the City of Oxford in paying costs associated with the construction of a new police station.....\$ 1,000,000.00
- To assist Panola County in paying costs associated with improvements at the Panola County Airport.....\$ 500,000.00
- To assist the City of Louisville in paying costs associated with infrastructure improvements for the North and South Industrial Road Project.....\$ 2,000,000.00
- To assist Neshoba County in paying costs associated with the purchase of equipment for the Neshoba County Sheriff's Department.....\$ 200,000.00
- To assist the Brewer Community Association, Inc., in paying costs associated with the improvement and operation of the community center in Brewer.....\$ 150,000.00
- To assist Tammy Wynette Legacy Park in paying costs associated with the improvement and operation of the Tammy Wynette Legacy Center in the Town of Tremont.....\$ 150,000.00
- To assist the Prairie Rural Community Development Club in paying costs associated with the improvement and operation of the former Prairie School in Prairie.....\$ 150,000.00
- To assist the City of Tupelo in paying costs associated with improvements to Ballard Park, including, but not limited to, inclusive playground equipment and any necessary playground equipment for special needs children.....\$ 500,000.00

- To assist Jefferson County in paying costs associated with infrastructure improvements to roads and bridges.....\$ 100,000.00
- To assist Claiborne County in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist Claiborne County in paying costs associated with improvements to law enforcement facilities.....\$ 225,000.00
- To assist Copiah County in paying costs associated with the demolition of the former hospital complex in the City of Hazlehurst.....\$ 75,000.00
- To assist the City of Natchez in paying costs associated with various drainage projects.....\$ 500,000.00
- To assist the Gulfport Redevelopment Commission in paying costs associated with a mixed-use downtown development project, including general infrastructure to leverage public and private investment.....\$ 2,000,000.00
- To assist the City of Magee in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist the City of Mendenhall in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist the Village of Puckett in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist Montgomery County in paying costs associated with the installation of traffic signals at the intersection of U.S. Highway 82 and Middleton Road and at the intersection of U.S. Highway 82 and Mission Road.....\$ 700,000.00
- To assist Grenada County in paying costs associated with improvements to Nat G. Trout Road.....\$ 500,000.00

- To assist the Kosciusko School District in paying costs associated with renovations and improvements to the Skipworth Auditorium.....\$ 500,000.00
- To assist Attala County in paying costs associated with the repair and/or replacement of the roof of the Jack Post Industrial Building.....\$ 250,000.00
- To assist the City of Kosciusko in paying costs associated with repairs and renovations to the Strand.....\$ 250,000.00
- To assist Greene County in paying costs associated with the purchase of equipment for the Emergency 911 Call Center.....\$ 705,000.00
- To assist Greene County in paying costs associated with the construction of a county-owned building.....\$ 400,000.00
- To assist Greene County in paying costs associated with the rehabilitation and repair of the Greene County Rural Events Center.....\$ 600,000.00*
- To assist the Mississippi Department of Transportation in paying costs associated with widening and improvements to State Highway/Old Highway 63 from Highway 57 to Highway 63 in Greene County.....\$ 1,000,000.00
- To assist George County in paying costs associated with infrastructure improvements.....\$ 300,000.00
- To assist Greene County in paying costs associated with infrastructure improvements.....\$ 550,000.00
- To assist the Town of State Line in paying costs associated with Hurricane Zeta.....\$ 250,000.00
- To assist Wayne County in paying costs associated with the repair and upgrades to courtrooms.....\$ 75,000.00

- To assist the City of D'Iberville in paying costs associated with the extension of Mallet Road.....\$ 2,500,000.00
- To assist the Mississippi State University Research and Technology Corporation in paying costs associated with the Mississippi Cybersecurity Center adjacent to Keesler Air Force Base.....\$15,000,000.00
- To assist the Jackson County School District in paying costs associated with repairs and renovations to facilities at St. Martin High School.....\$ 1,000,000.00
- To assist Jackson County in paying costs associated with upgrades at the intersection of Jim Ramsey Road and Old Fort Bayou Road.....\$ 500,000.00
- To assist the City of Ocean Springs in paying costs associated with repairs and restoration of the Mary C. O'Keefe Cultural Arts Center.....\$ 250,000.00
- To assist the Lamar County School District in paying costs associated with the development of the new courtyard at the Sumrall High School.....\$ 1,400,000.00
- To assist the Town of Seminary in paying costs associated with water and sewer improvements.....\$ 250,000.00
- To assist the City of Collins in paying costs associated with water and sewer improvement near the Collins Civic Center.....\$ 400,000.00
- To assist the City of Flowood in paying costs associated with infrastructure improvements on Flowood Drive.....\$ 1,500,000.00
- To assist the City of Flowood in paying costs associated with infrastructure improvements on Liberty Road and at Liberty Park.....\$ 1,250,000.00

- To assist Rankin County in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project.....\$ 4,500,000.00
- To assist the City of Meridian in paying costs associated with infrastructure improvements to North Hills Street from Highway 19 to Highway 39.....\$ 3,400,000.00
- To assist the Kemper County School District in paying costs associated with software and training programs for the Career and Technical Education Center.....\$ 200,000.00
- To assist the City of Picayune in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist the City of Poplarville in paying costs associated with the purchase of public safety vehicles, fire protection purchases, street paving and drainage improvements.....\$ 1,000,000.00
- To assist the City of Vicksburg in paying costs associated with repairs to the Fisher Ferry Bridge.....\$ 4,000,000.00
- To assist the City of Vicksburg in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist the South Delta School District in paying costs associated with asbestos demolition and remediation.....\$ 350,000.00
- To assist with Pearl River Valley Water Supply District for the dredging fund.....\$ 2,000,000.00
- To assist the Lighthouse Academy for Dyslexia in Ocean Springs with costs associated for general purposes for dyslexia services.....\$ 195,000.00

- To assist the Culkin Water District with the reconstruction of water lines for an industrial park, schools, hospital and other accounts.....\$ 1,500,000.00
- To assist Warren County in paying costs associated with upgrades and improvements to the historic Old Courthouse and grounds in Vicksburg.....\$ 2,000,000.00
- To assist Yazoo County in paying costs associated with construction and repairs to the Lake George Bridge.....\$ 3,000,000.00
- To assist the City of Ridgeland in paying costs associated with the construction of the Commerce Park Connector Road.....\$ 2,000,000.00
- To assist the City of Jackson in paying costs associated with repairs, renovation and upgrades to the Jackson Planetarium.....\$1,000,000.00*
- To assist the City of Jackson in paying costs associated with repairs, renovations and upgrades to Thalia Mara Hall.....\$ 1,500,000.00
- To assist the Town of Bolton in paying costs associated with repairs and renovations to the volunteer fire department.....\$ 50,000.00
- To assist Tunica County in paying costs associated with repairs, resurfacing and improvements and traffic signal upgrades on Casino Strip Resort Boulevard.....\$ 500,000.00
- To assist the Town of Lambert in paying costs associated with equipment purchases for the town's fire department.....\$ 100,000.00

- To assist the City of Hattiesburg in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting.....\$ 2,000,000.00
- To assist Perry County in paying costs associated with the construction of a roadway and a bridge to access the Perry County Industrial Park.....\$ 750,000.00
- To assist the City of Greenwood in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist the Mississippi Development Authority in providing reimbursements for Major League Baseball mandated alterations and improvements to Trustmark Park.....\$ 1,300,000.00
- To assist the Town of Gloster in paying costs associated for infrastructure improvements to Gloster Road, Georgia Pacific 1 Road, Georgia Pacific 2 Road, Pepper House Road and East Railroad Avenue.....\$ 2,500,000.00
- To assist the City of Pearl in paying costs associated with lighting improvements on U.S. Highway 80.....\$ 1,500,000.00
- To assist the City of Richland in paying costs associated with the U.S. Highway 49 pedestrian crossover.....\$ 500,000.00
- To assist the City of Newton in paying costs associated with demolition, repairs and renovations of the Medical and Community Facility.....\$ 1,500,000.00
- To assist the City of Forest in paying costs associated with infrastructure improvements to Jack Lee Drive and Old Morton Road.....\$ 250,000.00
- To assist the City of Hernando in paying costs associated with the installation of a roundabout at the intersection of U.S. Highway 51 and Oak Grove Road.....\$ 1,500,000.00

- To assist Lee County in paying costs associated with the acquisition of real property adjacent to Turner Industrial Park for the purpose of site expansion and rail spur improvements.....\$ 1,000,000.00
- To assist Lee County in paying costs associated with the purchase of a fire truck for the Richmond Fire Department in the Richmond Community of Lee County.....\$ 358,000.00
- To assist the City of Saltillo in paying costs associated with the construction of a new fire station.....\$ 1,000,000.00
- To assist the City of Gluckstadt in paying costs associated with the construction of a municipal court building and a police station.....\$ 750,000.00
- To assist the City of Madison in paying costs associated with the Madison Avenue Bypass to U.S. Highway 51.....\$ 2,000,000.00
- To assist the City of Bay St. Louis in paying costs associated with infrastructure improvements.....\$ 250,000.00
- To assist Hancock County in paying costs associated with infrastructure improvements.....\$ 500,000.00
- To assist the City of Waveland in paying costs associated with infrastructure improvements.....\$ 250,000.00
- To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with infrastructure improvements.....\$ 2,000,000.00
- To assist the Twenty-third Circuit Court District in paying costs associated with the District Attorney's Office.....\$ 275,000.00
- To assist the City of Southaven in paying costs associated with traffic signal and intersection improvements at Stateline Road and Swinnea Road.....\$ 300,000.00

- To assist the City of Southaven in paying costs associated with upgrades and improvements to Snowden Grove Park.....\$ 500,000.00
- To assist the City of Southaven in paying costs associated with a traffic signal and intersection improvements at Church Road and Tchulahoma Road.....\$ 350,000.00
- To assist Small Horn Lake Water District in paying costs associated with a water meter replacement.....\$ 250,000.00
- To assist Alcorn County in paying costs associated with infrastructure improvements to the Industrial Access Roadway.....\$ 500,000.00
- To assist the City of Corinth in paying costs associated with the Polk Street Bridge replacement project.....\$ 1,500,000.00
- To assist Blue Mountain Christian University in paying costs associated with the nursing school.....\$ 250,000.00
- To assist the City of Farmington in paying the costs associated with the purchase of vehicles and equipment for the police department.....\$ 100,000.00
- To assist Lamar County in paying costs associated with infrastructure improvements to the roundabout at Oak Grove Road and Weathersby Road.....\$ 1,500,000.00
- To assist the Jackson County Economic Development Foundation in paying costs associated with the employment of career coaches for the Jackson County School District.....\$ 600,000.00
- To assist Jackson County in paying costs associated with road and bridge repairs in Supervisor District 1.....\$ 300,000.00

- To assist Washington County in paying costs associated with repair and renovations of Estes Street, Airdale Drive and Sidney Street.....\$ 600,000.00
- To assist the Town of Metcalfe in paying costs associated with repairs, renovations and technological enhancements of town hall.....\$ 100,000.00
- To assist the Town of Benoit in paying costs associated with repairs, renovations and technological enhancements of town hall.....\$ 100,000.00
- To assist the City of Leland in paying costs associated with repairs, renovations and technological enhancements of city hall.....\$ 75,000.00
- To assist Washington County in paying costs associated with improvements, renovations, repairs and upgrades to the Greenville Mid-Delta Airport.....\$ 500,000.00
- To assist the City of Cleveland in paying costs associated with infrastructure and drainage improvements.....\$ 500,000.00
- To assist Bolivar County in paying costs associated with the expansion of the Terrene Landing River Boat Dock and improvements to Terrene Landing Road.....\$ 400,000.00
- To assist Tishomingo County in paying costs associated with the repair, renovation and expansion of the General Building 1016 at the Tri-State Commerce Park.....\$ 650,000.00
- To assist the City of Fulton in paying costs associated with construction, renovation and repair of an acquired building to repurpose for use as the city hall.....\$ 250,000.00
- To assist the Town of Marietta in paying costs associated with infrastructure improvements.....\$ 200,000.00

- To assist the Town of Mantachie in paying costs associated with infrastructure improvements for the Fawn Grove Industrial Park.....\$ 148,000.00
- To assist the Town of Tishomingo in paying costs associated with the replacement of gate valves and other water infrastructure projects.....\$ 150,000.00
- To assist the Village of Paden in paying costs associated with the repairs and renovations of a village-owned industrial building.....\$ 150,000.00
- To assist Itawamba County in paying costs associated with repairs and renovations to the RCDC facilities.....\$ 40,000.00
- To assist Tishomingo County in paying costs associated with repairs and renovations at the Old Historical Courthouse.....\$ 100,000.00
- To assist the Town of Bruce in paying costs associated with equipment upgrades and other purchases for the town's police department.....\$ 50,000.00
- To assist the Town of Houlka in paying costs associated with the purchase of a fire truck.....\$ 125,000.00
- To assist Calhoun County in paying costs associated with the repairs, paving and improvements of County Road 137.....\$ 125,000.00
- To assist Calhoun County in paying costs associated with the repairs, paving and improvements of County Road 306.....\$ 1,000,000.00
- To assist the Pat Harrison Waterway District in paying costs associated with the relocation of a boat ramp.....\$ 100,000.00

- To assist the Mississippi Department of Transportation in paying costs associated with a turn lane and traffic signal at the intersection of McArthur Street and Highway 145 in Quitman.....\$ 100,000.00
- To assist Clarke County in paying costs associated with the purchase of vehicles and equipment for the Clarke County Sherriff's Department.....\$ 100,000.00
- To assist Yazoo County in paying costs associated with repairs and improvements to roads and bridges.....\$ 500,000.00
- To assist the Town of Cary in paying costs associated with the construction of a fire station.....\$ 250,000.00
- To assist Yazoo City in paying costs associated with the repair and renovation of the Triangle Cultural Center.....\$ 200,000.00
- To assist the City of Long Beach in paying costs associated with infrastructure improvements.....\$ 750,000.00
- To assist the City of Pass Christian in paying costs associated with infrastructure improvements.....\$ 750,000.00
- To assist the City of Macon in paying costs associated with the purchase of fire trucks and firefighting equipment for the city's fire department.....\$ 350,000.00
- To assist the City of West Point in paying costs associated with repairs, resurfacing and improvements to streets.....\$ 1,000,000.00
- To assist Tate County in paying costs associated with infrastructure improvements for the Chrome-Craft Redevelopment Project.....\$ 1,000,000.00
- To assist Union County in paying costs associated with infrastructure improvements in Supervisor District 1.....\$ 300,000.00

- To assist Union County in paying costs associated with infrastructure improvements in Supervisor District 2.....\$ 300,000.00
- To assist the Town of Potts Camp in paying costs associated with infrastructure improvements.....\$ 300,000.00
- To assist Jackson County in paying costs associated with the engineering and construction of the Jackson County Blueway Connection, along the Pascagoula River.....\$ 500,000.00
- To assist the City of Pascagoula in defraying expenses associated with a police substation for East Pascagoula.....\$ 1,500,000.00
- To assist the City of Ocean Springs in paying costs associated with infrastructure improvements.....\$ 600,000.00
- To assist the City of Starkville in paying costs associated with the Starkville Main Street Project.....\$ 500,000.00
- To assist Oktibbeha County with costs associated with roof repairs to the Town of Maben's Fire Department.....\$ 50,000.00
- To provide funds to be distributed equally among the following fire departments to assist in paying various department costs: Adaton Self Creek Volunteer Fire Department, Central Oktibbeha Fire Department, Maben Fire Department, and Sturgis/District 4 Volunteer Fire Department.....\$ 200,000.00
- To assist Webster County with costs associated with the repairs and maintenance of the Volunteer Fire Department's buildings.....\$ 250,000.00
- To assist the City of Eupora with costs associated with the purchase of a police vehicle.....\$ 55,000.00

• To assist the Town of Weir with costs associated with infrastructure improvement projects and purchasing vehicles for the police department.....\$ 45,000.00

• To assist the Community Foundation for Mississippi in paying costs associated with providing direct services for reading intervention and training for teachers, and with renovations to building space to provide such services.....\$ 500,000.00

• To assist the Marty Stuart Congress of Country Music Museum in paying costs associated with the construction of Phase 2 of the museum in the City of Philadelphia; however, no funds may be disbursed for such purposes until the Department of Finance and Administration is provided proof that the museum, museum owner or museum governing body, as applicable, possesses the ownership rights to all Marty Stuart memorabilia, exhibits and/or other items or material displayed in the museum.....\$10,000,000.00

• To provide funds to the Three Rivers Solid Waste Management Authority to construct, repair, renovate, expand, enhance, improve, and equip the Three Rivers Regional Landfill in the City of Pontotoc and the three Authority Transfer Stations located in the City of Oxford, Lee County and Monroe County.....\$ 4,000,000.00

• To assist the Chickasaw Inkana Foundation in paying costs associated with the construction, furnishing and equipping of the Chickasaw Heritage Center in Tupelo.....\$ 4,950,000.00

• To assist the Scenic Rivers Development Alliance in paying costs associated with the Okhissa Lake Development Project.....\$ 8,000,000.00

- To assist the City of Tupelo with a match to federal funds for the construction of railroad improvements that run through the city for public safety and economic development improvements.....\$ 4,600,000.00
- To assist Camp Kamassa in defraying expenses related to construction of buildings, facilities, complexes and related infrastructure.....\$ 4,000,000.00
- To assist Hinds Community College in paying costs associated with construction of the Health Science Complex at the Rankin Campus.....\$16,000,000.00
- To provide funds to the City of Columbus to use to assist the Columbus Redevelopment Authority in paying costs associated with the Park View - Burns Bottom Project.....\$ 3,000,000.00
- To the Prentiss County School District for upgrades to equipment, furnishings and facilities for the CTE Program at Wheeler Attendance Center.....\$ 1,000,000.00
- To the Grenada School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 3,000,000.00
- To the Itawamba County School District for upgrades to equipment, furnishings and facilities for the CTE Program, including equipment for aiding in logistics and maintenance.....\$ 4,000,000.00
- To the George County School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 1,000,000.00
- To the Jackson County School District for upgrades to equipment, furnishings and facilities for the CTE Program at three high schools: East Central, Vancleave and St. Martin.....\$ 9,000,000.00

- To the South Tippah School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 500,000.00
- To the Senatobia Municipal School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 500,000.00
- To the Attala County School District for upgrades to equipment, furnishings and facilities for the CTE Program at Kosciusko-Attala County Career Tech Center.....\$ 2,000,000.00
- To the Greene County School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 2,000,000.00
- To the Lee County School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 350,000.00
- To the Wayne County School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 500,000.00
- To Long Beach High School for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 1,000,000.00
- To the Newton County School System for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 2,000,000.00
- To the Tupelo Public School District for upgrades to equipment, furnishings and facilities for the CTE Program.....\$ 350,000.00

VIII. The bill also authorizes the State Treasurer to borrow funds from the Working Cash-Stabilization Reserve Fund created in Section 27-103-203 through the end of fiscal year 2028, not exceeding \$250,000,000 during any month, to offset any temporary cash flow deficiencies in the GF Obligations Fund. The Treasurer must reimburse the Working Cash-Stabilization Reserve Fund from the GF Obligations Fund for all sums borrowed for such temporary cash flow deficiency purposes within 20 working days after the funds were borrowed.

IX. The bill also revises the projects to be funded from the 2022 State Agencies Capital Improvements Fund created in Section 29-17-6 to delete the \$2,000,000 Mississippi Military Department project for planning, repairs, renovations, expansions, upgrades and furnishing and equipping of Readiness Centers. That project will be funded from the Mississippi Military Department Readiness Centers Fund created in this bill.

X. The bill also amends Section 17-23-21, which created the Annual Fire Fund and authorizes the Commissioner of Insurance to transfer funds from this fund to the Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund, to provide that upon the request of the commissioner, the State Fiscal Officer will transfer the requested amounts from the Annual Fire Fund to those funds. The total amount of all such transfers shall not exceed the amount appropriated by the Legislature from the Annual Fire Fund for the fiscal year in which the transfers are made, and those transfers shall not reduce the amount of the spending authority provided to the commissioner by that appropriation. The commissioner must document those transfers through a reconciliation with the Department of Finance and Administration.

XI. The bill also amends Section 39-5-145, which created the Mississippi Community Heritage Preservation Grant Fund, to increase from \$56,050,000 to \$61,050,000 the maximum amount in the grant fund that may be allocated for certain types of projects, and revises the purposes for which monies in the grant fund may be used to allow the payment of the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting historic properties owned by the State of Mississippi.

XII. The bill also amends Section 57-1-601, which created the Mississippi Main Street Investment Grant Fund, to provide that (a) monies remaining in the fund on the effective date of this bill shall be used for such purposes solely to provide grant funds to a municipality that, prior to January 1, 2023, has received and/or been approved to receive grant funds for a revitalization zone project or projects begun before January 1, 2023; (b) the Mississippi Development Authority shall not accept or approve any application for a grant or grants from the grant fund after the effective date of this bill; and (c) this section will stand repealed on the first day of the next month following the date that all monies in the grant fund have been disbursed to provide grant funds to a municipality described in paragraph (a).

XIII. The bill also revises a bond bill enacted in 2021 that created the 2021 IHL Capital Improvements Fund to fund certain projects at state institutions of higher learning, to revise the purposes for which the proceeds of bonds authorized to be issued for the University of Southern Mississippi/Gulf Coast Campuses may be used.

* On April 21, 2023, the Governor returned HB 603 to the House with a partial veto message in which he said that he is vetoing each of these five projects. The Governor stated that his authority for the vetoes is Section 73 of the Mississippi Constitution, which gives the Governor the authority to "veto parts of *appropriation bills*," and the 2020 decision of the Mississippi Supreme Court in the partial veto case of *Reeves v. Gunn*, and he says that each of the five projects is a "separate, distinct and complete appropriation" that he is authorized to veto.

In his veto message, the Governor declares that HB 603 is an appropriation bill. However, HB 603 is a general bill, not an appropriation bill on which the partial veto authority can be exercised by the Governor. The funds to be distributed for all of the projects in HB 603 were not appropriated in this bill, but instead were appropriated to the Department of Finance and Administration in SB 3045. The Governor does not have the authority to veto parts of a general bill, but instead must approve or veto a general bill in its entirety under Section 72 of the Mississippi Constitution.

HB 770. See summary under Economic and Workforce Development heading.

HB 799. See summary under Corrections heading.

HB 817. See summary under Education heading.

HB 834. Effective 7/1/23. Signed 4/19/23.

HB 834 amends Section 25-31-5 to increase by one the number of full-time legal assistants for the First, Second, Third, Sixth, Seventh, Tenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Nineteenth, Twentieth, Twenty-first and Twenty-third Circuit Court Districts, and provide that the Seventh Circuit Court District, in addition to the new permanent full-time legal assistant authorized by this bill will have an increase of two legal assistants temporarily from July 1, 2023, through July 1, 2025.

In addition, the bill amends Section 25-31-10 to authorize the District Attorney of the Twenty-first Circuit Court District to appoint one additional full-time criminal investigator for a total of two full-time criminal investigators; authorize the District Attorneys of the Third and Twenty-third Circuit Court Districts to appoint one additional full-time criminal investigator for a total of three full-time criminal investigators; and authorize the District Attorney of the Seventh Circuit Court District to appoint one additional full-time criminal investigator for a total of four full-time criminal investigators.

HB 917. See summary under Public Property heading.

HB 1089. Effective on passage. Partially vetoed 4/21/23.

HB 1089 revises various provisions in bills relating to the fiscal year 2023 state budget, as follows:

- Clarifies and corrects the names and purposes of certain projects funded from disbursements from the 2022 Local Improvements Projects Fund.*

- Revises the purpose of a project for Mississippi Valley State University funded from the 2022 IHL Capital Improvements Fund.

- Revises the appropriation of Gulf Coast Restoration Funds to the Mississippi Development Authority to clarify the language for the funds provided for the Heritage Spring Water project, and to delete one project.

- Revises the authorized headcount numbers for the Division of Medicaid among permanent and time-limited positions.

- Revises the purpose of a certain amount of the appropriation to the Workers' Compensation Commission.

- Provides that monies provided by the Legislature in the ACE Fund, the Mississippi Site Development Grant Fund, a certain fund created in the Mississippi Business Act, the Economic Development Highway Fund, the Mississippi Industry Incentive Financing Revolving Fund and the Mississippi Main Street Investment Grant Fund, and monies from the proceeds of bonds and provided by the Legislature in the Mississippi Business Investment Fund and the Mississippi Business Investment Sinking Fund, may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority.

- Authorizes the Department Of Transportation to transfer funds from the 2022 Infrastructure Match Fund to the department's agency support fund subject to certain provisions.

* On April 21, 2023, the Governor returned HB 1089 to the House with a partial veto message in which he said that he is vetoing nine projects that he also vetoed in 2022. Section 1 of HB 1089 amended Section 27-104-371 to clarify and correct the names and purposes of certain projects funded with disbursements from the 2022 Local Improvements Projects Fund. Section 27-104-371 was created in Section 25 of HB 1353, 2022 Regular Session, which is a general bill. On April 28, 2022, the Governor returned HB 1353 to the House with a partial veto message in which he said that he was vetoing nine projects in Section 25. The House did not attempt to override the Governor's vetoes or challenge the Governor's actions on HB 1353.

When amending a code section, the entire section must be included in the bill, even if only a portion of the section is being changed. So, HB 1089 includes all of the language in Section 25 of HB 1353, which was codified as Section 27-104-371, including the projects vetoed by the Governor in HB 1353. However, HB 1089 did not purport to reauthorize the vetoed projects, but only to clarify and correct the names and purposes of other projects in that section. Nevertheless, the Governor again vetoed the same nine projects in Section 27-104-371 that he vetoed in HB 1353 last year. See the footnote to HB 603 regarding the authority of the Governor to veto parts of a general bill.

HB 1173. See summary under Education heading.

HB 1216. See summary under Judiciary, Division A heading.

BUSINESS AND FINANCIAL INSTITUTIONS

SB 2215. Effective on passage. Signed 3/10/23.

SB 2215 amends Section 27-105-5 to provide necessary updates and to align capital definitions with federal regulatory standards. The amendment adds a definition for "regulatory capital," which means, "the bank's regulatory (Tier 1) capital, as calculated in accordance with 12 CFR Part 3, 12 CFR Part 217 or 12 CFR 324, as now enacted, or as amended or replaced, as applicable to the applicant."

SB 2218. Effective 7/1/23. Signed 3/28/23.

SB 2218 prohibits third-party delivery services from using the menu, logo or any intellectual property of a restaurant without an agreement between the parties. In the absence of an agreement, the aggrieved restaurant shall have the right to bring a cause of action against the third-party delivery service. Upon a finding that the third-party service has violated this act, the court may impose a civil penalty not to exceed \$2,500 or the actual amount of damages the restaurant incurred, whichever is greater.

SB 2647. Effective on passage. Signed 3/14/23.

SB 2647 amends several code sections to revise the liability of a real estate licensee regarding certain disclosure forms.

- Section 73-35-4.1 is amended to revise the liability for a real estate licensee regarding disclosure of the size or area of property. No real estate licensee shall have any duty or obligation nor be subject to discipline or other action of any kind by any licensing authority of the State of Mississippi,

pertaining to information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

Additionally, the Mississippi Real Estate Commission shall not promulgate any rules or regulations that would establish liability for real estate licensees based on the above disclosures.

- Sections 89-1-503 and 89-1-505 are amended to revise liability for failure of a transferor of real property to provide certain information. The failure of a transferor to complete some portions of the disclosure form, or the lack of a disclosure form entirely, is said to place the prospective transferee on notice and the real estate broker or salesperson shall have no duty or liability regarding the disclosure or the failure to disclose information that complies with Sections 89-1-501 through 89-1-523. Additionally, the listing agent shall not be liable for any errors, inaccuracies or omissions of any information delivered pursuant to Sections 89-1-501 through 89-1-523.

- Sections 89-1-507 and 89-1-515 are amended to remove references to agents of transferors of real property.

- Section 89-1-519 is amended to provide that no person or entity shall be deemed the agent of the transferor or transferee for purposes of the disclosure requirements of Sections 89-1-501 through 89-1-523.

- Section 89-1-523 is amended to revise liability regarding Sections 89-1-501 through 89-1-523. Transfers subject to Sections 89-1-501 through 89-1-523 shall not be invalidated solely because of the failure of any person to comply with any provisions in these sections.

- Section 73-35-21 revises the authority of the Mississippi Real Estate Commission to ensure that the commission does not promulgate any rule or regulations that would establish liability for the disclosures required by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

- Sections 89-1-521 and 89-1-525 provide that certain disclosures and penalties of licensed real estate brokers and salespersons, are repealed.

HB 1030. Effective upon passage. Signed 3/22/23.

HB 1030 creates a new section of law in the Motor Vehicle Sales Finance Law to clarify that employees of a state licensee may work from home or other remote location, subject to certain conditions. It also requires a licensee that allows its employees to work from home or another remote location selected by the employee, to pay a special examination fee, and provides that licensees that do not allow remote work are not required to pay such special examination fee.

Further, the bill exempts the licensee from indicating on the license the locations from which employees are working remotely, and authorizes the commissioner to charge the licensee fees for special examinations based on the average daily cost of all examiners in the Department of Banking and Consumer Finance.

HB 1110. Effective 1/1/24. Signed 4/13/23.

HB 1110 creates the Second Amendment Financial Privacy Act. The bill prohibits, except for those records kept during the regular course of a criminal investigation and prosecution or as otherwise required by law, a state governmental agency or local government, special district, or other political subdivision or official, agent, or employee of the state or other governmental entity or any other person, public or private, other than the owner or owner's representative, from knowingly and willfully keeping or causing to be kept any list, record, or registry of privately owned firearms or any list, record, or registry of the owners of those firearms. It also prohibits a financial institution or its agent from requiring the usage of the firearms code in a way that distinguishes a firearms retailer physically located in the State of Mississippi from general merchandise retailers or sporting goods retailers.

A financial institution may also not discriminate against a firearms retailer by declining a lawful payment card transaction based solely on the assignment or nonassignment of a firearms code. A financial institution may not disclose a financial record, including a firearms code that was collected in violation of this act, unless the disclosure of such financial record or firearms code was based on a good-faith conclusion that the entity's action was required by applicable law or regulation.

Nothing in the bill limits the ability of a financial institution to negotiate with responsible parties or otherwise impair the financial institution's actions related to dispute processing, fraud management, protecting transaction integrity from concerns related to illegal activities, breaches or cyber risks.

CORRECTIONS

SB 2495. Effective 7/1/23. Signed 04/17/23.

SB 2495 amends Section 47-5-909 to increase the standard rate at which the Mississippi Department of Corrections (MDOC) shall pay counties for housing state offenders as follows:

- \$25 per offender per day for days one through 30; and
- \$32.71 per offender per day for days 31 or greater,

provided that:

▶ The offender remains in the county jail after MDOC receives a certified copy of the sentencing order or five days after the sentencing order is sent, in writing, by the county to MDOC, whichever is earlier; or

▶ The offender remains in the county jail after being revoked from parole or probation or sentenced to a technical violation center.

SB 2495 also provides that MDOC is responsible for all medical costs related to state offenders housed at county jails. Further, SB 2495 amends Sections 47-5-901 and 99-19-42 to conform.

HB 799. Effective 7/1/23. Signed 4/17/23.

HB 799 amends Section 47-5-158 by requiring the Inmate Welfare Fund Committee to expend necessary funds from the Inmate Welfare Fund to assist parole-eligible inmates who have been diagnosed with a mental illness while housed within a state correctional facility. The necessary funds are required to be expended on the inmates so that such inmates may receive outpatient services and community-based services to treat the mental illness of the inmates.

The bill also amends Section 47-5-933 by increasing from \$31 to \$32.71 the amount the Department of Corrections pays per day for each state offender housed in a regional correctional facility.

COUNTY AFFAIRS

SB 2312. Effective 7/1/23. Signed 3/14/23.

SB 2312 amends Section 19-7-3 to establish a competitive bidding process for the lease or sale of county-owned property by permitting county boards of supervisors to reject all bids for the property, accept the highest and best bid received in response to the advertisement, or hold an auction among those who submitted bids. At such an auction, no bidder shall be granted any preference and the opening bid shall be the highest bid received in response to the advertisement. SB 2312 further amends Section 197-7-3 to provide for notice and a right of first refusal for the holder of an existing lease of county-owned property when the county intends to re-lease the property.

SB 2392. Effective 7/1/23. Signed 3/14/23.

SB 2392 amends Section 19-5-22 to require county boards of supervisors to notify county tax collectors when unpaid fees for garbage or rubbish collection or disposal are past due, and to update such delinquency notice quarterly. SB 2392 further requires the tax collector to index such delinquency notice in a publicly available registry in the chancery clerk's office, beginning no later than January 1, 2024.

SB 2734. Effective on passage. Signed 3/14/23.

SB 2734 amends Section 19-11-27 to permit county boards of supervisors to expend certain federal funds during the last term of office of the board. Under Section 19-11-27, county boards are prohibited from expending funds above 1/4 of the county budget during the last term of office of the board, except in cases of emergency. There are certain other enumerated exceptions to this prohibition. SB 2734 amends Section 19-11-27 to add projects funded by the American Rescue Plan Act (ARPA) to the list of such exceptions.

DRUG POLICY

SB 2336. Effective 7/1/23. Signed 3/14/23.

SB2336 amends Section 41-29-319 to authorize a person to administer an opioid antagonist that was distributed by an education employee. The bill also provides that an education employee or any other person shall be immune from criminal and civil liability for actions authorized by Section 41-29-319. Further, the bill authorizes the Department of Health to distribute opioid antagonists to education employees and authorizes those employees to store and distribute the opioid antagonists.

HB 231. Effective 7/1/23. Signed 3/15/23.

HB 231 directs the Department of Mental Health to develop and implement a comprehensive, statewide fentanyl and drug abuse education, prevention and cessation program that is based on scientific data and research, and the program must include the following minimum components:

- The use of mass media to discourage the use of fentanyl and abuse of other drugs, and to educate people about the health hazards from the use of fentanyl and abuse of other drugs;
- Materials, curricula and programs that may be used or implemented in schools and other locations to educate youth about fentanyl and other harmful drugs, and to discourage the use of fentanyl and abuse of other drugs;
- Local community programs that discourage the use of fentanyl and abuse of other drugs, and involve community-based organizations in fentanyl and drug abuse education, prevention and cessation programs in their communities; and
- Programs to assist and help people to stop using fentanyl and/or abusing other drugs.

HB 722. Effective 7/1/23. Signed 3/13/23.

HB 722 amends Section 41-29-105 to exclude any materials used or intended for use in testing for the presence of fentanyl or a fentanyl analog in a substance from the definition of "paraphernalia," under the Uniform Controlled Substances Law.

HB 1071. Effective 7/1/23. Signed 3/22/23.

HB 1071 amends Section 41-29-113 to add 13 substances as Schedule I controlled substances under the Uniform Controlled Substances Law because these drugs have no legitimate medical use and have a high potency with great potential to cause harm.

The bill also amends Section 41-29-119 to include serdexmethylphenidate as a Schedule IV controlled substance under the Uniform Controlled Substances Law because the drug has a currently accepted medical use and a low potential for abuse that may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

ECONOMIC AND WORKFORCE DEVELOPMENT

SB 2371. Effective 7/1/23. Signed 4/17/23.

SB 2371, the American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act, establishes three grant programs to be directed by the Office of Workforce Development: (1) the Accelerate Mississippi Nursing/Allied Health Grant Program, for increasing capacity in nursing and allied health training programs, including accredited paramedic programs; (2) the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program, for creating new or increasing capacity in existing physician residency and fellowship programs in hospitals; and (3) the Mississippi Allied Health College and Career Navigator Grant Program, for hiring professional navigators to provide individual assistance and guidance to nursing and allied health students at community and junior colleges. The bill sets forth requirements for grant applications and directions for the office in administering each program.

The Office of Workforce Development may use a maximum of 2% of funds appropriated for the administrative expenses of the grant programs, to the extent permissible under federal law. The office is directed to attempt to minimize any expense of administrative funds by establishing policies and procedures mirroring past programs using federal COVID-19 relief funds. The office must certify to the Department of Finance and Administration that each expenditure appropriated to the office is in compliance with the criteria of the U.S. Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund. For each year of the existence of a grant program, and for at least three years after the program ceases, the office must provide a comprehensive report to the Governor

and the Legislature on the use and effectiveness of funds distributed under the program. Grant funds shall be available through December 31, 2026, or the date of the fund expenditure deadline provided by the federal government, whichever occurs later. For any project awarded a grant, each recipient shall certify that, if the project is not completed by December 31, 2026, and Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

SB 2595. Effective on passage. Signed 4/20/23.

SB 2595 amends Section 37-153-63 to remove the repealer on the American Rescue Plan Act (ARPA) Workforce Development and Retention Act, instead specifying that grant funds shall be available under the act through December 31, 2026, or the date of the fund expenditure deadline provided by the federal government, whichever occurs later. With respect to any project for which a grant is awarded, each grant recipient shall certify that, if the project is not completed by December 31, 2026, and Congress does not enact an extension of the deadline on the availability of ARPA funds, then the recipient will complete the project through other funds.

SB 2810. Section 62 effective January 1, 2023, and remainder effective on passage. Signed 4/17/23.

SB 2810 reenacts and amends various employment laws. The bill reenacts the Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004, Sections 37-153-1 through 37-153-17, and extends its repeal date to July 1, 2026. The bill also reenacts the following code sections and amends Section 60, Chapter 572, Laws of 2004, as last amended by Section 7, Chapter 476, Laws of 2020, to extend their repeal date to July 1, 2027:

- Sections 71-5-5, 71-5-11 and 71-5-19, which relate to the Mississippi Employment Security Law;
- Sections 71-5-101 through 71-5-143, which transfer the powers and responsibilities of the Employment Security Commission to the Department of Employment Security and prescribe the department's powers and duties;
- Section 71-5-201, which establishes the Mississippi State Employment Service within the Department of Employment Security;
- Sections 71-5-357 and 71-5-359, which prescribe regulations governing nonprofit organizations, state agencies and political subdivisions under the Employment Security Law;
- Sections 71-5-451 and 71-5-457, which relate to the Unemployment Compensation Fund and the Unemployment Trust Fund;
- Sections 71-5-511, 71-5-513, 71-5-517, 71-5-519, 71-5-523, 71-5-525, 71-5-529, 71-5-531 and 71-5-541, which provide for the payment of unemployment compensation benefits;
- Section 73-30-25, which excludes certain professionals from regulation under the laws governing licensed professional counselors;
- Section 43-1-30, which creates the Mississippi TANF Implementation Council and prescribes its powers and duties;
- Section 43-17-5, which prescribes the amount of Temporary Assistance for Needy Families (TANF) benefits which may be granted to recipients;
- Section 43-19-45, which requires the Child Support Unit established by the Department of Human Services to establish a state parent locator service;
- Section 43-19-46, which requires employers to submit certain information relating to newly hired employees to the Directory of New Hires within the Department of Human Services;

- Sections 57-62-5 and 57-62-9, which relate to the Mississippi Advantage Jobs Act;
- Section 57-75-5, which defines certain terms used under the Mississippi Major Economic Impact Act;
- Section 57-80-7, which relates to the Growth and Prosperity Act;
- Section 69-2-5, which prescribes certain duties of the Mississippi Cooperative Extension Service relating to the dissemination of information to the agricultural community; and
- Section 7-1-355, which requires the Department of Employment Security to make an annual report to the Legislature on workforce investment activities.

The above code sections had become subject to repeal by their inclusion in the bill enacting the Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004 for the purpose of conforming amendments.

In addition, the bill amends Section 25-1-98 to extend the repeal date to July 1, 2025, on the authority of state service agencies to allow telework in accordance with policies approved by the State Personnel Board. A state service agency's appointing authority will no longer be obligated to seek guidance from the State Personnel Board in determining what forms of work activities can effectively and efficiently be managed through a telework arrangement, but it may seek such guidance.

SB 2810 also amends Section 71-5-355 to provide that the noncharges caused by the COVID-19 pandemic shall not be used for the purposes of calculating the general experience rate, which is a component of an employer's unemployment insurance contribution rate. Unlike the other sections of this act, which are effective on passage, this section is effective January 1, 2023.

Finally, the bill creates new Section 71-5-146 to authorize the Department of Employment Security to fingerprint and conduct background investigations on certain employees, contractors and subcontractors, and to enact policies and procedures regarding the same.

HB 588. Effective 7/1/23. Signed 4/20/23.

HB 588 amends Section 71-5-353 to create the Mississippi Office of Workforce Development Fund in the State Treasury, which shall consist of funds collected from the Mississippi Office of Workforce Development contributions and any other monies that may be appropriated to it from the Legislature.

- This new fund will replace the State Workforce Investment Board bank account, and all monies in the State Workforce Investment Board bank account will transfer to the Office of Workforce Development Fund on June 30, 2023.

- The State Workforce Investment Board contributions that were being deposited into the State Workforce Investment Board bank account will now be contributions for the Mississippi Office of Workforce Development and deposited into the Mississippi Office of Workforce Development Fund.

- The office will be able to use these funds for any of the following purposes: administration of State Workforce Investment Board business, the Office of Workforce Development, grants related to training, the Mississippi K-12 Workforce Development Grant Program, and other projects as determined appropriate by the office.

Section 71-5-353 is also amended to provide how the office will procure commodities over \$5,000. The process must be competitive and subject to policies approved by the State Workforce Investment Board executive committee deemed to be practical, feasible and in the public interest.

- The changes also provide that the administrative fee collected for the training provided using the Mississippi Workforce Enhancement Training and Mississippi Works Funds may not be more than 5%.

- The bill also provides that the Mississippi Department of Employment Security shall be the fiscal agent for all funds appropriated to it for use by the Office of Workforce Development.

The bill also establishes the Mississippi K-12 Workforce Development Grant Program and provides that the purpose of the program shall be for constructing, remodeling, purchasing or upgrading equipment or otherwise providing support to career technical centers at the K-12 education level.

- The grant program will be funded from any monies that have been made available to the office. The office shall prescribe the terms and conditions of the program, and certain information must be provided to the office for a school to be eligible to receive a grant under the program.

- The Office of Workforce Development may use a maximum of 5% of funds for the program for the administration of the program, and the office shall comply with the reporting requirements in Section 37-153-7.

Section 37-153-7 is amended to revise the reporting requirements of the Office of Workforce Development to add items to be reported, to require a quarterly report as well as the annual report, and to require that the reports be given to the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee, in addition to the Governor, Secretary of State, President of the Senate and Speaker of the House.

The section is also amended to provide specific powers and duties for the Office of Workforce Development.

- The office will have the following new powers and duties:
 - ▶ To direct access to accounting and banking statements for all funds under its direction to ensure accurate and efficient management of funds and to improve internal control;
 - ▶ To enter into nondisclosure agreements to effectively support economic development activities and the proprietary nature of customized training for existing and new industry;
 - ▶ To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the Mississippi K-12 Workforce Development Grant Program;
 - ▶ To receive contributions, donations, gifts, bequests of money, other forms of financial assistance and property, equipment, materials or manpower from persons, foundations, trust funds, corporations, organizations and other sources, public or private, made to the office, and to expend or use the

same in accordance with the conditions prescribed by the donor, provided that no such condition is contrary to any provision of law;

- ▶ To contract with state agencies, governing authorities or economic and workforce development entities for shared programmatic efforts and support service or joint employment of personnel in order to further the office's purposes;

- ▶ To determine, subject to appropriation, the need for and, if desired, the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, through processes established in policies adopted by the office that are deemed to be practical, feasible and in the public interest. These processes shall outline eligible entities that may provide such services, such as companies, nonprofit organizations, or other similar groups and shall ensure the office determines metrics for success, including deliverables as required by the office;

- ▶ To implement the career coaching program provided for in Section 37-73-3;

- ▶ To provide career coaches with access to technology to develop customized career pathways and connect students with post-secondary and employment opportunities matching their skills and interests; and

- ▶ To implement and oversee programs providing support to community and junior colleges for training needs that may arise when new businesses locate in Mississippi, to include providing support to existing industries that may lose employees as a result of the new business.

- Through December 31, 2024, the provisions of Section 27-104-7 related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the office.

- This section also provides that any records of the office containing client information from the Mississippi Development Authority or local economic development entities concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two years after receipt of the information by the office.

Lastly, the bill amends Sections 27-104-7, 71-5-355, 71-5-453 and 25-61-5 to conform to the provisions of this act.

HB 770. Effective 7/1/23. Signed 4/17/23.

This bill amends Section 57-56-1 to rename the Mississippi Technology Transfer Office at the National Space Technology Laboratories within the NASA Stennis Space Center in Hancock County, Mississippi, as the "Mississippi Office of Space and Technology." The Mississippi Development Authority is charged with the responsibility for administering, staffing, managing and controlling the office.

EDUCATION

SB 2079. Effective 7/1/23. Signed 4/11/23.

SB 2079 establishes the "Mississippi School Safety Guardian Program" in the Office of Homeland Security within the Department of Public Safety. The bill requires that, in consultation with the Mississippi Department of Education, the Department of Public Safety shall establish the program and promulgate rules, regulations, and establish training requirements. It authorizes the governing body of a school to establish a program under the act. It also authorizes the department or the governing body to discontinue a school's participation in the program at anytime.

If the governing body of a school establishes a program under this act, the governing body of a school shall designate employees to participate in the training program developed by the department by which designated and trained school employees are authorized to carry concealed firearms for the protection of the students, employees and others on the campus of the school. The scope and purpose of each program shall include responding to an active shooter situation or other situation that would cause death or serious bodily harm on the school campus or in the immediate vicinity of the school campus. The bill also requires that the school safety guardian's weapon shall always remain under his or her physical control on campus.

The bill provides that a designated school safety guardian is immune from civil liability for any action taken by the school safety guardian if the action in question occurs during the reasonable exercise of and within the course and scope of the designated School Safety Guardian's official duties. School Safety Guardians are charged with these duties and must act in accordance with these duties to maintain their immunity. If a School Safety Guardian is found to have failed to carry out their official duties, the immunity shall be waived.

The bill also provides that a school safety guardian shall be paid a monthly stipend in an amount not less than \$100 but not more than \$500 by the school district. The bill also provides for certain criteria for a school safety guardian to be eligible for immunity. The bill provides that the Department of Public Safety may authorize and certify law enforcement training academies to offer the training program to the governing body of a school. The bill sets the minimum standards of the training program and provides that a training academy may provide training to any employee of a school who holds a concealed handgun license, has a current CPR and First Aid certification, and has a certain gun endorsement. The bill authorizes the department to establish a fee in an amount sufficient to cover the costs of the training program.

SB 2079 requires the Department of Public Safety to adopt rules and regulations that review the firearms training policies and procedures of school districts. The bill also provides that a person who is indicted or charged with a violation of criminal law while acting as a School Safety Guardian may assert as a defense, in addition to any other defense available, that, at the time of the action in question, the person was a certified School Safety Guardian, was then actually engaged in the performance of the person's duties as a School Safety Guardian

and had met the requirements of this section at the time of the action in question. The bill also provides that records relating to the identities of any person designated by the school's governing body to serve as a School Safety Guardian shall be exempt from the provisions of the Mississippi Public Records Act. It also states that subject to appropriation, the Office of Homeland Security may contract with a third-party vendor for mobile phone applications and/or computer equipment or services to accomplish the purposes of this act.

SB 2164. Effective 7/1/23. Signed 3/14/23.

SB 2164 provides that, in addition to other current lawful property use conveyances, school districts may convey, sell, lease or otherwise dispose of real property for residential, mixed-use or other development activity to stimulate economic development activities within their districts.

SB 2360. Effective on passage. Signed 3/14/23.

SB 2360 revises the board membership of agricultural high schools. The bill provides that the government and control of county agricultural high schools in any county shall be vested in a board of five trustees, one from each supervisor's district, three of whom shall be elected by the county board of supervisors and two of whom shall be elected by the county board of education. It provides that the county superintendent of education, who shall be the secretary of the board and whose term shall be his or her tenure of office, shall be an ex officio nonvoting member.

SB 2586. Effective 7/1/23. Signed 4/17/23.

SB 2586 revises the definition of terminology related to the offering of instruction under the provisions of the "Mississippi Computer Science And Cyber Education Equality Act." It provides that such instruction must be taught by appropriately endorsed teachers for computer science courses which award Carnegie units, and by licensed teachers or paraprofessionals with proper training in computer science instruction who are under the guidance or supervision of a licensed teacher. The bill defines "paraprofessional" as school employees who support instructional delivery and are deemed to be qualified and have received the professional learning opportunities to perform the job functions associated with providing instruction.

SB 2749. Effective 7/1/23. Signed 4/17/23.

SB 2749 increases the compensation of school board members based on the school districts' enrollment.

SB 2751. Effective 7/1/23. Signed 3/14/23.

SB 2751 provides that laws, ordinances or regulations of a municipality, county or any zoning or planning board or agency shall not prohibit, restrict or interfere with school districts' use of sixteenth section lands for the construction and operation of educational or extracurricular facilities.

SB 2812. Effective 7/1/23. Signed 4/17/23.

SB 2812 simply extends the date of repeal on the provision authorizing the State Board Of Education to appoint a new five-member board for the administration of a certain failing school district.

HB 817. Effective 7/1/23. Signed 4/17/23.

HB 817 amends Section 37-21-51 to increase the minimum funding levels for each student enrolled in full-day early learning collaborative programs to a minimum of \$2,500 and half-day early learning collaborative programs to a minimum of \$1,250.

HB 1173. Effective 7/1/23. Signed 3/22/23.

HB 1173 amends Sections 31-7-9, 37-61-33 and 37-28-55 to allow charter school teachers to receive classroom supply procurement cards from Education Enhancement Funds.

HB 1390. Effective 7/1/23. Signed 4/19/23.

HB 1390 amends Section 37-13-171, to delete the repealer on school board requirements to adopt a policy on abstinence-only or abstinence-plus. Additionally, the bill requires sexual risk avoidance education to be included as an alternate policy stance to be adopted by local school districts into its curriculum beginning with the 2023-2024 school year.

ELECTIONS

SB 2353. Effective 7/1/23. Signed 4/17/23.

SB 2353 amends Sections 23-15-227 and 23-15-229, Mississippi Code of 1972, to increase the maximum compensation that poll workers and ballot carriers can receive on election day. Section 23-15-227 is amended so that from July 1, 2023, to December 31, 2023, poll managers are entitled to \$75 for each election, and may receive an additional amount from the board of supervisors, based on their discretion, that shall not exceed \$125 per election. After January 1, 2024, the poll managers shall receive \$125 for each election, and the board of supervisors may, in their discretion pay the poll managers an additional amount not to exceed \$75 per election. Poll managers who carry the ballots to the voting precinct shall be allowed up to \$25, as well as \$25 for collection ballots from each precinct.

Section 23-15-229 is amended so that the governing authorities of a municipality may, in their discretion, pay clerks and poll managers in the polling place of the municipality an additional amount of compensation not to exceed \$75 out of the municipal general fund.

This act also amends Section 23-15-239, Mississippi Code of 1972, to allow local governing authorities to provide any fair and reasonable value of compensation that surpasses the federal hourly minimum wage to poll workers for attending required training. The compensation rate is adjusted to not less than the federal hourly minimum wage, and not more than \$20 per hour.

SB 2358. Effective 7/1/23. Signed 3/22/23.

SB 2358 prohibits ballot harvesting except in instances where:

(a) An election official while engaged in official duties as authorized by law.

(b) An employee of the United States Postal Service while engaged in official duties as authorized by law.

(c) Any other individual who is allowed by federal law to collect and transmit United States mail while engaged in official duties as authorized by law.

(d) A family member, household member, or caregiver of the person to whom the ballot was mailed.

(e) A common carrier that transports goods from one place to another for a fee. No parcel shall contain more than a single ballot.

The above listed actions are not considered to be ballot harvesting. Any violation of this act shall be subject to the penalties of Section 97-13-37.

HB 1276. Effective 7/1/23. Signed 3/22/23.

HB 1276 amends Section 23-15-193 to provide that the state officers who receive a majority of votes cast for the office at the general election shall be elected, but if no candidate receives a majority number of votes cast at the election, then the two candidates who receive the highest number of votes cast shall have their names placed on the ballot for the runoff election to be held three weeks later. The bill also provides that if it appears that two or more candidates for state office have an equal number of votes after the runoff election, the interested candidates shall appear before the Chief Justice of the Mississippi Supreme Court within two days after the canvass, and the tie shall be determined by a toss of a coin or by lot

fairly and publicly drawn, and a certificate of election shall be given accordingly. The runoff election provisions will only apply to statewide elected officials, as provided in Section 140 of the Mississippi Constitution. Sections 23-15-603 and 7-3-5 are amended to conform.

HB 1306. Effective 1/1/24. Signed 3/28/23.

HB 1306 amends Section 23-15-211 to revise the duties of the State Board of Election Commissioners by removing the duty of the board to remove the names of candidates from the ballot for failure to comply with campaign finance filing requirements.

The bill also amends Section 23-15-811 to provide that no person shall be qualified to appear on the ballot if, by the time the candidate is approved to appear on the ballot for the office sought, he or she has failed to file all reports required to be filed within the last five years.

The bill amends Section 23-15-807 to provide that candidates for judicial office shall not be required to file an annual report in an election year but shall file one in other years.

The bill also amends Section 23-15-753 to provide a penalty for any person who fraudulently requests or submits an absentee ballot application for any voter.

HB 1310. Effective 1/1/24. Signed 4/19/23.

HB 1310 creates new Section 23-15-615 to authorize the Secretary of State to audit election procedures of the 2023, 2024, 2026 and 2027 general elections in the counties of the state. The Secretary of State shall audit all 82 counties by randomly selecting from each of the congressional districts during the 2023, 2024, 2026 and 2027 general elections, and randomly selecting no more than 25% of the total precincts or no more than five precincts, whichever is less in each county. If

the Secretary of State finds issues that could disenfranchise voters or affect the outcome of the election, he can develop a plan to correct those issues. During the procedural audit, the Secretary of State shall audit the following:

- Procedures for testing of OMR equipment before counting ballots;
- Ballot accounting reports, seal logs, poll books, and receipt books;
- Absentee ballots, absentee ballot applications, and absentee ballot envelopes, along with the list provided to the resolution board; and
- Affidavit ballots and affidavit ballot envelopes, including affidavit ballot receipt books.

The Secretary of State shall create a post-election audit manual which will detail the policies and procedures for conducting post-election audits, and will not be allowed to alter it 90 days before the election. The Secretary of State shall also compile a report of the procedural audits not later than 120 days after the election and present it to the Governor, Lieutenant Governor, Speaker of the House and Chairs of the House and Senate Election Committees along with comments on the report from local election officials.

- Section 23-15-613, which provides that election commissions and county and municipal executive committees shall report residual vote information to the Secretary of State, is repealed.

- The bill also amends Section 23-15-153 to authorize election commissioners to receive a per diem of \$110 for conducting an audit of an election.

- Section 23-15-5 is amended to revise how the monies in the Elections Support Fund are distributed by removing the provision that 70% goes to the counties and 30% goes to the State General Fund and providing instead that all of the money in the special fund shall be distributed annually to the counties. The section is also amended to require counties to ensure that all computers with access to the Statewide Elections Management System be equipped with appropriate security measures, and to provide that the money in the special fund may be used to purchase such security measures.

- The bill creates Section 23-15-152 to provide that an elector who fails to respond to a confirmation notice or update his or her voter registration and who fails to vote during a certain period of time shall be removed from the Statewide Elections Management System.

- ▶ The section provides what a confirmation notice is and who will receive a confirmation notice.

- ▶ A registered voter who is mailed a confirmation notice shall be placed on inactive status in the Statewide Elections Management System but shall be able to vote by affidavit ballot.

- ▶ A registered voter fails to respond to the confirmation notice if the voter, during a period beginning on the date the confirmation notice was sent and ending on the day after the date of the second general election for federal office that occurs after the date of the notice, fails to respond to the confirmation notice or update the elector's registration information.

◆ However, if a voter fails to respond to the confirmation notice but votes at least once in any election in the registered voter's county or municipality during the period of time after the confirmation notice was sent, he or she will not be purged from the Statewide Elections Management System.

◆ Additionally, a registered voter who is active or reserve military or who serves on jury duty or responds to a summons for jury duty will not be purged from the Statewide Elections Management System.

▶ No systematic list maintenance shall occur during the 90 days immediately preceding a federal primary or general election which is limited to moving a voter to inactive status or purged status.

▶ The county registrar shall retain purged voter registration records after they are purged for a period that includes at least two federal general elections and shall record the reason for the removal.

▶ Section 23-15-125 is amended to conform to the provisions in newly created Section 23-15-152.

• Section 23-15-15 is amended to provide that by January 1, 2025, the Secretary of State shall compare the entire Statewide Election Management System to the Department of Public Safety Driver's License Database and follow the procedures in place if a voter is flagged in the database as a potential noncitizen. This section also provides that all documentation provided to show proof of citizenship shall be exempt from the Mississippi Public Records Act.

▶ Section 23-15-165 is amended to conform to the changes in Section 23-15-15.

ENERGY

SB 2102. Effective 7/1/23. Signed 3/21/23.

SB 2102 amends Section 77-13-3 to define an "impending emergency" in the context of an emergency excavation. The bill also amends Section 77-13-5 to extend the pre-excavation advance notification time period from two working days to three working days. The bill also requires excavators to provide advance notice of the commencement, extent, location and duration of such excavation and contact information for the excavator to Mississippi 811, Inc., at least 12 hours prior to the excavation. The bill also amends Section 77-13-9 to:

- Increase the time period by which a person owning or operating underground utility lines or other underground facilities shall make an investigation and report of the status of the work performed to Mississippi 811, Inc., from two days to three days;
- Decrease the number of hours that operators must contact the excavator to inform him or her of any known underground facilities at the site of excavation from four to two; and
- Require that a person owning or operating underground utility lines or other underground facilities shall, upon receiving advance notice of the commencement of an impending emergency excavation, make an investigation and report through the Positive Response Information System (PRIS) on the status of the work performed prior to the noticed time of excavation provided to Mississippi 811, Inc.

SB 2102 also amends Section 77-13-11 to provide that any misrepresentation of an emergency excavation or an impending emergency constitutes a violation of the act, and amends Section 77-13-7 to provide that if an operator brings a lawsuit to enforce the provisions of the act, the prevailing party shall be awarded legal costs, expenses and fees.

SB 2104. Effective 6/30/23. Signed 3/3/23.

SB 2104 amends Sections 49-17-707, 49-17-709, 49-17-711 and 49-17-713 to extend the date of repeal on the Mississippi Gulf Coast Region Utility Act from July 1, 2023, to July 1, 2027. The Mississippi Gulf Coast Region Utility Act creates the Mississippi Gulf Coast Region Utility Board, provides for the appointment of its members, and enumerates its powers and duties.

SB 2339. Effective 7/1/23. Signed 4/20/23.

SB 2339 amends Section 57-39-21 to extend the date of repeal on the provision of law requiring certain energy efficiency standards to be implemented during the design and construction of certain buildings from July 1, 2023, to July 1, 2026. The bill also updates the agency nomenclature of that statute.

SB 2339 also creates a new section within Title 17, Chapter 2 that restrains the state and any county or municipality from prohibiting or otherwise limiting the use of a federally approved refrigerant in a building code applicable to commercial or residential buildings, provided that such use is consistent with applicable safety standards and use conditions.

SB 2341. Effective 7/1/23. Signed 3/6/23.

SB 2341 creates a new section within Title 77, Chapter 3 to provide that an application for a certificate of public convenience and necessity to build, own or operate a new electric transmission facility in a regional transmission organization can only satisfy the certificate of public convenience and necessity if such facilities will ultimately be owned by:

- An entity over which the Public Service Commission has rate-setting jurisdiction;
- A "generation and transmission cooperative" as defined in Section 77-5-256; or
- An entity that agrees to submit to the Public Service Commission jurisdiction over its standards for service quality and customer service.

SB 2341 does not apply to applications filed before its effective date, nor to any amendments or supplements to such applications made thereafter.

HB 288. Effective 7/1/23. Signed 3/13/23.

HB 288 provides that the following positions of the Public Utilities Staff may be filled by use of a consulting contract, in addition to competitive appointment by the executive director: chief engineer, certified public accountant, director of economics and planning, supportive technical personnel, and general counsel.

HB 698. Effective 7/1/23. Signed 4/14/23.

HB 698 requires that the rates at which water, wastewater, and sewer services are supplied must be just and reasonable. The bill limits the basis for such rates to the actual cost to operate and maintain the systems, and provides that such rates may not be unreasonably preferential, prejudicial or discriminatory, but must be sufficient, equitable and consistent in application to each class of users.

Further, the bill requires that the governing authorities of a municipality establish and maintain rates and charges in equitable proportion to the use of the services and benefits rendered by the waterworks systems and water treatment facilities serving the municipal area. The bill limits the calculation of a user's bill to the actual amount of volumetric usage, plus those fees reasonable and necessary for the cost of capital expenses, system operation and maintenance, and debt service.

The bill also provides that if a user's meter is tampered with, unreadable, or otherwise out-of-order, a municipality may render an estimated bill to that user for a period not to exceed six months. In such circumstance, an estimated bill must be based upon the prior average measured usage of the user or a similar user of the same classification.

Finally, only in the event a municipality is unable to meet the requirement of billing based solely on volumetric usage, such municipality may bill based on a flat fee rate, where such municipality has established flat fee billing as its usual and customary billing practice prior to the passage of this act, and where such municipality is actively billing based upon a flat fee rate as of the passage of this act.

HB 1060. Effective 7/1/23. Signed 3/13/23.

HB 1060 amends Section 77-3-3 to authorize the provision of electric vehicle charging services by nonutilities. The bill also clarifies the definition of the term "public utility" to include persons and corporations owning or operating equipment for the purposes of the generation, manufacturing, transmission, distribution, provision, or furnishing of electricity to or for the public, whether to a person or an entity or a collection of persons or entities, for compensation.

HB 1225. Effective 7/1/23. Signed 3/22/23.

HB 1225 amends the Mississippi Telephone Solicitation Act to transfer the administrative, investigative, and enforcement responsibilities under the act from the Mississippi Public Service Commission to the Mississippi Attorney General's office.

FINANCE

SB 2011. Effective 7/1/23. Signed 3/10/23.

SB 2011 amends Section 27-65-201 to exempt from sales taxation the following transfers, if evidenced by an affidavit prepared by the Department of Revenue and signed by the transferor:

- Transfers of legal ownership of motor vehicles, without actual consideration for the transfer, between a trustee and a beneficiary of a trust;
- Transfers of legal ownership of motor vehicles between a corporation and one of its shareholders in a transaction qualifying for nonrecognition of gain or loss pursuant to Section 351 of the Internal Revenue Code as it exists at the time of the transfer; and
- Transfers of legal ownership of motor vehicles between a partnership or limited liability company and one of its partners or owners.

SB 2018. Effective 7/1/23. Signed 3/10/23.

SB 2018 amends Section 27-65-17 to remove the 7% tax on wholesale sales of beer. With the wholesale tax in place, the retailer files a return and computes the tax on retail sales but may take credit for the amount of the tax paid to the wholesaler covering subsequent sales of the same property. Without the wholesale tax, the 7% sales tax will be paid entirely at the retail level.

SB 2187. See summary under Veterans and Military Affairs heading.

SB 2433. Effective 7/1/23. Signed 3/8/23.

SB 2433 amends Section 77-3-1 to exempt from the utility regulation system the distribution of water by an eligible homeowners association only to its residents, regardless of the subdivision's location inside an area subject to a Certificate of Public Convenience and Necessity held by an eligible municipality. Any entity supplying water to an eligible homeowners association for purposes of supplying water only to its residents is likewise exempt from the system of utility regulation. These exemptions apply regardless of whether an eligible homeowners association elects to provide water to its residents on a full-time basis or opts for an emergency connection to a private water source for use only when water from an eligible municipality is unavailable, unreliable or unsafe.

Section 77-3-3 is amended to define "eligible municipality" as any municipality with a population of greater than 100,000 according to the latest decennial census which has been the subject of litigation by the U.S. Environmental Protection Agency for violations of the Safe Drinking Water Act. "Eligible homeowners association" is defined as any homeowners association created and governed by restrictive covenants, if the subdivision subject to these covenants (i) was constructed prior to 1970 outside municipal boundaries, (ii) was later annexed by an eligible municipality, regardless of whether the municipality was an "eligible municipality" at the time of annexation, and (iii) is located adjacent to a ground water well system originally designed to supply, and continuing to supply, the subdivision with drinking water.

The bill also creates in the code new Section 77-3-99 to clarify continuing obligations on the part of the eligible municipality with respect to the provision of sewage disposal and emergency fire suppression services in perpetuity, as well as water service until the homeowners association notifies the municipality in writing that it is prepared to begin providing water service to the subdivision's residents. The municipality shall sell and convey to the homeowners association, at fair market value as determined by an independent appraisal by an appraiser chosen by the association, any water assets the association deems necessary to provide water service to its residents. The association shall obtain an easement in municipal roads and rights-of-way providing access to these assets for purposes of repairing, replacing or improving them at its own cost. The association shall repair any municipal roads damaged as a result of these repairs or replacements.

SB 2449. Effective 7/1/23. Signed 3/28/23.

SB 2449 amends various sections of the state sales and use tax laws regarding the taxation of computer software delivered and computer software services performed in Mississippi.

Under Section 27-65-17, retail sales of tangible personal property are taxed at 7%. This bill amends the definition of "tangible personal property" in Section 27-65-3 to include computer software, but not electronically stored or maintained data. Section 27-65-7 is amended to specify that "retail sales" of tangible personal property are limited to that property physically or electronically delivered or located within this state. Computer software maintained on a server located outside the state and accessible for use only via the internet is not a taxable retail sale.

Section 27-65-19 levies a 7% tax on telecommunications services, excluding digital products delivered electronically from the definition of a "telecommunications service." The section is amended to specify that this exclusion encompasses computer software, computer software services and specified digital products, noting that these items or services are taxed elsewhere in the sales tax chapter. Also added to the exclusion is electronically stored or maintained data (which is likewise excluded from the definition of taxable "tangible personal property" in Section 27-65-3, as mentioned above).

Section 27-65-23 levies a 7% tax on various businesses and activities, including computer software services. The section is amended to specify that computer software services are taxable when "actually performed within this state." When a taxpayer performs taxable services both in intrastate and interstate commerce, the taxpayer may utilize any reasonable formulae of apportionment to determine the services performed within this state for tax purposes. The bill also removes computer software sales from the tax imposed in this section, as retail sales of computer software are taxed in Section 27-65-17.

Section 27-65-93 is amended to direct the Commissioner of Revenue to adopt rules and regulations providing for the issuance of a permit to purchasers and users of computer software or computer software services enabling the permittee to pay the sales or use tax directly to the commissioner rather than to the vendor.

A new section to be codified in the sales tax chapter defines the terms "computer software," "computer software service" and "information and data processing services" (which are excluded from the "computer software service" definition). The section provides for the allocation of taxable and nontaxable portions of computer software and computer software

services in bundled transactions, and for the apportionment of the use of taxable computer software and computer software services both within and without this state. For purposes of the sales tax and use tax, computer software or computer software services provided by one legal entity to another commonly owned, related or affiliated entity shall be treated as nontaxable transfers between different segments of one legal entity, with credit allowed for Mississippi sales or use tax paid, and/or credit for sales or use tax paid to another state, regardless of which affiliated entity paid the sales or use tax for which credit is taken.

A taxpayer that has paid sales or use tax to another state or local taxing jurisdiction on computer software or computer software services shall be allowed a credit against any Mississippi tax imposed, if the amount of the other tax was actually paid in the other jurisdiction, and if the rate of the tax imposed by and paid in the other jurisdiction does not exceed the rate of the Mississippi tax.

Section 27-67-3 is amended to revise the definition of "tangible personal property" under the use tax law to include computer software, as newly defined for sales tax purposes. Finally, Section 27-67-5 is amended to specify that computer software maintained on a server located outside the state and accessible for use only via the internet is not a taxable use, storage or consumption under the state use tax law.

SB 2525. See summary under Forestry heading.

SB 2681. Effective 6/30/23. Signed 3/10/23.

Under current law, if the annualized unemployment rate in a growth and prosperity county falls below 150% of the state's annualized unemployment rate for three consecutive calendar years, and less than 30% of the population of the county is at or below the federal poverty level according to the most recent official data compiled by the U.S. Census Bureau as of December 31 of the third of such consecutive calendar years, the tax exemptions authorized in the Growth and Prosperity Act may not be granted to additional business enterprises.

SB 2681 amends Section 57-80-9 to change the expressed standard for determining when less than 30% of the county population is at or below the federal poverty level. Rather than measuring this benchmark on December 31 of the third year, the measure is to be taken for three consecutive years.

SB 2695. Effective 7/1/23. Signed 4/19/23.

SB 2695 amends Section 57-26-5 to extend the deadline for the Mississippi Development Authority to issue certificates designating entities as approved participants, and authorizing them to participate, in the Tourism Project Incentive Program for tourism projects other than cultural retail attractions. The date is extended from July 1, 2023, to July 1, 2027.

SB 2696. Effective 7/1/23. Signed 4/19/23.

SB 2696 amends Section 27-7-22.32 to revise the terms of the income tax credit for dependent children legally adopted under the laws of Mississippi. It allows a credit in the amount of the qualified adoption expenses paid or incurred, not to exceed \$5,000, for each dependent child residing out of state, and a credit in the amount of \$10,000 for each dependent child residing in this state.

The bill also removes the reverter effective January 1, 2024, which would lower to \$2,500 the maximum amount of the credit per child adopted.

SB 2698. Effective 7/1/23. Signed 3/16/23.

SB 2698 amends Section 27-31-46.1 to extend the period in which certain renewable energy projects may begin construction in order to be eligible for a partial ad valorem tax exemption. The deadline is extended from December 31, 2024, to December 31, 2027. In addition, the deadline by which county boards of supervisors and municipal governing authorities may authorize such an exemption for certain renewable energy projects is extended from July 1, 2023, to July 1, 2026.

The bill also amends Section 27-31-104, which authorizes county boards of supervisors and municipal governing authorities to enter into agreements with certain enterprises granting a fee-in-lieu of ad valorem taxes, to conform to the extended July 1 deadline for entering into such fee-in-lieu agreements. Another amendment to the section adds "an entity defined in Section 77-3-3(d)(i)" as a new category of enterprises with which local authorities may enter into fee-in-lieu agreements. Section 77-3-3(d)(i), as amended by House Bill No. 1060, 2023 Regular Session, refers to the generation, manufacture, transmission, distribution, provision or furnishing of electricity to or for the public, whether an individual person or an entity or a collection of persons or entities, for compensation.

SB 2700. Effective 1/1/23. Signed 3/10/23.

SB 2700 amends Section 27-33-75 to provide that a qualified homeowner who is the unremarried surviving spouse of a member of the U.S. Armed Forces who was killed or died on active duty, or of a member of a reserve component of the U.S. Armed Forces or of the National Guard who was killed or died on active duty for training, shall be allowed an exemption from all ad valorem taxes on the assessed value of the homestead property.

The bill also amends Section 27-33-31 to allow such a homeowner, as well as a homeowner allowed an exemption from all ad valorem taxes on the assessed value of homestead property due to a service-connected, total disability as an American veteran who has been honorably discharged from military service, or the unremarried surviving spouse of such a homeowner, to apply for the exemption within 30 calendar days of the closing date for the homestead purchase, but not later than December 31 of the year of purchase. If, at the time of application, the applicant has homestead exemption on another property, the effect of the new application on the old homestead property shall be the same as if the new application were filed on or before April 1.

Finally, the bill repeals Sections 27-33-69, 27-33-71 and 27-33-73, which provide tables for ad valorem tax exemptions claimed and for which reimbursement was made in previous years. Section 27-33-67 is amended to conform to the repeal of these sections.

SB 2703. Effective 7/1/23. Signed 3/14/23.

SB 2703 amends Section 63-1-43 to require the Commissioner of Public Safety to waive the fee for any driver's license or learner's permit issued to applicants who are in the custody of the Department of Child Protection Services. The bill also amends Section 45-1-21 to exempt applicants in Child Protection Services custody from the card stock fee for a license, permit or identification card bearing the applicant's likeness.

SB 2841. Effective 1/1/24. Signed 4/12/23.

SB 2841 amends Sections 27-19-31 and 27-19-11 to provide that an owner of a private carrier of passengers, of a motorcycle, or of a carrier of property whose gross vehicle weight does not exceed 10,000 pounds may choose a regular license tag with a black background and a white pinstripe border, with "Mississippi" printed at the top and the name of the county printed at the bottom. The bill prescribes an additional fee of \$38.25 for the issuance of this tag. Of this fee, \$2 shall be deposited into the Department of Revenue License Tag Acquisition Fund created in Section 27-19-179, and the remaining \$36.25 shall be deposited into the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund created in Section 45-2-1.

SB 2842. Effective 7/1/23. Signed 4/13/23.

SB 2842 amends Section 27-67-35, which creates special funds in the State Treasury to be used to provide monies to assist municipalities and counties in paying costs associated with road and bridge improvements and, for municipalities, water and sewer infrastructure improvements, to require that these monies not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service except as provided in the

section, personal property or equipment (other than equipment to be permanently installed as part of a road or bridge), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. It is also specified that municipalities may use these monies for storm water and drainage improvements.

Additionally, the bill revises the time period referenced in the definition of "base expenditures" that must be met by a municipality in order to be eligible to receive the full amount of monies allocated for distribution from the special fund. The prior five-year period, from October 1, 2013, to September 30, 2018, for calculating a municipality's average annual expenditures is changed to a two-year period from October 1, 2020, to September 30, 2022. The bill also removes the provision requiring the exclusion of the year with the highest expenditures and the year with the lowest expenditures.

The standard for annually adjusting and compounding the amount of base expenditures is revised. Rather than increasing or decreasing this amount by a percentage equal to the U.S. inflation rate for the previous calendar year, the adjustment will be based on the lesser of 0.5% or the U.S. inflation rate for the previous calendar year.

SB 2851. Effective 7/1/23. Signed 3/10/23.

SB 2851 amends Sections 57-103-1, 57-103-3 and 57-103-7 to change the administering entity of certain technology-based capital assistance programs from the Mississippi Technology Alliance to Innovate Mississippi (IMS).

The amount of assistance a business may receive under the Research and Development Program is increased from \$200,000 to \$250,000. The purposes for which funds may be disbursed by the Mississippi Development Authority (MDA) under this program are

amended to eliminate reference to Section 57-103-9, which establishes the Rural Innovation Program-Level 2.

The bill changes the Mississippi New Technology Business Program-Level 1 to the Proof of Concept Loan Program, increasing the amount of assistance a business may receive under this program from \$10,000 to \$25,000. As before, the purposes for which funds may be disbursed by the MDA under this program are amended to eliminate reference to Section 57-103-9.

The Rural Innovation Program-Level 1 is changed to the Proof of Concept Grant Program, and the requirement that an eligible business have its principal place of business in a Mississippi rural county is revised so that it may be anywhere in the state. The bill also amends the conditions under which a business receiving assistance under this program shall be required to repay the assistance. There shall be no such requirement unless IMS determines that the business has violated significant terms of its agreement, presented false information or misrepresented facts in its application. If it is determined the business violated terms or submitted false or knowingly incorrect information, the business will be required to repay 100% of the amount of assistance received.

SB 2858. Effective 7/1/23. Signed 3/21/23.

SB 2858 amends Section 57-115-5 to increase by \$45,000,000 the aggregate amount of investment tax credits that may be allocated by the Mississippi Development Authority (MDA) to participating investors of Mississippi small business investment companies under the Mississippi Small Business Investment Company Act. No company, on an aggregate basis with its affiliates, may file credit allocation claims on this additional aggregate amount that exceed \$45,000,000. This additional amount shall be divided into a primary tax credit pool for

certified primary Mississippi small business investment companies, and a secondary tax credit pool for certified secondary Mississippi small business investment companies. The secondary pool is \$3,500,000 of the total \$45,000,000 amount. A secondary company may not apply for more than \$1,750,000 of credits on a single application, but it may apply for additional credit allocation from the secondary pool if the credits are available after 50% of its previously allocated credits are used in qualified investments.

Any tax credits available for allocation in the secondary pool on August 1, 2024, will revert to the primary pool. Before August 1, 2027, a primary company, including any wholly owned subsidiary, may not apply to the MDA to be additionally certified as a secondary company for purposes of the additional credits and may not apply for any credit allocation from the secondary pool. A primary company may have ownership equity in a secondary company, but the equity interest owned by the primary company may not exceed 40%.

For tax years 2027 through 2031, a participating investor may claim from the additional \$45,000,000, a credit in an amount equal to 16.66% of its investment of designated capital. For the 2032 tax year, the investor may claim a credit in an amount equal to 16.7% of its investment of designated capital.

SB 2862. Effective 7/1/23. Signed 4/19/23.

SB 2862 amends Section 27-65-111 to exempt from sales taxation sales of coins, currency and bullion. "Bullion" means a bar, ingot or coin (a) manufactured, in whole or in part, of gold, silver, platinum or palladium, (b) issued solely as a medium of exchange, security, or commodity by any state, the United States government, or a foreign nation, and (c) sold based on its intrinsic value as a precious metal or collectible item rather than its form or representative value as a medium of exchange. "Coin or currency" is subject to the same definition, except for being manufactured, in whole or in part, of gold, silver, other metal, or paper.

SB 2887. Effective on passage. Signed 4/13/23.

SB 2887 amends Section 27-105-33 to modify certain provisions concerning the deposit and investment of excess state funds by the State Treasurer. The requirement that at least 80% of the total dollar amount in all repurchase agreements at any one time be pursuant to contracts with qualified state depositories is replaced with a requirement that a qualified state depository be given preference for such agreements when possible. The Treasurer is also provided the option of investing in corporate bonds, taxable municipal bonds, and certain corporate short-term obligations.

The bill also amends Section 27-104-7 to specify that certain Public Procurement Review Board (PPRB) provisions shall not impair or limit the authority of the Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Additionally, a subsection requiring that the Department of Human Services and

the Department of Child Protection Services notify the PPRB of any proposed personal or professional service contract is deleted because of its repeal on July 1, 2022.

HB 261. Effective 7/1/23. Signed 4/19/23.

HB 261 amends Section 27-7-207 to extend until December 31, 2028, the income tax credit authorized under the Endow Mississippi Program for a qualified contribution by a taxpayer to an endowed fund at a qualified community foundation. The bill also increases:

- The maximum amount authorized for a qualified contribution, from \$200,000 to \$500,000;
- The total qualified contributions from any qualified taxpayer eligible for the tax credit, from \$200,000 to \$500,000 per year; and
- The maximum aggregate amount of tax credits authorized in any one calendar year, from \$500,000 to \$1,000,000.

HB 371. Effective on passage. Signed 3/8/23.

HB 371 amends Section 74, Chapter 492, Laws of 2020, to revise the purposes for which the proceeds of bonds authorized to be issued to assist the City of Union in paying costs associated with repairs and overlay of Industrial Circle may be used. The purposes are broadened to include city roads generally, beyond only Industrial Circle.

HB 383. Effective 7/1/23. Signed 3/13/23.

HB 383 amends Sections 27-25-503 and 27-25-703 to extend the date of the repealers, from July 1, 2023, to July 1, 2028, on the provisions of law that establish a temporarily reduced rate for the levy and assessment of severance taxes on the initial oil and natural gas produced from certain horizontally drilled wells and horizontally drilled recompletion wells.

HB 388. Effective 7/1/23. Signed 3/23/23.

HB 388 amends Section 27-7-805 to revise the definitions of certain terms for purposes of the law authorizing counties and municipalities to submit certain debts owed to them to the Department of Revenue for collection through a setoff against a debtor's Mississippi income tax refund. The amendment authorizes the use of this collection method by a community hospital owned by one or more counties, cities, towns, supervisor's districts or combinations thereof.

HB 390. Effective on passage. Signed 3/8/23.

HB 390 amends Section 27-7-22.31, which authorizes an income tax credit for costs and expenses incurred for the rehabilitation of certain historic structures, to revise the time during which a taxpayer, in lieu of claiming a tax credit, may elect to claim a rebate in the amount of 75% of the amount that would be eligible to claim as a credit. The bill provides that the election may be made at any time after the certification of the rebate. If the taxpayer has utilized a tax credit on an income tax return prior to making an election to claim a rebate, then the available rebate will be reduced by the amount of credit utilized.

HB 395. Effective 7/1/23. Signed 3/22/23.

HB 395 amends Section 57-75-15 to extend to July 1, 2026, the date by which state general obligation bonds may be issued under the Mississippi Major Economic Impact Act for certain automotive parts manufacturing plant projects.

HB 401. Effective 7/1/23. Signed 3/14/23.

HB 401 amends Section 63-17-75 of the Mississippi Motor Vehicle Commission Law to provide that, except as expressly permitted by Section 63-17-109, no motor vehicle manufacturer, factory branch, distributor, distributor branch or subsidiary thereof is, directly through any parent, subsidiary or affiliated entity, whether or not such motor vehicle manufacturer, factory branch, distributor, distributor branch or subsidiary thereof has entered into a franchise with any person or entity in this state, eligible to:

- Own any ownership interest in, operate or control any motor vehicle dealer or dealership in this state for the same type or classification of motor vehicle that it manufactures or distributes;

- Apply for a motor vehicle dealers license; or
- Be licensed as a new motor vehicle dealer in this state.

The bill also amends Section 63-17-109 to provide that neither this section nor Section 63-17-75 shall be construed to prohibit any of the following:

- The ownership, operation or control by a manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, of a dealership for a temporary period, not to exceed one year, during the transition from one licensed motor vehicle dealer to another. The Mississippi Motor Vehicle Commission may extend the temporary ownership, operation or control period upon a showing of good cause by the manufacturer, factory branch, distributor, distributor branch or subsidiary thereof;

- The ownership, operation or control of a dealership by a manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, while in a bona fide relationship with an independent person, other than a manufacturer, factory branch,

distributor, distributor branch or an agent or affiliate thereof, who has made a significant, bona fide, unencumbered initial investment in the dealership that is subject to loss, and who can reasonably expect to acquire full ownership of the dealership within a reasonable period of time, and on reasonable terms and conditions, provided that a reasonable period shall be presumed to not exceed eight years; or

- The ownership, operation or control of not more than one motor vehicle dealership location within this state by a manufacturer that manufactures and sells only motor vehicles that are plug-in electric vehicles that do not rely on any nonelectric source of power in all modes of operation, provided that the dealership has been continuously licensed since August 1, 2021, and provided that the ownership or controlling interest in the dealership is not transferred, sold or conveyed to another person required to be licensed under the Mississippi Motor Vehicle Commission Law.

HB 535. Effective 7/1/23. Signed 4/19/23.

HB 535 amends Section 67-1-5 to revise the definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law to add 22 specified locations in the state. One of these new areas, a municipality, must have qualified resort area status approved by local election under amended Section 67-1-16 before it may be designated a qualified resort area.

The bill also amends Section 67-1-7 to authorize the governing authorities for certain qualified resort areas to provide, by ordinance or resolution, that package retailer's permits may be issued in the applicable qualified resort areas and that alcoholic beverages may be received, stored, sold, possessed and distributed in accordance with these permits.

HB 549. Effective 7/1/23. Signed 3/22/23.

HB 549 amends Section 27-65-101 to exempt from sales taxation the gross proceeds from the sale of any item of tangible personal property by the manufacturer or custom processor thereof if such item is shipped, transported or exported from this state and first used in another state, whether such shipment, transportation or exportation is made by the seller, purchaser, or any third party acting on behalf of such party. For the purposes of this exemption, any instruction to, training of or inspection by the purchaser with respect to the item prior to shipment, transportation or exportation of the item shall not constitute a first use of the item within this state.

HB 704. See summary under Tourism heading.

HB 1136. Sections 1 and 2 effective on passage, remaining sections effective 7/1/23. Signed 4/19/23.

HB 1136 authorizes the issuance of distinctive motor vehicle license tags to supporters of the following:

- 2022 National Championship Ole Miss Rebels Baseball Team;
- 2021 National Championship Ole Miss Rebels Women's Golf Team;
- Northeast Jones High School;
- Mississippi Towing and Recovery Professionals, Inc.;
- Jack and Jill of America, Inc.;
- Mississippi Road Builders Association;
- Clinton Public School District;
- Magnolia Speech School;
- Coahoma County Jr./Sr. High School;
- Clinton Community Nature Center;

- Most Worshipful King Hiram Grand Lodge & Electra Grand Chapter Order of Eastern Star A.F. & A.M., State of Mississippi;
- City of Olive Branch; and
- Methodist Cursillo of Mississippi.

The bill also authorizes the issuance of distinctive motor vehicle license tags to the following:

- The unremarried surviving spouse of a person who was a law enforcement officer or other law enforcement employee who died while engaged in the performance of his or her official duties or was wounded or otherwise received intentional or accidental bodily injury while engaged in the performance of his or her official duties and later died as a result of such wounds or injury;

- Respiratory therapists;
- Persons honorably discharged from service as members of the United States Merchant Marine; and
- Members of the board of directors of the Mississippi Wildlife, Fisheries and Parks Foundation.

The bill reauthorizes the issuance of:

- The distinctive motor vehicle license tags identifying persons as members of the clergy.

- The following distinctive motor vehicle license tags to supporters of:

- ▶ Mississippi School for Mathematics and Science;
- ▶ West Point Consolidated School District;
- ▶ The Mississippi Aquarium;
- ▶ Mississippi Sweet Potato Council;
- ▶ Thomas E. Edwards High School; and
- ▶ The former Hinds Agricultural High School.

- The following distinctive motor vehicle license tags:
 - ▶ License tags that have the words "We Love Life" centered at the bottom of the tag; and
 - ▶ License tags that have the word "Adoption" used in the design of the tag.

The bill also:

- Amends the section of law that authorizes the issuance of distinctive motor vehicle license tags with the words "Choose Life" centered at the bottom of the license tag to reflect the change of the name of the Choose Life Advisory Committee to Choose Life Mississippi.
- Amends the section of law that authorizes the issuance of distinctive motor vehicle license tags to active duty and retired members of the Army National Guard and Air National Guard, to authorize the issuance of distinctive motorcycle license tags to such persons.
- Amends the section of law that authorizes the issuance of distinctive motor vehicle license tags to members and certain former members of the Legislature, to revise the persons to which a replica of such tags may be issued.
- Exempts the distinctive motor vehicle license tags authorized to be issued to persons who are honorably discharged from service as members of the United States Merchant Marine from the requirement that a certain number of such tags must be purchased prior to issuance.

HB 1140. Effective on passage. Signed 4/20/23.

HB 1140 amends Section 67-3-46 to revise the types of manufacturers of beer, light wine or light spirit products that are prohibited from having an interest in wholesalers or distributors of beer, light wine or light spirit products. The bill includes within such prohibition, an entity that is the manufacturer of a product or substance that is infused into or becomes part of any beer, light wine or light spirit products, regardless of whether the entity manufactures the final product. This prohibition also applies to affiliated companies, wholly-owned subsidiaries and joint ventures.

HB 1168. Effective 7/1/23. Signed 3/27/23.

HB 1168 amends Section 27-65-241, which authorizes certain municipalities to levy a municipal special sales tax, to provide that if a municipality levying such a tax fails to comply with certain audit or reporting requirements and does not remedy the noncompliance within 30 days after receiving written notice of noncompliance, the Department of Revenue shall withhold payments otherwise payable to the municipality under this section until the department receives written notice that the municipality has complied with such requirements.

The bill also requires that records reflecting the receipts and expenditures of the revenue from the special sales tax be provided monthly in detail to the members of the municipality's special sales tax commission, to include the name of the vendor and the project, and the dates and amounts received and paid. The independent certified public accountant who annually audits the records shall provide a copy of the report to the commission members, in addition to the Secretary of the Senate and the Clerk of the House.

Any expenditure from the special municipal fund, into which the proceeds of the special sales tax are deposited, that was not for a project approved by the commission, or was in excess of the amount approved by the commission, shall be reimbursed by the city to the special fund.

Finally, the bill removes the provision that each member of the commission shall serve until a successor is appointed and qualified.

HB 1169. Effective 7/1/23. Signed 3/27/23.

HB 1169 amends Section 27-7-45 to provide that, if an officer or employee of the state or a political subdivision thereof does not pay state income tax by August 15 after the income tax becomes due and payable, the officer or employee may elect to have 25%, instead of the full amount, of his wages withheld and paid to the Department of Revenue in satisfaction of the income tax, interest and penalty, if any, until paid in full. The prior law required that the entire amount be withheld and paid to the Department of Revenue. A conforming amendment is made to Section 7-7-43.

HB 1170. Effective 7/1/23. Signed 3/13/23.

HB 1170 amends Section 63-21-16 to authorize the Department of Revenue to issue electronic liens and titles for motor vehicles and manufactured homes. If there are one or more liens or encumbrances on the motor vehicle or manufactured home, the Department of Revenue may electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions may be electronically transmitted to the Department of Revenue and shall include the name and address of the person satisfying the lien. When electronic transmission of liens and lien satisfactions is used, a certificate of title does not need to

be issued until the last lien is satisfied and a clear certificate of title is issued to the owner of the motor vehicle or manufactured home. When a motor vehicle is subject to an electronic lien, the certificate of title for the motor vehicle shall be considered to be physically held by the lienholder for purposes of compliance with state or federal odometer disclosure requirements. A duly certified copy of the Department of Revenue's electronic record of the lien will be admissible in any civil, criminal or administrative proceeding in this state as evidence of the existence of the lien.

HB 1561. Effective 7/1/23. Signed 3/27/23.

HB 1561 amends Section 27-31-101 to include controlled environment agriculture enterprises meeting minimum criteria established by the Mississippi Development Authority in the types of new enterprises for which county boards of supervisors and municipal governing authorities may grant ad valorem tax exemptions.

The bill also amends Section 51-7-29 to remove the requirement that the board of supervisors of any county having a master water management district levy a tax assessment as requested by the commissioners of the master water management district. Section 51-7-23 is amended to conform to these changes.

HB 1668. Effective 1/1/23. Signed 3/27/23.

HB 1668 amends Section 27-7-26 to revise the method by which a partnership, S corporation or similar pass-through entity may elect to become taxed as an electing pass-through entity for state income tax purposes and pay the tax at the entity level, and the method by which such an election may be revoked. Both the election to become an electing pass-through entity and the revocation of that election will be accomplished

by a vote satisfying the threshold required for taking official action as may be specified within the entity's governing documents. If the entity's governing documents do not contain any such provisions governing the approval of official actions, the election will be accomplished by a vote by or written consent of the owners, members, partners or shareholders holding greater than 50% of the voting control of the entity, and also, if the entity has a governing body, by a vote by or written consent of the members of the governing body.

The bill provides that each owner's, member's, partner's or shareholder's pro rata or distributive share of the income of the electing pass-through entity shall be used in computing the taxpayer's gross income tax liability.

Finally, the bill provides that any additional income tax credits generated by the electing pass-through entity shall pass through to the owners, members, partners or shareholders on a pro-rata basis and may be claimed on the returns of those taxpayers. If an owner's, member's, partner's or shareholder's aggregate credits exceed his or her income tax liability, the excess shall be carried forward as an overpayment or refunded at the person's election. Any carryforward limitations applicable to credits generated by the electing pass-through entity, other than the credit provided by this section for income taxes paid by the electing pass-through entity, shall apply at the owner, member, partner or shareholder level.

HB 1671. Effective 1/1/23. Signed 4/19/23.

HB 1671 amends Section 27-7-22.43, which authorizes an income tax credit, insurance premium tax credit and ad valorem tax credit for voluntary cash contributions made by certain taxpayers to eligible charitable organizations. The tax credit is available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Under prior law, the ad valorem tax credit was available to taxpayers not operating as corporations, but the bill provides this credit also to taxpayers operating as corporations, beginning in 2023.

The bill revises the definition of "eligible charitable organization" to require that a pregnancy resource center or crisis pregnancy center:

- Certify that no more than 20% of the contributions received under this section will be spent on administrative purposes; and
- File annually with the Secretary of State the organization's publicly available Internal Revenue Service filings.

The bill increases the aggregate annual amount of these tax credits that may be allocated from \$3,500,000 to \$10,000,000, starting in 2023. Of the credits allocated during a calendar year for contributions to a single eligible charitable organization, the maximum is reduced from 50% to 25%; however, credits not allocated before June 1 may be allocated without regard to this restriction for the same calendar year.

The bill also amends Section 27-7-22.39, which authorizes an income tax credit to individual taxpayers for voluntary cash contributions to qualifying charitable organizations ("QCOs")

and a separate income tax credit for such contributions to qualifying foster care charitable organizations ("QFCCOs"). Beginning in 2023, credits against ad valorem taxes are authorized for the same kinds of contributions, again separately with respect to QCOs and QFCCOs. The annual amount of the ad valorem credit for each kind of contribution per taxpayer may not exceed 50% of the taxpayer's total liability for ad valorem taxes assessed and levied on real property. Any credit claimed under but not used in any taxable year may be carried forward for five consecutive years from the close of the year in which the credits were earned.

The section is also amended to raise the maximum annual amount of the income tax credit that may be allowed to a taxpayer, beginning in 2023. For QCO contributions, the amount of the credit may not exceed the lesser of \$1,200 (formerly \$400) or the amount of the contribution in any tax year for a single individual or a head of household, or the lesser of \$2,400 (formerly \$800) or the amount of the contribution in any tax year for a married couple filing a joint return. For QFCCO contributions, the amount of the credit may not exceed the lesser of \$1,500 (formerly \$500) or the amount of the contribution in any tax year for a single individual or a head of household, or the lesser of \$3,000 (formerly \$1,000) or the amount of the contribution in any tax year for a married couple filing a joint return.

The bill also authorizes three new tax credits. For the first two, the following provisions apply generally:

- An individual taxpayer may claim the credit against income taxes and ad valorem taxes. A business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company,

partnership or sole proprietorship may claim the credit against income taxes and/or insurance premium taxes, as well as ad valorem taxes.

- The amount of credit that may be used by a taxpayer in a taxable year may not exceed 50% of the taxpayer's total income tax and/or, for a business enterprise, insurance premium tax liability and may not exceed 50% of the taxpayer's total tax liability for ad valorem taxes assessed and levied on real property. Any credit claimed but not used in any taxable year may be carried forward for five consecutive years from the close of the tax year in which the credits were earned.

- The same contribution may not be used to claim both the individual credit and the business credit.

- A contribution for which a credit is claimed may not be used as a deduction for state income tax purposes.

The first new credit authorized is for voluntary cash contributions made by a taxpayer to an eligible transitional home organization, defined as a federally tax-exempt 501(c)(3) organization providing transitional housing for homeless persons age 25 and under, homeless families and/or homeless and/or referred unwed pregnant women. Excluded from the definition are entities providing, paying for or covering abortions or financially supporting another entity that does so. Also excluded are entities charging fees for transitional home services or benefits. The aggregate annual amount of credits that may be allocated by the Department of Revenue for contributions by taxpayers that are business enterprises engaged in commercial, industrial or professional activities and operating as corporations, limited liability companies, partnerships or sole proprietorships may not exceed \$10,000,000, and no more than 25% of such credits may be allocated for

contributions to a single eligible transitional home organization. The aggregate annual amount of credits that may be allocated by the department for contributions by individual taxpayers may not exceed \$1,000,000.

The second new credit authorized is for voluntary cash contributions made by a taxpayer to an eligible charitable organization, defined as a federally tax-exempt 501(c)(3) organization spending at least 50% of its budget on contracting or making other agreements or arrangements with physicians and/or nurse practitioners to provide health care services to low-income residents of this state, including those who are mothers, and to their households. Excluded from the definition are entities providing, paying for or covering abortions or financially supporting another entity that does so. Low-income residents are persons whose household income does not exceed 185% of the federal poverty level converted to a modified adjusted gross income equivalent standard. The aggregate annual amount of credits that may be allocated by the Department of Revenue for contributions by taxpayers that are business enterprises engaged in commercial, industrial or professional activities and operating as corporations, limited liability companies, partnerships or sole proprietorships may not exceed \$3,000,000. The aggregate annual amount of credits that may be allocated by the department for contributions by individual taxpayers may not exceed \$1,000,000.

The third new credit authorized is an income tax credit for taxpayers allowed to claim a federal income tax credit under 26 USCS Section 21 for certain dependent care expenses, specifically, employment-related expenses (as defined in 26 USCS Section 21) incurred related to one or more qualifying individuals (as defined in 26 USCS Section 21(b)(1)(A)). The amount of the credit shall be equal to 25% of the amount of the

federal income tax credit lawfully claimed by the taxpayer for such employment-related expenses on the taxpayer's federal income tax return. The amount of credit that may be used by a taxpayer in a taxable year shall not exceed the taxpayer's total state income tax liability. In order to claim the credit, a taxpayer must claim the federal credit on the federal income tax return and have an adjusted gross income for such return of not more than \$50,000.

HB 1723. Effective 7/1/23. Signed 3/27/23.

HB 1723 authorizes an income tax credit, insurance premium tax credit and ad valorem tax credit for voluntary cash contributions made by a taxpayer to an eligible charitable organization, defined as a federally tax-exempt 501(c)(3) organization purchasing, warehousing and delivering food directly to food pantries or soup kitchens in more than five Mississippi counties on a monthly basis. The tax credit is available only to business enterprises engaged in commercial, industrial or professional activities and operating as corporations, limited liability companies, partnerships or sole proprietorships. The amount of credit that may be used by a taxpayer in a taxable year may not exceed 50% of the total income tax and/or insurance premium tax liability of the taxpayer for the taxable year and may not exceed 50% of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed but not used in any taxable year may be carried forward for five consecutive years from the close of the tax year in which the credits were earned. A contribution for which a credit is claimed may not be used as a deduction by the taxpayer for state income tax purposes.

The aggregate amount of credits that may be allocated by the Department of Revenue during a calendar year may not exceed \$1,000,000.

HB 1733. Effective 1/1/23. Signed 3/27/23.

HB 1733 amends Section 27-7-17 to revise the methods of depreciation that may be used for certain expenditures and property under the state income tax law. The bill provides that, for the purpose of computing income tax for tax years beginning in 2023:

- A taxpayer may treat specified research or experimental expenditures, as defined in 26 USCS Section 174 as it existed on January 1, 2021, paid or incurred by the taxpayer during the tax year in connection with the taxpayer's trade or business as expenses that are not chargeable to the capital account. The expenditures so treated shall be allowed as an immediate deduction and shall remain allowable as a full and immediate expense deduction in the year in which the expenses are incurred, notwithstanding any changes to the federal Internal Revenue Code related to the depreciation of such specified research or experimental expenditures. A taxpayer may alternatively treat the depreciation of the specified research or experimental expenditures in accordance with the schedule provided in 26 USCS Section 174. A taxpayer may make an election whether to take a full and immediate deduction for the expenditures and/or to depreciate the expenditures in accordance with 26 USCS Section 174. An election may be made for any tax year if made not later than the time prescribed by law for filing the return for the tax year, including extensions thereof. The method elected by the taxpayer is irrevocable unless the Commissioner of Revenue specifically allows a change in the method.

- Expenditures for business assets that are qualified property (as defined in 26 USCS Section 168(k) as it existed on January 1, 2021) or qualified improvement property (as defined in 26 USCS Section 168(e)(6) as it existed on January 1, 2021) shall be eligible for 100% bonus depreciation and may be deducted as an expense incurred by the taxpayer during the tax year during which the property is placed in service, notwithstanding any changes to federal law related to cost recovery beginning on January 1, 2023, or on any other date. A taxpayer may alternatively treat the depreciation of the business assets in accordance with the schedule provided in 26 USCS Section 168. A taxpayer may make an election whether to take a bonus depreciation deduction for the expenditures and/or to depreciate the expenditures in accordance with 26 USCS Section 168. An election may be made for any tax year if made not later than the time prescribed by law for filing the return for the tax year, including extensions thereof. The method elected by the taxpayer is irrevocable unless the Commissioner of Revenue specifically allows a change in the method. The methods provided in this paragraph apply to property placed in service after December 31, 2022.

- In any taxable year in which any 26 USCS Section 179 property is placed in service, a taxpayer may elect to treat the cost of the property as an expense that is not chargeable to a capital account, and any cost so treated will be allowed as a deduction for that year. Mississippi's treatment of the deduction will conform to the provisions of 26 USCS Section 179 in effect for that year.

The total of any method or combination of methods of depreciation provided by these amendments cannot exceed 100% of the cost of the subject property.

HB 1734. Effective 7/1/23. Signed 4/19/23.

HB 1734 amends Section 27-67-31 to revise the portion of state use tax revenue deposited into the Local System Bridge Replacement and Rehabilitation Fund and to provide that a portion of state use tax revenue will be deposited into the State Aid Road Fund as follows:

- On or before August 15, 2023, and each succeeding month thereafter, \$1,666,666.67 or 2.5% (5% under prior law) of the total use tax revenue collected during the preceding month under the state use tax law, whichever is the greater amount, will be deposited into the Local System Bridge Replacement and Rehabilitation Fund; and

- \$1,666,666.67 or 2.5% of the total use tax revenue collected during the preceding month under the state use tax law, whichever is the greater amount, will be deposited into the State Aid Road Fund.

The bill amends Section 65-9-17 to provide that such funds deposited into the State Aid Road Fund shall be used to prioritize the timely repair and replacement of deficient state aid system bridges. Each county shall be allocated a percentage of such funds as they become available as follows:

- 1/2 on the proportion that the total number of state aid system bridges in the county bears to the total number of state aid system bridges in all counties of the state; and

- 1/2 on the proportion that the total square footage of deck area of all state aid system bridges in the county bears to the total square footage of deck area of all state aid system bridges in all counties of the state.

For the purposes of this provision, "deficient bridge" means a bridge with a condition rating of fair or less for its deck, superstructure or substructure, as determined by National Bridge Inspection Standards and that is included on the latest annual bridge inventory prepared by the Office of State Aid Road Construction, and "state aid system bridge" means a bridge included on the latest annual official bridge inventory prepared by the Office of State Aid Road Construction, excluding bridges on the local bridge system and the rural major collector system.

The bill amends Section 19-11-27 to allow county boards of supervisors to expend monies on deficient state aid system bridges during the last six months of their term.

The bill also amends Section 57-73-23, which authorizes an income tax credit for employers providing dependent care for employees during work hours, to authorize an income tax credit for employers who provide a child care stipend to be used for child care during employees' work hours. An employer who provides a child care stipend of at least \$6,000 to a licensed or registered entity providing dependent child care in Mississippi for an employee's children during the employee's work hours will be allowed an income tax credit for 50% of the amount of the stipend provided.

FORESTRY

SB 2525. Effective 7/1/23. Signed 3/10/23.

SB 2525 creates the Mississippi Forestry Facility Grant Fund and program to be used for utility, infrastructure and transportation projects with a \$10,000,000 investment. It also provides that the funds in the Mississippi Forestry Grant Fund shall be administered by the Mississippi Development Authority, and provides certain conditions and eligible costs from which monies from the fund may be allocated. Further, the act authorizes cooperative agreements for the implementation of the grant's purpose. Lastly, the act amends Section 57-1-55, Mississippi Code of 1972, in conformity with the Mississippi Development Authority having the ability to establish, administer, manage, make expenditures and allocations from the Forestry Facility Grant Program.

SB 2548. Effective 7/1/23. Signed 3/10/23.

SB 2548 amends Section 63-5-19, Mississippi Code of 1972, to clarify that the provisions regarding the length restrictions for vehicles transporting forestry or agricultural products in their natural state, shall not exceed 28 feet. This provision shall apply during both daylight and nighttime hours.

HB 787. Effective 7/1/23. Signed 3/22/23.

HB 787 authorizes the State Board of Registration for Foresters to suspend the license of a licensee for failure of the licensee to satisfy a judgement rendered in connection to the practice of forestry against such licensee, and/or the company or business for which the licensee provided services.

GAMING

HB 606. Effective 7/1/23. Signed 3/28/23.

HB 606 creates the Mobile-Online Sports Betting Task Force to undertake a comprehensive analysis of all matters related to online sports betting within this state. The task force shall be co-chaired by the House Gaming Committee Chair and the Senate Gaming Committee Chair and shall be composed of a total of 13 members, with 11 appointed members.

HIGHWAYS AND TRANSPORTATION

SB 2002. Effective 7/1/23. Signed 4/17/23.

SB 2002 dedicates several portions of Mississippi roads to notable Mississippians from around the state.

- A segment of United States Highway 45 in Lowndes County, Mississippi, shall be dedicated as the "PFC Bradford C. Freeman Memorial Highway" in memory of deceased World War II Army Veteran Private First Class Bradford Clark Freeman.
- A section of Interstate 220 North in Hinds County, Mississippi, shall be dedicated as the "Senator Douglas Anderson Memorial Highway" in honor of former Mississippi Senator Douglas Anderson.
- The Second Creek Bridge on Hutchins Landing Road in Adams County, Mississippi, shall be dedicated as the "Boyd Sojourner Memorial Bridge" in memory of the late former Adams County supervisor Alexander Boyd Sojourner.
- The St. Catherine's Creek Bridge on Liberty Road in Adams County, Mississippi, shall be dedicated as the "James Carter Memorial Bridge" in memory of the late Adams County Supervisor James Carter.
- The segment of Highway 1 between Rosedale, Mississippi, and Friars Point, Mississippi, shall be dedicated as the "Traveling Riverside Blues Highway."
- A section of South Frontage Road in Warren County, Mississippi, shall be dedicated as the "Dr. Bill Pierce Memorial Frontage Road" in memory of the late Dr. Paul Williamson "Bill" Pierce, III.

SB 2003. Effective on passage. Signed 3/14/23.

SB 2003 designates a segment of Mississippi Highway 12 in Oktibbeha County, Mississippi, as the "G. Louis Jones Memorial Highway" in memory of the late former Police Chief Granvel Louis Jones.

SB 2545. Effective on passage. Signed 3/14/23.

SB 2545 designates a segment of Mississippi Highway 35 in Panola County, Mississippi, as the "Constable Raye Hawkins Memorial Highway" in memory of the late former Constable Raye Hawkins.

SB 2546. Effective on passage. Signed 3/14/23.

SB 2546 designates a segment of Mississippi Highway 51 in Panola County, Mississippi, as the "Joe Kenneth Cosby Memorial Highway" in memory of the late former Deputy Sheriff Joe Kenneth Cosby.

SB 2547. Effective on passage. Signed 3/14/23.

SB 2547 designates a segment of Mississippi Highway 315 in Panola County, Mississippi, as the "Nolan Mettetal Memorial Highway" in memory of the late former Legislator Nolan Mettetal.

SB 2559. Effective 6/30/23. Signed 4/17/23.

SB 2559 deletes the repeal dates regarding the provisions of law that regulate harvest permit authorizations and fees.

This bill also creates the Strategic Multi-Modal Investments Fund for the purpose of increasing the capacity for the movement of freight and increasing economic activity at the airports, ports and railroads located in this state and to support long-term economic growth in Mississippi. The fund shall be administered by and under the direction of the Mississippi Department of Transportation. This bill also creates a Strategic Multi-Modal Investments Advisory Board that

will advise the Department of Transportation regarding expenditures of the fund. Money in the fund shall be utilized by the department, with the advice of the Strategic Multi-Modal Investments Advisory Board, to provide funding for necessary investments and repairs to airports, ports, and rail lines in this state, as determined by a majority vote of the Mississippi Transportation Commission. The department shall also ensure an equitable share of funding for projects serving rural areas of the state. Lastly, the department shall promulgate rules and regulations necessary for the allocation and implementation of the Strategic Multi-Modal Investments Fund.

SB 2561. Effective 7/1/23. Signed 3/8/23.

SB 2561 amends Section 65-1-179, Mississippi Code of 1972, to change the requirement of a unanimous vote of the Mississippi Transportation Commission regarding the use of Emergency Road and Bridge Repair Fund monies, to a majority vote.

SB 2562. Effective on passage. Signed 3/3/23.

SB 2562 creates a new section within Title 65, Chapter 1, Mississippi Code of 1972, to allow for public and private partnerships to establish electric vehicle charging stations, and allows the Mississippi Transportation Commission to provide grants to private companies for the purpose of providing electric vehicle charging stations. All such structures and other infrastructure comprising the project shall be built and maintained in accordance with not less than the minimum design, construction and maintenance standards established by the commission and the Mississippi Department of Transportation for such charging stations, infrastructure and facilities. The commission may have MDOT conduct periodic inspections of any such charging station throughout the terms of the contract to ensure compliance by the company. Failure of a company to

comply with minimum standards established for the project by the contracting governmental entity shall constitute a breach and shall subject the company to liability on its bond and security or rescission of the contract in accordance with the terms and provisions of the contract.

SB 2588. Effective 7/1/23. Signed 3/3/23.

SB 2588 codifies Section 65-31-17, Mississippi Code of 1972, to authorize the state hospitality station constructed and located in Vicksburg, Warren County, Mississippi, on the Mississippi River at 4210 Washington Street, to be designated and known as the "Commissioner Dick Hall Hospitality Station."

SB 2589. Effective 7/1/23. Signed 3/3/23.

SB 2589 amends Section 10, Chapter 582, Laws of 2002, so that the West Rankin Parkway can be funded using federal government, local government, or private money sources.

SB 2602. Effective on passage. Signed 3/14/23.

SB 2602 designates a segment of Mississippi Highway 25 in Leake County, Mississippi, as the "Kash Haiden McGraw Memorial Highway" in memory of Kash McGraw, and the bridge on Highway 25 in Winston County, Mississippi, as the "Stacey Dale Ricks Memorial Bridge" in honor of Stacey Dale Ricks.

HB 454. Effective upon passage. Signed 3/22/23.

HB 454 authorizes the use of radar speed detection equipment by municipal law enforcement officers in any municipality where the county seat is located in the municipality and where there is located a public community college in such municipality.

HB 691. Effective 7/1/23. Signed 4/17/23.

HB 691 designates the following segments of roadway as memorial highways/intersections/bridges:

- A three-mile segment of U.S. Highway 45 located in Wayne County, as the "Army Sergeant Eric C. Newman Memorial Highway";
- A two-mile segment of U.S. Highway 72, located in Slayden, Marshall County, as the "Eddie Dixon Memorial Highway";
- The intersection of U.S. Highway 80 and Highway 481 in the City of Morton, Scott County as the "Reverend Scott Mangum Life Springs Ministries Memorial Intersection."

Additionally, this bill authorizes for a sign or signs to be erected on Interstate 20 in the Town of Lake in Scott County, Mississippi, to honor Country Music Singer Randy Houser.

HB 1003. Effective 7/1/23. Signed 3/28/23.

HB 1003 establishes the Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023 for the purpose of regulating the operation of autonomous vehicles (vehicles without a human driver), including commercial vehicles on public roads. To be able to operate as such, the vehicle must be fully capable of operating in compliance with applicable traffic and motor vehicle safety laws of the state and have a required manufacturer's certification label indication compliance with all applicable Federal Motor Vehicle Safety Standards, including any exemption granted by the National Highway Traffic Safety Administration. Additionally, the owner/operator of each autonomous vehicle must submit a law enforcement interaction plan to DPS that informs law enforcement officers on how to: communicate with a support specialist when the vehicle is in operation; remove the vehicle from the roadway and safely tow the vehicle; recognizing when the vehicle is in autonomous operation mode; and any additional information the manufacturer

or owner deems necessary regarding hazardous conditions or public safety risks associated with the operation of the fully autonomous vehicle and other elements determined to be necessary by the Department of Public Safety and made publicly available on their website by July 1, 2023. Failure to submit a law enforcement interaction plan will result in the issuance of a cease and desist letter to the owner/operator, prohibiting such operation of the vehicle until the interaction plan is submitted. Proof of financial responsibility satisfactory to DPS that the fully autonomous vehicle is covered by insurance or proof of self-insurance must be filed before the vehicle is allowed to operate on public roads. Like actual persons, when involved in an accident, the autonomous vehicle is required to remain on the scene of a crash, as well as the owner being responsible to report any crashes or collisions. A fully autonomous vehicle must be registered with the Department of Revenue in accordance with Section 63-5-39, and properly titled in accordance with Title 63, Chapter 21, Mississippi Code of 1972. The fully autonomous vehicle shall allow for human intervention when the vehicle is not able to perform a driving task, and allow for actual human operation of the vehicle. A fully autonomous vehicle is considered a commercial motor vehicle and may operate in compliance with the laws that govern commercial motor vehicles, and the laws established for fully autonomous vehicles by this act.

This bill brings forward Sections 63-1-203, 63-3-103, 63-15-49, 63-15-51, 63-15-53, 63-21-3 and 63-21-9 to amend to conform to the provisions of this act. Lastly, Sections 63-1-5, 63-3-401, 63-3-405, 63-3-411, 63-3-413, 63-3-619, 63-5-53, 63-7-9, 63-15-37, 63-15-39, 63-15-41, 63-15-43, 63-19-3, 63-21-11, 63-21-15 and 63-21-17 are brought forward for possible amendment.

HB 1016. Effective 7/1/23. Signed 3/13/23.

HB 1016 designates a one-mile segment of MS Highway 8 located in Houston, Chickasaw County, as the "Deputy Jeremy Allen Voyles Memorial Highway."

HB 1017. Effective 7/1/23. Signed 3/13/23.

HB 1017 designates the intersection of U.S. Highway 45 and County Road 110 located in Quitman, Clarke County, as the "Army Specialist Terry Kishaun Dantez Gordon Memorial Intersection."

HB 1025. Effective 7/1/23. Signed 3/22/23.

HB 1025 amends Section 61-3-19 to provide that if an airport authority finds that the fair market value of airport personal property is zero, and the finding is entered on the minutes of the authority, then the authority may dispose of such property in the manner it deems appropriate and in its best interest, provided that no official or employee of the authority may derive any personal economic benefit from the disposal of the personal property.

HB 1244. Effective 7/1/23. Signed 3/13/23.

HB 1244 designates a segment of MS Highway 365 located in Prentiss County as the "Howard Tillman Bobo Memorial Highway."

HB 1245. Effective 7/1/23. Signed 3/13/23.

HB 1245 designates a segment of MS Highway 364 located in Prentiss County as the "James Millard Jourdan Memorial Highway."

HB 1246. Effective 7/1/23. Signed 3/13/23.

HB 1246 designates a segment of MS Highway 365 located in Prentiss County, as the "Leland L. Holland Memorial Highway."

INSURANCE

SB 2227. Effective 7/1/2023. Signed 3/10/23.

SB 2227 establishes certain provisions relating to federal home loan banks. Specifically, it provides that a federal home loan bank shall not be stayed, enjoined or prohibited from exercising or enforcing any right or cause of action regarding collateral pledged under a security agreement or under any pledge agreement, security agreement, collateral agreement or other similar arrangement or credit enhancement relating to a security agreement to which the federal home loan bank is a party. The bill also provides that a receiver shall not avoid any transfer of, or any obligation to transfer, money or any other property arising under or in connection with a federal home loan bank security agreement or any pledge agreement, security agreement, collateral agreement, guarantee agreement, or other similar arrangement or credit enhancement relating to a security agreement to which a federal home loan bank is a party unless the transfer was made with the actual intent to hinder, delay, or defraud either existing or future creditors.

The bill provides that a liquidator or rehabilitator shall not avoid any preference arising under or in connection with a federal home loan bank security agreement or any pledge agreement, security agreement, collateral agreement, guarantee agreement, or other similar arrangement or credit enhancement relating to a security agreement to which a federal home loan bank is a party. It also sets certain requirements and procedures of federal home loan banks if the bank exercises certain rights.

SB 2228. Effective 7/1/2023. Signed 3/10/23.

SB 2228 creates a comprehensive legal framework within which pet insurance may be sold in the state. It requires any pet insurer transacting pet insurance to disclose certain policy exclusions to consumers, including if the policy excludes coverage due to a preexisting condition, a hereditary disorder or a chronic condition. The bill also provides that any person licensed in a major line of authority and appointed by a pet insurer may be authorized to sell, solicit or negotiate a pet insurance product. It also authorizes the commissioner of insurance to establish training requirements for insurance producers selling pet insurance to ensure that producers have been appropriately trained on the coverages and conditions of its pet insurance products. The commissioner may issue rules and regulations to implement and administer the provisions of the act, including, but not limited to, rules and regulations establishing policy disclosures; policy conditions; sales practices for selling wellness programs, and penalties for violations of any law or regulations regarding the sale of pet insurance.

SB 2615. Effective 7/1/2023. Signed 3/21/23.

SB 2615 authorizes contract workers employed by the state or other government entities to purchase the base plan of the State and School Employees' Health Insurance Plan if such person pays the full price of such plan without contribution from their employer. It also requires such government entities to offer this to any contract personnel who work at least 130 hours per month.

SB 2623. Effective 7/1/2023. Signed 3/10/23.

SB 2623 creates the "Mississippi State and School Employees' Life and Health Insurance Plan Task Force" to study, report and make recommendations on the matters relating to the State Health Plan, including current reserves and solvency and the governance structure of the plan. It provides for the members of the task force, including, among others, the Commissioner of Insurance, the Chairs of the Insurance and Education Committees of the House and Senate, the administrator of the State Health Plan, and the Executive Director of the Department of Finance and Administration. It also requires the task force to make a report of its finding to the Legislature on or before November 1, 2023, at which time the task force will be dissolved.

SB 2649. Effective 7/1/2023. Signed 3/8/23.

SB 2649 provides that any citizen of the state, who is a named beneficiary of a life insurance policy where the insured is a member or veteran of the United States Armed Forces, including National Guard or Reserves; and married, unmarried and at least 18 years old, or legally emancipated, shall be entitled to the benefits provided in the policy. The bill provides that such person's minority shall be removed and this shall extend to the right to file suit under the policy and receive any settlements under the policy.

HB 521. Effective 7/1/23. Signed 4/17/23.

HB 521 authorizes the Mississippi Insurance Department to create the Mississippi Length-of-Service Award Program (LOSAP), which shall be for the recruitment and retention of volunteer firefighters and provide paid length-of-service awards to eligible volunteer firefighters. The bill defines "eligible volunteer firefighter" as a bona fide volunteer firefighter who is registered with the State of Mississippi or a political subdivision thereof and is an active part-time or on-call member of a volunteer fire department or a volunteer firefighter, but eligible volunteer firefighter shall not include full-time firefighters or career firefighters unless such firefighters are also active eligible volunteer firefighters when they are not acting as full-time or career firefighters and meet all other required qualifications as provided by the Mississippi Length-of-Service Award Program Board of Trustees in collaboration with the Mississippi Insurance Department. The bill defines "defined contribution" as the predefined contribution that the Mississippi Length-of-Service Award Program Board of Trustees in collaboration with the Mississippi Insurance Department establishes as a yearly contribution to an eligible volunteer firefighter's LOSAP account.

The LOSAP shall be administered by the Mississippi Length-of-Service Award Program Board of Trustees, which shall consist of the Commissioner of Insurance, the State Fire Coordinator, the State Treasurer, one member from the state at large appointed by the Governor and one member from the state at large appointed by the Lieutenant Governor.

The LOSAP Board of Trustees shall have the following powers and duties:

- Establish a points system to be awarded to volunteer firefighters for their performance of certain activities as determined by the board and award LOSAP service credit based upon that points system;
- Create a list of the activities that points will be awarded for;
- Determine the annual contribution to each volunteer's LOSAP account; and
- Promulgate any rules and regulations as necessary.

The bill also creates the "Mississippi Volunteer Firefighter Length-of-Service Awards Program Fund" (LOSAP fund) to be maintained by the State Treasurer. The bill authorizes the State Treasurer to invest the monies in the fund and provides the amounts that may be invested and where the funds may be invested.

The bill provides that the Mississippi Insurance Department shall notify the State Fire Marshal and the LOSAP Board of Trustees of any volunteer fire department member who is ineligible to receive the LOSAP funds because either the member or the department failed to file the required documentation or financial reports or failed to comply with an audit or review by the Mississippi Insurance Department.

The bill provides that the Mississippi Length-of-Service Award Program may allocate a maximum of \$500 in yearly defined contributions to each member's LOSAP account, and a member of the Mississippi Length-of-Service Award Program may receive the funds allocated on their behalf to the program upon their withdrawal from the program.

Lastly, the bill provides that the Mississippi Length-of-Service Award Program shall stand repealed on July 1, 2026.

HB 544. Effective on passage. Signed 3/22/23.

HB 544 amends Section 83-13-5 to exempt builder's risk insurance policies from the valued policy law.

HB 877. Effective on its passage. Signed 3/13/23.

HB 877 clarifies the authority given to USM last year in HB 1247, relating to property administered by the Mississippi State Port Authority at Gulfport, to ensure that as part of any terms and ancillary agreements pertaining to any lease and sublease of the property, USM could negotiate any insurance agreements necessary to protect against loss or damage to the property.

HB 1084. Effective on passage. Signed 4/17/23.

HB 1084 amends Section 83-17-251 to provide that any individual who is 65 years of age or older and who has been licensed as an insurance producer for a continuous period of 25 years or more as of the effective date of this act, as evidenced by submission of an affidavit, under oath, on a form prescribed by the commissioner, signed by the licensee attesting to satisfaction of the age, licensing and experience requirements, shall not be required to complete the continuing education requirements of an insurance producer.

The bill also amends Section 73-35-18 to exempt from the continuing education requirements for real estate licensure those persons who have held a real estate broker's or salesperson's license in this state for at least 25 years and who are at least 65 years of age.

HB 1162. Effective 7/1/23. Signed 3/3/23.

HB 1162 amends Section 83-33-5 to revise sworn declaration requirements for reciprocal insurance to remove the requirement that the declaration's applications have been made for indemnity upon at least 10 separate risks aggregating not less than \$1,500,000, as represented by executed contracts or bona fide applications to become concurrently effective; or in case of employers' liability or similar classes of insurance, covering a total payroll of not less than \$2,500,000.

The bill also amends Section 83-33-23 to revise the requirements of the board of directors for the reciprocal to remove the requirement that at least 2/3 of the board of directors of a domestic reciprocal shall be composed of subscribers or representatives of subscribers, other than the attorney or any person employed by or having a financial interest in the attorney. The amendment also removes the provision that an individual shall not be considered to be employed by or having a financial interest in the attorney if such individual is a subscriber or a representative of a subscriber of the reciprocal.

HB 1190. Effective 7/1/23. Signed 3/13/23.

HB 1190 provides that the plan sponsor of a health benefit plan may, on behalf of covered persons in the plan, provide the consent required in the Mississippi Insurance E-Commerce Model Act to the mailing of all communications related to the plan by electronic means. The bill defines "health benefit plan" as a policy, contract, certificate or agreement entered into, offered by or issued by an insurer to provide, deliver, arrange for, pay for or reimburse any of the costs of healthcare services, including a vision or dental benefit plan, and "plan sponsor" as a person, other than a regulated entity, who establishes, adopts

or maintains a health benefit plan that covers residents of this state, including a plan established, adopted or maintained by an employer or jointly by an employer and one or more employee organizations, an association, a committee, a joint board of trustees or any similar group of representatives who establish, adopt or maintain a plan. The bill provides that before consenting on behalf of a party, a plan sponsor shall confirm that the party routinely uses electronic communications during the normal course of employment. The bill also provides that before providing delivery by electronic means, the insurer for the health benefit plan shall provide the party an opportunity to opt out of delivery by electronic means and meet certain other conditions of the Mississippi Insurance E-Commerce Model Act. The bill authorizes the Commissioner of Insurance to adopt rules to implement the provisions of this act.

JUDICIARY, DIVISION A

SB 2073. Effective 7/1/23. Signed 4/17/23.

SB 2073 amends several provisions of law to lower the age of majority to 18 for securing home loans and entering into contracts for real property. Previously, the law required a person to be 21 for securing home loans and entering into contracts for real property.

SB 2077. Effective 7/1/23. Signed 3/14/23.

SB 2077 amends Section 79-11-507 to revise the monetary threshold for certain charitable organizations to be required to file financial statements with the Secretary of State from \$500,000 to \$750,000. The bill also clarifies that the \$750,000 be reviewed via monetary donations.

SB 2079. See summary under Education heading.

SB 2082. Effective 7/1/23. Signed 4/17/23.

SB 2082 prohibits a court from considering incarceration as intentional or voluntary unemployment or underemployment when establishing or modifying a child-support order.

SB 2090. Effective 7/1/23. Signed 3/28/23.

SB 2090 amends Title 73, Chapter 11, to revise certain provisions governing the State Board of Funeral Service. The bill revises the licensing requirements for funeral directors to require applicants to have served as a resident trainee for not less than 12 months under the supervision of a licensed funeral director. It also revises certain time requirements related to the funeral director trainee and apprenticeship program. The bill also revises the notice requirement before a crematory or funeral establishment may dispose of unclaimed remains and

revises the written acknowledgment form that is obtained from the person entitled to control the disposition of cremated remains.

Further, the bill authorizes residents of the state to direct their own disposition through the execution of the Self-Directed Disposition Authorization document. Also, the bill precludes at-fault parties from deciding the disposition of a decedent's remains

The bill also creates Section 73-11-57.2 to provide that no person or entity shall engage in any activity for which a license is required under the chapter without holding such license in good standing. It provides that a person may not be, act as, or advertise or hold himself or herself out to be a funeral service, a funeral director, or a certified crematory operator unless he or she is currently licensed by the board. The bill authorizes the State Board of Funeral Service to issue administrative complaints to any person or entity that it believes has violated the provisions of the law, impose a fine of up to \$5,000 for violations of the chapter and hold and conduct hearings on subject violations. Further, the board may issue an emergency order upon an unlicensed person or entity and file for an injunction seeking enforcement of the emergency order. Also, Section 73-11-57.2 provides an appeal procedure for an aggrieved party.

SB 2146. Effective 7/1/23. Signed 3/3/23.

SB 2146 enacts the Uncrewed Aircraft Systems' Rights and Authorities Act which shall not preempt the exclusive sovereignty of airspace of the United States as set forth in federal law. The bill defines an uncrewed aircraft as "an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft" and provides

that such aircraft can be operated commercially or recreationally in the state as long the operator is in compliance with federal law. Further, an uncrewed aircraft system means an uncrewed aircraft and associated elements.

The bill also provides that a person is liable for an act or guilty of an offense committed with the aid of an uncrewed aircraft system if the uncrewed aircraft system is under the person's operation or control and the activity performed with the aid of the uncrewed aircraft system would have given rise to civil or criminal liability under the laws of this state, if it was performed directly by the person without the aid of an uncrewed aircraft system. This includes a tort in violation of privacy rights committed under federal or state law.

Further, the bill authorizes the state to provide for the operation of an uncrewed aircraft system by the state. The bill also prohibits any political subdivision from enacting ordinances with regard to ownership, operation, design, manufacture, testing, maintenance, licensing, registration, or certification of an uncrewed aircraft system or qualifications, training, or certification of a pilot, operator, or observer of an uncrewed aircraft system; however, under the bill, political subdivisions can:

- Adopt an ordinance that enforces Federal Aviation Administration restrictions;
- Adopt or enforce an ordinance that relates to the operation of an uncrewed aircraft system by or on behalf of such political subdivision or that is owned by such political subdivision;

- Adopt or enforce generally applicable ordinances that relate to nuisances, voyeurism, harassment, reckless endangerment, property damage, or other illegal acts arising from the use of uncrewed aircraft systems, so long as such ordinances are not specifically related to the use of an uncrewed aircraft system for those illegal acts; or

- Adopt or enforce an ordinance that regulates (a) the launch of an uncrewed aircraft from property owned by the political subdivision, (b) the intentional landing of an uncrewed aircraft onto property owned by the political subdivision, or (c) the presence of a pilot actively in command of such uncrewed aircraft system on property owned by the political subdivision.

SB 2197. Effective 7/1/23. Signed 3/14/23.

SB 2197 amends Section 35-3-21 to authorize county veteran service officers to act for a veteran under a written power of attorney authorized by the veteran for the purpose of assisting with claims, benefits, and appeals in an administrative hearing before the United States Department of Veterans Affairs and any of its boards or departments. County veteran service officers acting within the scope of the power of attorney shall be immune from legal actions except in cases of abuse, fraud or breach of fiduciary duty.

SB 2199. Effective on passage. Signed 3/3/23.

SB 2199 amends Section 19-23-13 to clarify that a county prosecuting attorney may defend any person in any criminal prosecution as long as the case is not heard within the county in which he or she is the county prosecuting attorney.

SB 2336. See summary under Drug Policy heading.

SB 2376. Effective on passage. Signed 3/21/23.

SB 2376 amends Section 43-21-261 to provide that nothing in the section or the Youth Court chapter shall require youth court approval for disclosure of records involving children if the disclosure is made in a criminal matter by a municipal or county prosecutor, a district attorney or statewide prosecutor, pursuant to the Mississippi Rules of Criminal Procedure and the records are disclosed under a protective order issued by the Circuit Court, incorporating the penalties stated in Section 43-21-267.

SB 2382. Effective 7/1/23. Signed 4/19/23.

SB 2382 requires an out-of-state attorney who is not licensed to practice law in Mississippi and who appears in certain advertisements offering the performance of legal services to make certain disclosures. The attorney must include the following language in the advertisement: "THE PERSON APPEARING IN THIS AD IS NOT LICENSED TO PRACTICE LAW IN MISSISSIPPI."

The notice must be of conspicuous size and duration in the visual component of the advertisement, and the audio portion of the advertisement must plainly include substantially the same message. The disclosure must be in the same language used in the advertisement.

Last, the bill amends Section 75-24-5 to make noncompliance with the required disclosure an unfair trade practice.

SB 2384. Effective on passage. Signed 4/19/23.

SB 2384 establishes the Mississippi Task Force on Foster Care and Adoption. The bill sets out the composition of the task force and directs the task force to meet within 60 days of April 19, 2023, upon the call of the Chairs of the House and Senate Judiciary A Committees.

The bill set out the duties of the task force to review a wide-ranging list of topics related to adoption and foster care system in the state. The task force is to perform a comprehensive review of the adoption statutes and suggest necessary revisions to them, recommend definitions of certain terms, review the foster care system in the state and review certain procedures and protocols of the Department of Child Protection Services. In addition to the specific duties upon the task force, SB 2384 grants the task force wide discretion to review any other issues related to the Mississippi foster care system or adoption system that the task force finds appropriate to address.

The task force shall report its findings and recommendations to the Legislature not later than December 1, 2023, on which date the task force will dissolve. The Mississippi Judicial College is directed to provide necessary clerical support for the meetings of the task force and preparation of the report.

SB 2392. See summary under County Affairs heading.

SB 2634. Effective 7/1/23. Signed 3/21/23.

SB 2634 amends Section 97-5-3 to provide for criminal charges against a parent who willfully neglects or refuses to provide for the support or maintenance of his or her children while the children are under 21 years of age. Previously, Section 97-5-3 had provided for charges where the children were under 18 years of age.

The bill also enumerates certain defenses to the crime. These include that the child:

- Marries, or
- Joins the military and serves on a full-time basis, or
- Is convicted of a felony and is sentenced to incarceration of two or more years for committing such felony, or
- Discontinues full-time enrollment in school having attained the age of 18 years, unless the child is disabled, or
- Voluntarily moves from the home of the custodial parent or guardian, establishes independent living arrangements, obtains full-time employment and discontinues educational endeavors prior to attaining the age of 21 years, or
- Cohabits with another person without the approval of the parent obligated to pay support.

SB 2647. See summary under Business and Financial Institutions heading.

SB 2652. Effective 7/1/23. Signed 3/14/23.

SB 2652 directs the Department of Public Safety to establish the Mississippi Vulnerable Person Abuse Registry. The registry shall contain the name of any individual who has been convicted of the crime of abuse, neglect, or exploitation of a vulnerable person. The bill also requires care facilities to query the registry concerning employees or prospective employees to determine if the individual is listed in the registry.

The crime for which an individual was registered under this act shall be disclosed:

- To a care facility who queries the registry regarding an individual who is an employee or prospective employee of the facility to confirm whether the individual has been convicted of a crime of abuse, neglect, or exploitation under this act;
- To a member of the public who queries the registry regarding hiring a caretaker or a person who will be in a position of trust or authority to a vulnerable person; and
- In the case of disclosure of the findings and information about a case pursuant to this act that resulted in a fatality.

The department shall coordinate the receipt of documentation of convictions from courts across the state, input the individuals in the registry and retain the information in the registry. The information inputted into the registry remains in the registry even if the individual fulfills the obligations of any criminal sentencing against him or her unless the individual qualifies to be removed under guidelines to be determined by the department.

SB 2729. See summary under Technology heading.

SB 2781. Effective 7/1/23. Signed 4/19/23.

SB 2781 requires the Attorney General, certain state agencies, and each county health department to place a prominent link on their websites to a website and mobile app intended to coordinate and promote information and services related to pregnancy, childbirth and care for dependent children for expectant mothers and new parents. The Attorney General is granted the ultimate authority for oversight of the administration of this act and must coordinate the relevant state agencies submitting relevant information to the Department of Information Technology Services.

The Department of Information Technology Services shall develop and implement the website and mobile application by October 1, 2023, and January 1, 2024, respectively. The website and mobile app shall include comprehensive information and resources related to adoption assistance, child care, domestic abuse protection, early intervention, food, clothing and supplies related to pregnancy and newborn care, job training and placement, unemployment benefits, paternity, parenting skills, mental health, and prenatal and postpartum care provided by the State of Mississippi or any other governmental entity, or relevant nonprofit organizations, including religious institutions.

HB 276. Effective 7/1/23. Signed 3/13/23.

HB 276 amends Section 73-23-43 to revise the general powers and duties of the State Board of Physical Therapy to authorize the board to issue subpoenas for the attendance and testimony of witnesses and the production of papers, records or other documentary evidence. The bill also authorizes any member of the board to administer oaths or affirmations to witnesses appearing before the board. The court is required to enforce attendance and testimony of witnesses if any subpoenaed person fails or refuses to attend any proceeding before the board, refuses to testify, refuses to produce any books and papers the production of which is called for by a subpoena, or otherwise fails to comply with any subpoena issued pursuant to this bill. The attendance of such witness, the giving of his or her testimony, the production of the books and papers or other compliance with the subpoena shall be enforced by any court of competent jurisdiction of this state in the manner provided for the enforcement of attendance and testimony of witnesses in civil cases in the courts of this state.

HB 485. Section 4 effective 7/1/23. Sections 1, 2, 3 and 5 effective 12/1/23. Signed 4/17/23.

HB 485 amends Section 99-49-1 to create a standard process for preparation of medical forensic examination by providing that:

- Any medical facility that conducts a medical forensic examination and/or prepares a sexual assault evidence collection kit shall immediately, but no longer than four hours after the finalization of examination, contact the appropriate law enforcement agency to collect the kit. The medical facility is required to store the kit in a refrigerated manner in conformity with the Scientific Working Group for DNA Analysis Method.

- The law enforcement agency shall take possession of the kit from the medical facility within 24 hours.

- All kits must be delivered to the Mississippi Forensics Laboratory no later than seven calendar days from the date the law enforcement agency took physical possession of the kit.

- A law enforcement agency that receives a sexual assault collection kit from a healthcare provider that relates to a report of a sexual assault that occurred outside the jurisdiction of that law enforcement agency shall have the sexual assault collection kit delivered to the law enforcement agency having jurisdiction within 10 days of learning that the other law enforcement agency has jurisdiction.

- The Mississippi Forensics Laboratory shall test sexual assault evidence collection kits within 60 days of receipt from a law enforcement agency.

- When forensic laboratory testing does result in a DNA profile foreign to the victim, the Mississippi Forensics Laboratory should enter the foreign DNA profile into the Combined DNA Index System (CODIS) or equivalency thereof and any other required state or local DNA databases.

- The Mississippi Forensics Laboratory is authorized to contract with other laboratories to ensure that each kit is tested and the information from such kit is entered into CODIS, when applicable, within the time frames required by the bill.

- Upon the request of a sexual assault victim or their designee, the law enforcement agency that is investigating the assault of such victim shall inform the victim of the location of the sexual assault evidence kit.

- The law enforcement agency shall respond to the victim's request as soon as possible, but no longer than seven calendar days, with either an oral or written communication, or by email, if an email address is available.

- The bill also amends Section 99-49-1 to provide the following rights for victims that shall be in addition to the rights provided in the "Mississippi Crime Victims' Bill of Rights":

- ▶ The right to be informed by the law enforcement agency handling the case whether a DNA profile of the assailant was obtained from the testing of the sexual assault evidence kit or other crime scene evidence from their case.

- ▶ The right to be informed whether the DNA profile of the assailant developed from the sexual assault evidence kit or other crime scene evidence has been entered into the Mississippi Forensics Laboratory's DNA identification system or CODIS.

- ▶ The right to be informed whether there is a match between the DNA profile of the assailant developed from the rape kit evidence or other crime scene evidence and a DNA profile contained in the Mississippi Forensics Laboratory's DNA identification system.

The bill also creates the Sexual Assault Evidence Accountability Task Force and requires the Mississippi Forensics Laboratory, in consultation with the task force, and the Mississippi Department of Public Safety, to conduct a study and issue a report by July 1, 2024, that examines the resources required to implement a rape kit tracking system in the state.

HB 510. Effective 7/1/23. Signed 4/19/23.

HB 510 amends Section 43-15-13 to create a Foster Parents' Bill of Rights and Responsibilities and requires the Department of Child Protection Services to provide the list of rights to all foster parents at foster parent training. It also requires the department to provide a copy of the "Foster Child Information Form" and all other pertinent information about the child and the birth family, including medical, dental, behavioral health history, psychological information, educational status, cultural and family background, and other issues relevant to the child which are known to the department at the time the child is placed in foster care prior to the child's placement with a foster parent or parents. The department shall make reasonable efforts to gather and provide all additional current medical, dental, behavioral, educational and psychological information reasonably available.

The department is also required to develop a grievance procedure for foster parents to raise any complaints or concerns regarding the provisions of Section 43-15-13(11) or (12).

HB 1020. Effective 7/1/23. Signed 4/21/23.

Section 1 of HB 1020 authorizes four temporary special circuit judges for the Seventh Circuit Court District which shall be appointed by the Chief Justice of the Supreme Court. Their terms will expire on December 31, 2026. Each temporary special circuit judge will receive an office operating allowance under Section 9-1-36. Section 15 of the bill provides that the Chief Justice of the Supreme Court, in consultation with the Administrative Office of Courts (AOC), shall appoint a court administrator to manage the caseload of the temporary special circuit judges. The Chief Justice, in consultation with AOC, will set the compensation for the court administrator. Also,

Section 16 requires the Hinds County Circuit Clerk to enter the names or identifying numbers of all Hinds County qualified electors when selecting a jury for hearings, trials or causes of action before any of the four temporary special circuit judges.

Section 2 of the bill authorizes the public defender of the Seventh Circuit Court District to appoint three additional full-time assistant public defenders. The public defenders will perform duties in the Seventh Circuit Court District and the Capitol Complex Improvement District (CCID) Inferior Court which is created in Section 4 of the bill. Their compensation shall be equal to the compensation paid to full-time assistant public defenders in the Seventh Circuit Court District, subject to available funds specifically appropriated by the Legislature.

Section 3 of HB 1020 authorizes the District Attorney of the Seventh Circuit Court District to appoint two additional full-time assistant district attorneys and one full-time criminal investigator. The full-time assistant district attorneys' compensation shall be equal to the compensation paid to full-time assistant district attorneys in the Seventh Circuit Court District, subject to available funds specifically appropriated therefor by the Legislature.

Section 4 of the bill creates, from and after January 1, 2024, one inferior court as authorized by Article 6, Section 172 of the Mississippi Constitution of 1890, to be located within the boundaries of the CCID. The CCID Inferior Court will have jurisdiction to hear and determine all preliminary matters and criminal matters authorized by law for municipal courts that accrue or occur, in whole or in part, within the boundaries of the Capitol Complex Improvement District. The court will have the same jurisdiction as municipal courts to hear and determine all cases charging violations of the motor vehicle and traffic laws of this state, and violations of the City of Jackson's

traffic ordinances or ordinances related to the disturbance of the public peace that accrue or occur, in whole or in part, within the boundaries of the CCID.

Any person convicted in the CCID Inferior Court may be placed in the custody of the Mississippi Department of Corrections, Central Mississippi facility.

The Chief Justice of the Supreme Court will appoint the CCID Inferior Court Judge. The judge must possess all qualifications required by law for municipal court judges and be a qualified elector of this state. The AOC will provide compensation for the CCID Inferior Court judge and the support staff of the judge, which will not be less than the compensation paid to municipal court judges and their support staff in the City of Jackson.

All fines, penalties, fees and costs imposed and collected by the CCID Inferior Court will be deposited with the City of Jackson Municipal Treasurer or equivalent officer.

Section 5 of the bill directs the Attorney General to designate two prosecuting attorneys for any cause of action within the jurisdiction of the CCID Inferior Court. The attorneys will prosecute cases in the CCID Inferior Court in the same manner and with the same authority of law provided for district attorneys and county prosecuting attorneys by filing an indictment or any other criminal action that accrues or occurs, in whole or in part, in the CCID.

The bill also authorizes the Hinds County District Attorney to prosecute cases in the CCID Inferior Court.

Section 6 of the bill provides that AOC will appoint a clerk for the CCID Inferior Court in consultation with the Chief Justice of the Supreme Court, and provide support staff and any other staff necessary for the CCID Inferior Court. The AOC will pay the salaries of the clerk and support staff of the CCID

Inferior Court, subject to available funds specifically appropriated by the Legislature for such purpose. Such salaries will not be less than the salaries paid to the clerk and staff of the municipal courts in the City of Jackson. Further, Section 7 of the bill provides that the Department of Finance and Administration in conjunction with the AOC will designate a suitable location or building for the purpose of allowing the CCID Inferior Court to hold court.

Section 8 of the bill, effective July 1, 2024, amends Section 29-5-203 to revise the boundaries of the CCID. The bill makes several revisions to the boundaries but the primary changes are that the northern boundary is moved to Northside Drive from the west bank of the Pearl River until it meets the Illinois Central Railroad line and that the southern boundary line is moved to the north edge of Interstate 20 at Raymond Road east along the north edge of Interstate 20 and merged Interstate 55/20 to the western edge of Interstate 55. Also, Section 9 of the bill amends Section 27-65-75 to increase the amount of certain state sales tax revenue deposited into the Capitol Complex Improvement District Project Fund from 6% to 9%, diverting an additional three percent of sales tax revenue collected in the City of Jackson from being deposited into the State General Fund.

Section 10 of the bill requires the City of Jackson to adequately staff its police department with the necessary number of law enforcement officers and requires the Jackson Police Department to continue to enforce all ordinances of the City of Jackson.

Section 11 of the bill requires the Department of Public Safety, subject to the availability of funds specifically appropriated therefor, to provide body-worn cameras, kept in working condition, to each patrol law enforcement officer within

the Office of Capitol Police. Also, Section 13 requires the Commissioner of the Department of Public Safety to develop a 911 system which can be used by any person within the boundaries of the Capitol Complex Improvement District. Further, Section 14 authorizes the Department of Public Safety to purchase and issue all patrol law enforcement officers within the department any equipment necessary to enforce traffic-related laws of the State of Mississippi, the City of Jackson's traffic ordinances or ordinances related to the disturbance of the public peace, or agency regulations on any property, public street, road or highway upon which it has jurisdiction.

Also, Section 12 of the bill requires the clerk of the Seventh Circuit Court District, in conjunction with AOC, to provide certain case disposition and caseload data in the district to certain members of the Legislature for the purpose of assisting the Legislature in its consideration to authorize one additional circuit judge for the district.

HB 1101. Effective 7/1/23. Signed 3/23/23.

HB 1101 amends Sections 79-4-14.21 and 79-29-823 to authorize the Secretary of State to serve determination notices and certificates of administrative dissolution on corporations and limited liability companies by email to the registered agent of a corporation or limited liability company as indicated by the entity.

HB 1111. Effective 7/1/23. Signed 4/17/23.

HB 1111 amends Section 93-15-105 to authorize youth court, in abuse or neglect proceedings, to have original, exclusive jurisdiction of both voluntary and involuntary termination of parental rights actions.

HB 1115. Effective 7/1/23. Signed 3/27/23.

HB 1114 amends Sections 43-21-609 and 43-21-613 to provide that the youth court shall retain original and exclusive jurisdiction of all matters related to durable legal custody, including, but not limited to, petitions to modify the durable legal custody, after the court grants durable legal custody of a minor child.

HB 1149. Effective 7/1/23. Signed 4/19/23.

HB 1149 provides a clear path to permanency for children in the custody of the Department of Child Protection Services by:

- Requiring that a child who is alleged to have been abused or neglected is deemed to be a party to the proceedings under this chapter; and represented by an attorney at all stages of any proceedings.

- Allowing the guardian ad litem to serve a dual role as long as no conflict of interest is present. If a conflict of interest arises, the guardian ad litem shall inform the youth court of the conflict and the youth court shall retain the guardian ad litem to represent the best interest of the child and appoint an attorney to represent the child's preferences.

- Requiring the Department of Child Protection Services to be a necessary party at all stages of the proceedings involving a child for whom the department has custody, including, but not limited to, shelter, adjudicatory, disposition, permanency hearings and termination of parental rights.

- Requiring the court clerk to docket involuntary termination of parental rights cases seeking relief as priority cases.

- Requiring the court to hold a hearing within 120 days once the petition for termination of parental rights is filed with the court of competent jurisdiction.

- Requiring the clerk to docket adoption proceedings as priority cases on the court's docket.

- Further, the bill also provides that from and after July 1, 2023, the Department of Child Protection Services shall be a state agency separate and apart from the Department of Human Services and not a subagency housed within the Department of Human Services. The Department of Child Protection Services shall have such powers and duties necessary to perform such functions that are assigned to the department of child protection services by state law.

HB 1157. Effective 7/1/23. Signed 3/27/23.

HB 1157 requires a person or entity engaged in the business of renting motor vehicles under rental agreements that impose additional mandatory charges to:

- Provide a good-faith estimate of the total charges for the entire rental, including all additional mandatory charges, whenever a quote is provided to a potential customer. The good-faith estimate may exclude mileage charges and charges for optional items that cannot be determined prior to completing a rental reservation based on the information provided by the potential customer; and

- Disclose in the rental contract provided to the renter the total charges for the entire rental, including all additional mandatory charges. Total charges for the entire rental do not include any charges that cannot be determined at the time the rental commences.

The bill also amends Section 75-24-5 to provide that violations of the provisions of this bill shall be a violation of the Mississippi Consumer Protection laws.

HB 1216. Effective 7/1/23. Signed 4/17/23.

HB 1216 amends Section 9-1-36 to increase certain circuit and chancery judicial office operating expenses. It amends the operating expenses as follows:

- For supplies, rent, etc., from \$9,000 to \$15,000;
- For judicial support staff and law clerks from \$80,000 to \$100,000; and
- An additional allowance for circuit or chancery judges without a primary office from \$4,000 to \$7,000.

Further, the bill deletes the requirement that a judge allocates a certain amount of funds for support staff and law clerks separately. Instead, the sum of \$100,000 is provided to the judge to determine how much is spent on law support staff and law clerks.

HB 1217. Effective 7/1/23. Signed 3/13/23.

HB 1217 revises the Court Interpreters Program Administered by the Administrative Office of Courts (AOC) by revising definitions to include a certified court interpreter and registered court interpreter who have met the requirements of the Administrative Office of Courts to become credentialed. If the court appoints a noncredentialed interpreter, the court must make certain findings on the record. The expenses of providing an interpreter in any court proceeding or instance arising out of litigation must be payable out of the county or municipal treasury at no cost to the litigant. In all criminal cases wherein the defendant is a Limited English Proficient (LEP) individual, the court shall appoint a qualified interpreter as provided.

HB 1218. Effective 7/1/23. Signed 3/13/23.

HB 1218 changes the citing of mental health courts to "Rivers McGraw Mental Health Treatment Court Act". The following terms and definitions are added to the act: behavioral health, clinical assessment, co-occurring disorder, Diagnostic and Statistical Manual (DSM), evidence-based practices, mental health, mental health disorder, mental health treatment program, risk and needs assessment, risk and needs screening and substance use disorder.

The bill also requires any mental and behavioral health treatment provider to be licensed by the appropriate state licensing board. The bill provides the duties of the Administrative Office of Courts for the mental health treatment courts. It creates new Section 9-27-21 to provide the certification and recertification process for mental health treatment courts. It expands the list of information that mental health courts are required to be provided to the Administrative Office of Courts.

HB 1318. Effective upon passage. Signed 4/19/23.

HB 1318 revises the provisions of the Mississippi Baby Drop Off by:

- Increasing the infant's age of drop off to 45 days;
- Authorizing the baby to be placed in a baby safety device that is sponsored by an emergency medical services provider, except a licensed adoption agency;
- Defining "baby safety device";
- Authorizing delivery of an infant to an emergency medical services provider in response to an emergency call;

- Prescribing the minimum requirements for a "baby safety device" that shall include: permitting a parent to anonymously place an infant in a climate controlled device, being installed in a conspicuous location with an adequate dual alarm system connected to the physical location where the device is installed and having a dual alarm system;

- Requiring the Department of Child Protection Services, immediately after assuming legal custody of the infant, to contact the local law enforcement agency in the municipality or county in which the infant was surrendered and the Department of Public Safety to determine whether the infant is a missing child in this state or another state. If the department determines that the infant is a missing child, then the department shall perform its due diligence to reunite the infant with his or her family; and

- Revising the definition of "abandonment" for purposes of termination of parental rights.

JUDICIARY, DIVISION B

SB 2101. Effective 7/1/23. Signed 4/20/23.

SB 2101 amends Section 97-9-72 to increase the maximum term of imprisonment for the crime of fleeing or eluding a law enforcement officer in a motor vehicle from five years to ten years when done in a manner manifesting extreme indifference to the value of human life. The bill also amends Section 97-9-72 to increase the maximum term of imprisonment for the crime of fleeing or eluding a law enforcement officer in a motor vehicle from:

- Three years to five years when serious bodily injury occurs.
- Five years to seven years when death occurs.

Further, the bill amends Section 97-3-117 to set a minimum term of imprisonment for the crime of:

- Carjacking to no less than five years; and
- Armed carjacking to no less than ten years.

The bill also amends Section 97-3-117 to provide that the minimum terms for carjacking and armed carjacking shall not be reduced or suspended and that the defendant shall not be eligible for electronic monitoring, house arrest or intensive supervision.

SB 2127. Effective on passage. Signed 3/21/23.

SB 2127 amends Section 97-7-75 by revising the elements of the offense of making a terroristic threat by deleting the requirement that the intimidation or coercion be for the purpose of having a person or entity cede to the terrorist's demand.

SB 2239. Effective 7/1/23. Signed 4/20/23.

SB 2239 authorizes law enforcement officers of the Department of Public Safety to use their official uniform, firearm and vehicle while in the performance of private security services in off-duty hours. The bill requires the Commissioner of the Department of Public Safety to approve the off-duty use of the uniform, firearm and vehicle; the approval must be on an employee-by-employee basis and not by general order.

SB 2297. Effective 7/1/23. Signed 4/17/23.

SB 2297 amends Section 63-11-19 to require the Mississippi Forensics Laboratory to approve for use at least one model of a breath alcohol content instrument that is readily available to law enforcement agencies throughout the state.

The bill also amends Section 77-15-1 to increase the monthly compensation of the Board of Directors of the Chickasawhay Natural Gas District from \$200 per month to \$500 per month and the monthly compensation of the chairperson of the board from \$250 to \$550.

SB 2298. Effective 7/1/23. Signed 3/14/23.

SB 2298 amends Sections 21-23-8 and 99-5-11 to conform the procedures for setting bail in municipal and justice courts throughout the state.

The bill prohibits a court from setting an amount of bail solely for the purpose of detaining a defendant. It also provides that once bail is determined it is presumed to be necessary to reasonably assure the safety of a victim, witness or the general public and to guarantee the appearance of a defendant as required by the court. It is also presumed to be attainable by the defendant; however, the defendant may rebut the presumption by moving to reduce or set aside the bail.

The bill also provides that a misdemeanor defendant shall not be incarcerated solely because the defendant cannot afford to post bail; nor shall a misdemeanor defendant be released solely because the defendant cannot afford bail. Instead, the judge shall make a determination of whether the defendant can be released on recognizance, based on the standards enumerated in the Mississippi Rules of Criminal Procedure and any other factors considered relevant by the municipal judge as long as the release of the defendant does not jeopardize the community. Additionally, the accused may waive an appearance before the judge and execute an appearance bond in an amount determined by the court from the bond guidelines set out in the Mississippi Rules of Criminal Procedure and agree to appear at a specified time and place.

The bill also includes two conforming amendments so that the bail procedures in Justice and Municipal Courts mirror one another. In Section 21-23-8, a provision substantially similar to language from Section 99-5-11 is inserted related to setting bail in certain domestic situations. In Section 99-5-11, a provision substantially similar to language from Section 21-23-8 is inserted related to designated officers setting bail due to the unavailability of a judge.

SB 2337. Effective 7/1/23. Signed 3/14/23.

SB 2337 amends Section 99-1-5 to provide that the time limitation on the prosecution for conspiracy shall be the same as for the underlying offense for which the defendant is accused of conspiring to commit.

SB 2343. Effective 7/1/23. Signed 4/21/23.

SB 2343 revises the jurisdiction of the Department of Public Safety. The bill provides that the department shall have primary jurisdiction relative to any other state or municipal

law enforcement agency to enforce all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. The bill also provides that the department shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the City of Jackson, Mississippi. This jurisdiction shall not be primary and shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi. With this primary and concurrent jurisdiction, the department may make arrests for any violation of any law of the State of Mississippi and violations of the City of Jackson's traffic ordinances or ordinances related to the disturbance of the public peace which occurs within the boundaries of the district and within the boundaries of the City of Jackson. Also, under the bill, the Chief of the Capitol Police, the Chief of the Jackson Police Department, and the Sheriff of Hinds County shall hold a regular meeting within the boundaries of the Capitol Complex Improvement District to address the concerns of the public.

Beyond addressing the jurisdiction of the department, the bill requires written approval from the Chief of the Capitol Police or the Commissioner of the Department of Public Safety before any event occurs within the Capitol Complex Improvement District which will take place on any street or sidewalk immediately adjacent to any building or property owned or occupied by the State of Mississippi. Last, the bill also authorizes the Department of Public Safety to charge the Department of Agriculture a commensurate fee for security services provided for special events at the Mississippi State Fairgrounds Complex.

SB 2346. Effective 7/1/23. Signed 4/18/23.

SB 2346 provides that any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of such material shall be held liable if the entity fails to perform reasonable age verification methods to verify the age of individuals attempting to access the material. Any commercial entity that violates this section shall be liable to an individual for damages resulting from a minor's accessing the material, including court costs and reasonable attorney fees. Further, a commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual through the age verification procedure shall be liable to the individual for damages resulting from retaining the identifying information.

The bill defines a minor as any person under the age of 18 and provides a definition of the term "material harmful to minors." The bill also provides an exemption for internet service providers that provide access or connection to or from a website.

SB 2347. Effective 7/1/23. Signed 3/16/23.

SB 2347 creates Section 41-9-41 to authorize certain privately owned hospitals to establish a hospital police department if the hospital was previously publicly owned and had an established police department at the time that it was publicly owned. The bill authorizes the governing body of a privately owned hospital to appoint qualified individuals to serve as hospital police officers upon any premises owned or leased by the hospital and under the jurisdiction of the governing body. The officers salaries shall be paid by the employing hospital's governing body and the hospital police

officers shall serve at the will and pleasure of the governing body. The bill also provides certification standards for a hospital police officer and details the duties of a hospital police officer.

Under the bill, the governing board of the hospital must enter into a memorandum of understanding with a local law enforcement agency to hold and maintain a hospital police officer's certification. The Department of Health and the Department of Public Safety may promulgate restrictions and conditions upon the exercise of authority under this section. Further, the hospital police officers must be trained by the Department of Public Safety in crisis de-escalation techniques.

Last, the bill limits the civil and criminal liability of a hospital police officer. The bill provides that a hospital police officer shall not be subject to civil or criminal liability unless:

- The officer's acts or omissions were manifestly outside the scope of employment or official responsibilities,
- The officer's acts or omissions were with malicious purpose, in bad faith, or in a wanton or reckless manner, or
- Liability is expressly imposed upon the hospital police officer by any other provision of this section.

SB 2420. Effective 7/1/23. Signed 3/14/23.

SB 2420 directs the Department of Public Safety to create an online public registry of offenders whose crimes involved the embezzlement or misappropriation of public funds. The registry must include the offender's full legal name, any aliases by which the offender is or has been known, including any online or internet identifiers and the offender's date of birth.

Under the bill, a registrable offense "means a crime chargeable under Sections 97-7-10, 97-11-25 through 97-11-31,

97-15-3, 97-15-5, 97-11-11, 97-11-13, 97-11-53, 97-13-1 and 97-13-3, or any crime that involves the embezzlement or misappropriation of public funds as determined by the circuit court in its sentencing order upon conviction." Further, a conviction which requires registration includes a disposition of nonadjudication for any registrable offense.

The bill requires certain agencies to forward the department information concerning individuals to be registered. The bill also requires the individuals convicted of a registrable offense to register in accordance with the procedures established by the department.

An individual on the registry may petition to have their name removed; however, no offender shall be removed from the registry unless all fines, penalties and restitution resulting from the conviction have been paid. If fines, penalties and restitution have been paid, an offender may be removed from the registry after either five years from the date of the offender's conviction or five years from the date of an offender's release from physical incarceration, whichever is later.

Last, the bill prohibits the state and any county, municipality or any other political subdivision from hiring any person who appears on the registry for any position in accounting, or in a treasury or registrar office, or in any office where monies are collected or received directly from rate or fee payers.

HB 4. Effective 7/1/23. Signed 3/23/23.

HB 4 amends Section 41-29-117 to add tianeptine as a Schedule III drug to the Uniform Controlled Substances Law.

HB 266. Effective 7/1/23. Signed 4/20/23.

HB 266 names the Mississippi Department of Public Safety Headquarters' Office, located in Pearl, Rankin County, Mississippi, the "David R. Huggins Headquarters of The Mississippi Department of Public Safety."

The bill also names the Mississippi State Crime Laboratory in Pearl, Rankin County, Mississippi, the "Tom Weathersby State Crime Laboratory."

HB 281. Effective 7/1/23. Signed 3/22/23.

HB 281 amends Section 45-9-131 to authorize a law enforcement officer who is employed by a state agency, board or commission to purchase his or her issued sidearm as personal property for fair market value upon the officer's retirement. It also authorizes the purchase of the sidearm for an agreed upon price by the next of kin of a law enforcement officer who is killed in the line of duty.

HB 405. Effective 7/1/23. Signed 4/17/23.

HB 405 amends Section 99-1-5 to revise the statute of limitations for bribery of a candidate to five years after the commission of the crime.

HB 529. Effective 7/1/23. Signed 4/19/23.

HB 529 exempts records in the motor vehicle insurance verification system from the Mississippi Public Records Act. It ratifies the National Crime Prevention and Privacy Compact to designate the Director of the Mississippi Justice Information Center as the state's compact officer. By December 31, 2025, state and local law enforcement agencies shall be compliant with all regulations promulgated by the Department of Public Safety's Criminal Information Center (CIC), with consultation with the President of the Sheriffs' Association and Mississippi

Association of Chiefs of Police with regard to the National Incident-Based Reporting System (NIBRS) of the Uniform Crime Reporting Program of the Federal Bureau of Investigation. The bill authorizes the Mississippi Justice Information Center to purchase live scan equipment to be used for fingerprinting by law enforcement agencies throughout the state. The bill also authorizes the Department of Public Safety to furnish a driver service bureau public access computer in each county. It also authorizes the concealed carry of a firearm with a license. The bill also revises how license renewals may be sent. The bill repeals Section 63-16-15, which provides for the automatic repeal of the public safety verification and enforcement act.

HB 795. Effective 7/1/23. Signed 4/20/23.

HB 795 amends Section 97-23-3 to revise certain fines and criminal penalties for the crime of shoplifting where the total price of the shoplifted items is less than or equal to \$1,000. It also requires that fines be based on total price of all shoplifted items instead of the merchant's stated price.

HB 894. Effective 7/1/23. Signed 3/13/23.

HB 894 amends Section 17-1-27 by adding administrative penalties or civil penalties as an option that local governing authorities may pursue when a local zoning ordinance is violated as long as such penalties are not prescribed under other state or local law. Previously, local governing authorities could only pursue criminal penalties for the violation of a local zoning ordinance.

HB 912. Effective upon certain United States Supreme Court rulings. Signed 4/13/23.

HB 912 provides that a firearm suppressor manufactured and remaining in the State of Mississippi is not subject to federal laws and regulations governing firearm suppressors. The bill also:

- Prohibits state and local governmental authorities from enforcing federal regulations on suppressors made in Mississippi.
- Requires state funding to be withheld from any governmental entity that adopts a rule or policy enforcing the federal laws governing firearm suppressors.
- Requires the dismissal of charges of illegally carrying a muffler or silencer which are pending on July 1, 2023.
- Repeals Section 97-37-31 which creates the misdemeanor offense of making, manufacturing, selling or possessing a device that will muffle the report of a firearm by a person not authorized to do such under federal law.

The bill links the effective date of these provisions to the United States Supreme Court ruling in favor of the Texas Attorney General and the State of Texas and its passage and implementation of Texas House Bill 957, 2021 Regular Session, in any appeal related to that certain case pending in the United States District Court for the North District of Texas and styled *Paxton et al v. Richardson* (4:22-cv-00143), or after 10 days following the date of publication by the Attorney General of Mississippi in the administrative bulletin published by the Secretary of State as provided in Section 25-43-2.101,

Mississippi Code of 1972, that the Attorney General of Mississippi has determined that the United States Supreme Court has rendered binding precedent that it is reasonably probable that this act would be upheld by the court as constitutional.

HB 995. Effective 7/1/23. Signed 4/17/23.

HB 995 revises the evidentiary requirements for rape trials by removing the requirement that a woman be of "chaste" character for corroboration of rape. It also repeals Section 97-3-99 which provided for a spousal rape exception.

The elements of rape were revised to remove the words "forcibly ravish any female" and replace with "forcible sexual penetration of any person."

HB 1125. Effective on passage. Signed 2/28/23.

HB 1125, which is named the "Regulate Experimental Adolescent Procedures (REAP)" Act, provides for restrictions on the providing of gender transition procedures to a person under 18 years of age, as follows:

- Provides the following definitions for the act:

- ▶ "Gender transition" means the process in which a person goes from identifying with and living as a gender that corresponds to his or her sex to identifying with and living as a gender different from his or her sex, and may involve social, legal, or physical changes.

- ▶ "Gender transition procedures" means any of the following medical or surgical services performed for the purpose of assisting an individual with a gender transition:

- ◆ Prescribing or administering puberty-blocking drugs;
- ◆ Prescribing or administering cross-sex hormones; or

- ◆ Performing gender reassignment surgeries.

- ▶ The term "gender transition procedures" do not include:

- ◆ Services to persons born with a medically verifiable disorder of sex development, or having both ovarian and testicular tissue;

- ◆ Services provided when a physician has otherwise diagnosed a disorder of sexual development that the physician has determined through genetic or biochemical testing that the person does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action;

- ◆ The treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of gender transition procedures; or

- ◆ Any procedure for a male circumcision.

- Prohibits persons from knowingly providing gender transition procedures to any person under 18 years of age, or knowingly engaging in conduct that aids or abets the performance or inducement of gender transition procedures to any person under 18 years of age.

- Prohibits the use of public funds, resources, facilities, personnel or any other thing of value that is provided by the state or federal government from being directly or indirectly used, granted, paid or distributed to any entity, organization or individual that provides gender transition procedures to a person under 18 years of age in violation of this act.

- Prohibits health care facilities owned by the state or a county or local government and physicians or other health care professionals employed by the state or a county or local government from providing gender transition procedures to a person under 18 years of age.

- Provides that amounts paid by an individual or an entity during a taxable year for provision of gender transition procedures or as premiums for health care coverage that include coverage for gender transition procedures are not deductible under the state income tax laws.

- Provides that knowingly providing gender transition procedures to any person under 18 years of age, or knowingly engaging in conduct that aids or abets the performance or inducement of gender transition procedures to any person under 18 years of age in violation of this act, by a physician or other health care professional is considered to be outside the applicable standard of care and is unprofessional conduct.

- ▶ Requires that a physician who violates the preceding provision to have his or her license to practice medicine in Mississippi revoked pursuant to action taken by the State Board of Medical Licensure.

- ▶ Requires that a nonphysician health care professional who violates the preceding provision to have his or her license to practice their health care profession in Mississippi revoked pursuant to action taken by the applicable licensing entity.

- Provides that a person may assert an actual or threatened violation of this act as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, punitive damages, injunctive relief, declaratory relief, or any other appropriate relief, and may bring such claim against any facility, individual or entity causing or contributing to a violation of this act.

- Provides that person must bring a claim for a violation of this act no later than 30 years after the day the cause of action accrues.

- Provides that a person under 18 years of age may bring an action throughout their minority through a parent or next friend, and may bring an action in their own name upon reaching majority at any time from that point until 30 years after reaching the age of majority.

- Directs the Attorney General to bring actions to enforce compliance with this act.

- Revises the definition of the practice of medicine in Section 73-25-33 to exclude the providing of gender transition procedures for any person under 18 years of age.

- Prohibits the Division of Medicaid from reimbursing or providing coverage for gender transition procedures for a person under 18 years of age.

- Provides that Section 83-9-22 does not require a health coverage plan, or a health benefit paid directly or indirectly with state funds, to provide coverage for gender transition procedures for a person under 18 years of age.

- Prohibits health benefit plans under an insurance policy or other plan providing health care coverage in this state from including reimbursement for gender transition procedures for a person under 18 years of age.

- Provides that for the purposes of Tort Claims Act, an employee shall not be considered as acting within the course and scope of his or her employment and a governmental entity shall not be liable or be considered to have waived immunity for any conduct of its employee if the employee's conduct constituted a violation of this act.

HB 1315. Effective 7/1/23. Signed 4/18/23.

HB 1315 regulates pornographic media exposure to children in Kindergarten to 12th Grade. Under the bill, the state, or any of its agencies, a school district, charter school, the Mississippi School of the Arts, the Mississippi School for Mathematics and Science, the Mississippi Virtual Public School, the Mississippi School for the Deaf, the Mississippi School for the Blind or a public library that offers digital or online resources or databases to students in Kindergarten through 12th Grade must require a vendor or other person or entity providing digital or online resources or databases to have certain safety policies and technology protection measures. The policies and measures must prohibit and prevent a person from sending, receiving, viewing or downloading materials that are child pornography; materials that depict or promote child sexual exploitation or trafficking; obscene materials, as defined in this act; inappropriate materials depicting or dealing with matters of sex, cruelty and violence in a manner likely to be injurious or harmful to a child; or materials that are sexually oriented; and block, or otherwise prohibit and prevent, access to. Also, the bill provides contractual penalties for noncompliance by a vendor or other person or entity and notice provisions with which a governmental entity must comply before withholding any payment for noncompliance.

MEDICAID

SB 2212. Effective 7/1/2023. Signed 3/16/23.

SB 2212 amends existing law to authorize and direct the Division of Medicaid to provide up to 12 months of continuous coverage postpartum for any individual who qualifies for Medicaid coverage as a pregnant woman to the extent allowable under federal law and as determined by the division.

SB 2613. Effective 7/1/2023. Signed 4/17/23.

SB 2613 extends the date to July 1, 2024, by which an entity providing nonemergency transportation services may continue to provide such services without first receiving a permit from the Department of Health. It also establishes that NEMT providers that are Medicaid providers under contract with a NEMT transportation broker providing services for the Division of Medicaid shall not be required to have a permit from the department to provide NEMT transportation services under certain circumstances.

MUNICIPALITIES

SB 2306. Effective 7/1/23. Signed 3/16/23.

SB 2306 amends Section 51-35-317 to increase the number of district directors for municipalities with a population over 100,000 with a flood and drainage control district which has been enlarged under Section 51-35-315(w). The bill provides for two additional directors for such a municipality with such a district, one to be the emergency manager for the municipality and one to be the emergency manager for the county in which the municipality is located.

SB 2839. Effective 7/1/23. Signed 3/3/23.

SB 2839 amends several sections within Chapter 31 of Title 19 to authorize the governing authorities of the municipality in which a public improvement district is contained to perform the duties and exercise the powers of the board of the district when such board is unable or unwilling to perform such duties or exercise such powers. In such circumstances, the municipality is authorized to exercise all enumerated powers as well as all of the powers necessary and proper to perform the duties of the board.

PORTS AND MARINE RESOURCES

SB 2530. Effective 7/1/23. Signed 4/13/23.

- The Mississippi Department of Marine Resources is authorized and directed to designate the Danzler Tract, 925 acres located in the Pascagoula River Marshes in Jackson County, Mississippi, acquired in 1997 with funds obtained by Secretary of State Eric Clark as trustee of the public trust tidelands and part of the Mississippi Coastal Preserves Program, as the "Secretary of State Eric Clark Coastal Preserve" in honor of his role in the development of the program. The Mississippi Department of Marine Resources in conjunction with the Office of Secretary of State are further authorized to erect appropriate markers and signs indicating the location of the "Secretary of State Eric Clark Coastal Preserve" and other pertinent information on the mission, trail systems and visitor guidelines relating to the Mississippi Coastal Plain.

- The Mississippi Department of Marine Resources is authorized and directed to designate the "Big Island", 57 acres located at the physical address of 0 Mouth of Back Bay of Biloxi in Harrison County, Mississippi, as "Gollott Island" in honor of the role of Senator Thomas A. Gollott in the development of the Mississippi Gulf Coast. Big Island is more particularly described as Patent No. 1211672 Big Island Lot 2 of Section 22-7-9 A Swamp and Overflowed land located at the mouth of the Back Bay of Biloxi. The Mississippi Department of Marine Resources is further authorized and directed to designate the breakwater improvements on the south side of the island as "Godfather Point." The Mississippi Department of Marine Resources in conjunction with the Office of the Secretary of State are further authorized to erect appropriate markers and

signs indicating the location of "Gollott Island" and "Godfather Point" and other pertinent information on the mission, trail systems and visitor guidelines relating to the Mississippi Coastal Plain.

SB 2544. Effective 7/1/23. Signed 4/17/23.

SB 2544 revises the authority and procedures for the Mississippi Department of Marine Resources to lease the bottoms within its jurisdiction for oyster production and propagation in this state under the following terms and conditions:

- Establishes a special account to be known as the "Oyster Production Preserve Account" within the Seafood Fund. Monies required to be deposited from oyster leasing and licensing payments, sack fees, special license tag fees, and any funds received from any public or private source for the purpose of oyster production and propagation in this state shall be credited to the account. The department may expend any funds in the account, subject to specific appropriation by the Legislature, for the management, improvement and acquisition of coastal preserves for oyster production and propagation in the state, which includes plantings of oysters and cultch materials. The Department of Marine Resources shall develop an annual report to the Legislature which describes the annual expenditures from this fund for the purpose of furthering oyster production and propagation in this state to be included in the department's annual budget request to the Legislative Budget Office and to be transmitted to the Chairmen of the Senate and House Committees on Ports and Marine Resources.

- All individual lessees of oyster bottoms shall be residents of the State of Mississippi, or if a firm or corporation, such firm or corporation shall be organized under the laws of the State of Mississippi and owned by a resident of the State of Mississippi.

- No individual, corporation, partnership or association may lease or sublease less than one acre nor more than 2,500 acres total.

- Individuals, firms or corporations desiring to lease or sublease bottoms shall make application to the department in writing, describing the area to be leased. Applications must include a plat showing the proposed lease area and description of cultch material type and amount to be deployed on the leased area.

- Any person who qualifies and who desires to lease a part of the bottom or bed of any of the waters of this state as provided in this section shall present to the department a written application, and pay an application fee in the amount of \$50.

- When applications are made by two or more persons for the same water bottoms, the applicant or the heirs or transferors of a deceased applicant who files the first application has prior claim.

- The department may not execute a lease until the department has posted notice of the application for the lease on its website for 30 consecutive days.

- Any person claiming ownership of the water bottoms to be leased may protest the issuance of the lease on the grounds that the protesting party owns the water bottoms, but only by delivering via certified mail notice of the protest in writing to the department, and the lease applicant on or before the 30th

day after notice of the application was posted. Any applicant shall have the right to appeal any decision of the department related to such protest to the circuit court with proper venue.

- Such leases shall be for an initial term of 15 years, with the lessee having the right of first renewal of the lease for an additional 15 years, and continue to renew at 15-year intervals, at the same ground rental rate so long as lessee actively cultivates and gathers oysters, and complies with the provisions of this chapter. No lease may be transferred without approval by the department of the transfer.

- The terms of every lease and sublease issued hereunder shall ensure the maximum culturation and propagation of oysters. Throughout the term of every lease issued hereunder, each lessee shall add cultch and make other necessary efforts to ensure the maximum culturation and propagation of oysters. The lessee shall submit a written report to the department of efforts to cultivate and propagate oysters for the previous year. If the department finds a lessee is not making efforts to cultrate and propagate oysters, and the lessee fails to take remedial steps to address same, such lease shall be subject to termination as provided for hereunder.

- The department shall fix a ground rental at \$3 per acre per year.

- Any lessee who pays the rent on or after the first day of January shall pay the rent due plus an additional 10% penalty.

- The failure of the lessee to pay the rent punctually on or before the first of each January, or within 60 days thereafter, terminates and cancels the lease and forfeits to the department all the works, improvements, betterments, and oysters on the leased water bottom. The department may at once enter on the water bottom and take possession thereof. Such water bottom

shall then be open for lease. Ten days thereafter the department shall enter the termination, cancellation, and forfeiture on its books and give public notice thereof by publication in one local paper in the county where the formerly leased water bottoms are located. On or before the first day of each February, the department shall issue a written notice of delinquency by certified mail to each lessee who has not yet paid the rent. The department shall also publish notice of such delinquency on its website.

- The department shall maintain a map of state-owned, leased areas and areas available for lease on the department's website.

- A lessee has the exclusive use of the water bottoms leased and all oysters and cultch grown or placed thereon.

- In order to protect the health and safety of the residents of the State of Mississippi, the terms and conditions relating to the leasing and subleasing of bottoms provided in this act shall be fully applicable to any lease executed by the Mississippi Department of Marine Resources prior to passage of this act, and the department shall renegotiate and revise any lease issued prior to passage of this act, as necessary in order to comply with the provisions of this section.

- The Department of Marine Resources shall have full jurisdiction and control of all designated state-owned reefs and oyster bottoms of the State of Mississippi. In no event shall the department designate more than 20% of the permitted areas available as state-owned reefs.

- State-owned reefs may be opened for harvest of oysters during the season on a rotating basis.

- Commercial vessels, shall annually, before beginning operations, be licensed by the department and pay the following license fee:

- (a) \$50 on each in-state vessel or boat used for tonging oysters or gathering oysters by hand;

- (b) \$100 on each in-state vessel or boat used for dredging oysters;

- (c) \$100 on each out-of-state vessel or boat used for tonging oysters or gathering oysters by hand, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for tonging or gathering oysters, whichever is greater; or

- (d) \$200 on each out-of-state vessel or boat used for dredging oysters, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for dredging oysters, whichever is greater.

- Commercial harvesters transporting their catch out of the state - 50¢ per sack paid to the department on the day of harvest. Commercial harvesters not selling their oysters to a Mississippi dealer - 15¢ per sack paid to the department on the day of harvest.

- The department shall promulgate administrative penalties for violations of this act, which may include, but not be limited to, revocation of the license of the oyster vessel for up to one year for the first offense, revocation up to two years for the second offense, and permanent revocation for the third offense. Upon issuance of a citation for a violation of this section, the vessel shall be removed from the oyster reef and any oysters on board the vessel shall be confiscated and disposed of by the department. The vessel shall not be

permitted to harvest from any state-owned or private reefs until the vessel is properly equipped as determined by an inspection by the department.

- A lessee has the exclusive use of the water bottoms leased and all oysters and cultch grown or placed thereon. However, this exclusive right is subordinate to the rights and responsibilities of the state, any political subdivision of the state, the United States, or any agency or agent thereof, to take action in furtherance of coastal protection, conservation or restoration.

SB 2550. Effective 7/1/23. Signed 3/10/23.

SB 2550 requires licenses for the commercial taking of saltwater crabs to apply to the "vessels used" rather than each crew member.

SB 2551. Effective 7/1/23. Signed 4/17/23.

SB 2551 includes in the police powers and jurisdiction of the enforcement officers of the Mississippi Department of Marine Resources all federal laws within the jurisdiction of the State of Mississippi and waters and resources under management of the state.

PUBLIC HEALTH AND WELFARE

SB 2167. Effective on passage. Signed 4/17/23.

SB 2167 establishes the "Early 12 Intervention Task Force to Study the IDEA Part C Early Intervention System in Mississippi and Mississippi's Laws Regarding Early Intervention." The goal of the task force shall be to develop a recommendation to the Legislature on reforming the current early intervention system and laws in Mississippi, with a goal of increasing access to services for children from birth to age three through a robust First Steps Early Intervention Program. The bill provides for the membership of the task force, including, among others, the Chairmen of the Public Health, Education and Appropriations Committees of the Mississippi Senate and House of Representatives, the State Health Officer, and certain medical professionals.

The bill requires the task force to evaluate early intervention infrastructure, billing and reimbursement processes and rates, and delivery models in the state and compare these systems to other surrounding states. The bill authorizes the task force to request assistance of the Mississippi Department of Health, the Social Sciences Research Center at Mississippi State University, the Mississippi Early Learning Alliance or any other related entity or organization with expertise in early intervention services. The task force shall develop and report its findings and recommendations for proposed legislation to the Legislature and proposed rule changes to the Mississippi Department of Health on or before December 1, 2023. The task force shall be dissolved upon presentation of its report.

SB 2282. Effective 7/1/23. Signed 3/10/23.

SB 2282 simply deletes the automatic repealer on the provision of law that authorizes a pharmacy to sell or distribute certain amounts of pseudoephedrine without a prescription.

SB 2323. Effective on passage. Signed 3/30/23.

SB 2323 provides certain legal protections and exemptions for hospitals. Section 1 of SB 2323 amends Section 41-13-35, which provides the powers and authority of the Boards of Trustees of Community Hospitals. This bill also amends Section 41-13-35 to allow the Board of Trustees of Community Hospitals to acquire hospitals, health care facilities and other healthcare-related operations and assets through direct purchase, merger, consolidation or lease while being immune from state and federal antitrust laws.

It also allows these boards to enter into joint ventures with other public or private healthcare-related organizations with for-profit or nonprofit corporations, for-profit or nonprofit limited liability companies or other similar organizations, either directly or through a nonprofit corporation formed or owned by the community hospital, for the joint operation of all or part of the community hospital, or the joint operation of any health care facilities or healthcare services. The bill authorizes such hospitals to form, establish, fund and operate nonprofit corporations, which are jointly owned by other public or private hospitals, for-profit or nonprofit corporations, or other health care-related organizations, for the purpose of conducting activities within or outside of the community hospital's service area for the benefit of the community hospital, including, but not limited to, joint hospital acquisitions, group purchasing, clinically

integrated networks, payor contracting, and joint requests for federal and state grants and funding. The bill allows such boards to make loans, debt or equity financing for such joint ventures. It also allows the hospitals to participate in financial integration and/or clinical integration with a joint venture or other public or nonprofit health-related organizations. It authorizes the boards of such community hospitals to have an ownership interest under accountable care organizations and to enter into any contract for a term of any length.

The bill authorizes the community hospitals to elect members of boards of directors of any nonprofit corporation for which the community hospital is a member. It also allows the board to create and operate subsidiaries or affiliates to assist the community hospital and to create, establish and support nonaffiliated nonprofit corporations. The bill provides that the board of trustees shall not sell, purchase, convey, lease, or enter into agreements that have the effect of selling, purchasing, conveying, or leasing any real property or entering into management agreements, merger agreements, joint ventures, joint-operating agreements or similar arrangements that transfer control of any real property or the operations of a community hospital without the prior approval of the owners of the real property.

Section 41-13-35 also establishes the Legislature's intent. This intent is essentially that given the current environment for community hospitals, the needs of the residents of the state can best be served by the community hospitals having the necessary legal and operational flexibility to take full advantage of opportunities and challenges presented to the

evolving health care environment and to take whatever actions are needed to enable the community hospitals' continuation as health care system.

Further, community hospitals in Mississippi are political subdivisions of the state. Accordingly, the Legislature finds that there is a compelling interest in establishing a structure and process for a community hospital to adapt to this dynamic environment, to operate efficiently, to offer competitive health care services, to respond more effectively to new developments and regulatory changes in the health care area, and to continue to serve and promote the health, wellness and welfare of the citizens of Mississippi. The acquisition, operation and financing of hospitals and other health care facilities by the community hospitals are thus declared to be for a public and governmental purpose and a matter of public necessity and, as such, the Legislature finds the benefit of collaboration and consolidation by the community hospitals outweigh any adverse impact on competition. Given this, the bill declares that the Legislature expresses a policy to allow community hospitals to consolidate with other public, private, for-profit or nonprofit hospitals, health care facilities and providers and to engage in collaborative activities consistent with their health care purposes. As such, the bill allows such community hospitals to be immune from state and federal antitrust laws.

Section 41-13-29 of SB 2323 is amended to raise the compensation of per diem for board of trustees from \$150 to \$250.

Section 37-115-50 of SB 2323 is amended to add a definition of "health care collaborative" to mean any consolidation or collaboration involving the University of Mississippi Medical Center (UMMC) and any other public, private, for-profit or nonprofit health care facilities or providers.

Section 37-115-50.2 of SB 2323 creates a new code section to codify its legislative intent to allow UMMC and health care collaboratives, to collaborate and consolidate to better serve the needs of citizens. In engaging in such consolidations and collaborations with other hospitals, health care facilities and providers, the academic medical center and its health care collaboratives (acting individually or collectively) shall be considered to be acting pursuant to clearly articulated state policy and shall be immune to all federal or state antitrust laws. The bill also provides for certain "active supervision" triggers if a court of competent jurisdiction were to rule that the activities of UMMC and its health care collaboratives would be immune from the application of state and federal antitrust laws under the state action antitrust immunity doctrine.

Section 37-115-50.3 of SB 2323 creates another new code section to codify the powers of UMMC and its health care collaboratives to align with many of the same powers that were given to community hospitals in Section 1 of SB 2323, including the immunity from state and federal antitrust laws when collaborating with or acquiring hospitals, health care facilities and other healthcare-related organizations.

Section 6 of SB 2323 establishes that it is the intent of the Legislature that the act be liberally construed.

Section 75-21-13 of SB 2323 amends the leading antitrust statute to conform to the provisions of the bill.

Sections 8, 9, 10 and 11 of SB 2323 amend existing law to include private hospitals in the Rural Health Availability Act and rename the act as the "Rural and Private Hospitals Health Availability Act" to provide that private hospitals, whether in a rural or nonrural area, and any other entity may negotiate and enter into cooperative agreements, subject to receipt of a certificate of public advantage governing the agreement that is approved by the State Department of Health.

SB 2369. Effective 7/1/23. Signed 3/30/23.

SB 2369 amends existing law to extend the date of the repealers on certain statutes relating to the administration of the Mississippi Department of Human Services and updates the organizational structure of the department and the duties of the Office of Community Services within the Division of Youth Services of the department. The bill also provides that an employee of the Department of Human Services whose employment was effectuated, in whole or in part, with funds received from a grant or contract issued by the State of Mississippi or the United States of America, who was terminated from such employment, shall be prohibited from receiving employment from any other agency, department or institution of the state that uses funds from the same grant or contract to employ personnel.

SB 2485. Effective 7/1/23. Signed 3/14/23.

SB 2485 revises the definition of qualified personnel who provide early intervention services under the Early Intervention Act for infants and toddlers to include individuals who hold a degree in human development and family science or child and family science with a concentration in child development and licensure in pre-kindergarten to kindergarten.

SB 2575. Effective 7/1/23. Signed 3/28/23.

SB 2575 provides that all alternative delivery systems and all group health insurance policies, plans or programs regulated by the State of Mississippi shall provide covered benefits for medical treatment provided by the county health departments of the State Department of Health in the same manner as other providers. The bill provides that alternative delivery systems and group health insurance policies, plans or programs regulated by the State of Mississippi shall not deny the State Department of Health the right to participate as a contract provider. SB 2575 also provides that nothing in the bill shall prohibit alternative delivery systems and group health insurance policies, plans or programs regulated by the State of Mississippi from being able to negotiate an appropriate fee schedule for medical treatment provided by the county health departments of the State Department of Health.

SB 2750. Effective 7/1/23. Signed 3/30/23.

SB 2750 establishes the Automated External Defibrillators in Public and Charter Schools Grant Program, which shall be administered by the Department of Health for the purpose of providing funds to entities to supply AEDs in public and charter schools. It also provides that the Department of Health administer the program with the intent to ensure the health and safety of individuals in public and charter schools.

SB 2797. Effective 7/1/23. Signed 3/10/23.

SB 2797 provides that the Mississippi State Asylum records in the possession of the Mississippi State Hospital shall be permanently transferred to the Rowland Medical Library at the University of Mississippi Medical Center. The bill also requires that the University of Mississippi Medical Center shall establish the Asylum Hill Oversight Committee to govern the access, use and disclosure of the Mississippi State Asylum records. The bill requires the oversight committee to make reasonable efforts to identify and notify all descendants of patients treated at the Asylum and to establish procedures by which a descendant of a patient treated at the Asylum may opt out of the disclosure of any related records.

The bill requires all information, data and research regarding patients to be anonymized. It amends existing law to exempt the Mississippi State Asylum Records from being considered hospital records for purposes of certain provisions related to confidentiality. The bill also amends existing law to provide that any Mississippi State Asylum Record relating to any person who has not been deceased for at least 50 years shall still be considered confidential. It amends existing law to provide that any Mississippi State Asylum Record shall not be considered medical records for certain purposes and exempts such records from certain disclosure prohibitions, provided that such records relating to any person who has not been deceased for at least 50 years shall not be exempt. It amends existing law to provide that any Mississippi State Asylum Record shall be exempt from certain medical privilege requirements, provided that such records relating to any person who has not been deceased for at least 50 years shall not be exempt.

HB 249. Effective 7/1/23. Signed 3/22/23.

HB 249 extends the date of the repealer to June 30, 2026, on the provision of law excluding from the state service the employees of the Department of Health and the Department of Revenue whose employment is solely related to the Mississippi Medical Cannabis Act.

The bill also extends the date of the repealer to June 30, 2026, on such departments' exemptions from:

- The Mississippi Administrative Procedures Law for purposes related to the Mississippi Medical Cannabis Act;
- The bid and contract requirements of the Mississippi Department Of Information Technology Services for purposes related to the Mississippi Medical Cannabis Act;
- The requirements of the Public Procurement Review Board for those departments' personal and professional service contracts relating to the Mississippi Medical Cannabis Act; and
- State bid requirements for purchases made by those departments in connection with their responsibilities under the Mississippi Medical Cannabis Act.

Lastly, the bill includes services provided by the Mississippi Industries for the Blind in the exceptions from bidding requirements.

HB 259. Effective 7/1/23. Signed 3/22/23.

HB 259 extends to July 1, 2028, the date of the repealers on the sections of law that require radiologic technologists, nuclear medicine technologists and radiation therapists to be registered with the State Department of Health in order to engage in the practice of medical radiation technology. In addition, it provides a definition of "nuclear medicine" and revises the definition of "nuclear medicine technologist."

The bill also enacts into law the Occupational Therapy Licensure Compact and provides that the State of Mississippi enters the compact with other states that join in the compact. The compact will come into effect when it has been enacted into law in 10 states.

- The purpose of the compact is to facilitate interstate practice of occupational therapy with the goal of improving public access to occupational therapy services.

- The compact is designed to increase public access to occupational therapy services by providing for the mutual recognition of other member state licenses, and to allow for the use of telehealth technology to facilitate increased access to occupational therapy services.

- Under the compact, an occupational therapist or occupational therapy assistant who is licensed in one state that is a member of the compact (the "home state") is authorized to practice occupational therapy in another state that is a member of the compact (the "remote state") under a "compact privilege."

- A licensee providing occupational therapy services in a remote state under the compact privilege is required to function within the laws and regulations of the remote state and is subject to that state's regulatory authority. A remote state has the authority to take adverse actions against a licensee's compact privilege in the state, but a home state has the exclusive power to impose adverse action against a license issued by the home state.

- The compact creates the Occupational Therapy Compact Commission to enforce the provisions and rules of the compact, and to provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse actions, and investigative information on all licensed individuals in member states.

HB 518. Effective 7/1/23. Signed 3/22/23.

HB 518 revises certain provisions of the COVID-19 Mississippi Local Provider Innovation Grant Program as follows:

- Provides that applicants for grants that were approved and funded in the first round of grants awarded during fiscal year 2023 are eligible to apply for the second round of grants awarded during fiscal year 2024;
- Provides that the maximum amount of any one grant that may be awarded to an applicant under the program is \$250,000;
- Provides that grants may be used for reimbursement of expenses of transitional assistance meeting federal and state requirements that were incurred by providers during the period beginning on March 3, 2021, through December 31, 2024;
- Deletes the requirement that the program be funded from the Coronavirus State Fiscal Recovery Fund (ARPA funds); and
- Provides that the State Department of Health may expend up to 1-1/2% of the amount appropriated for the program for the expenses of administering the program, or the specific amount authorized for administrative expenses in the appropriation bill if that amount is higher.

HB 522. Effective 7/1/23. Signed 3/22/23.

HB 522 extends to July 1, 2028, the date of the repealer on the Mississippi Individual On-Site Wastewater Disposal System Law.

HB 584. Effective 7/1/23. Signed 3/22/23.

HB 584 clarifies that the amount of care grants to be provided under the Mississippi Qualified Health Center Grant Program shall be not less than \$4,000,000 each fiscal year instead of equal to \$4,000,000 each fiscal year. In addition, the bill provides that a qualified health center may not receive care grants under the program in excess of 10% of available funds per calendar year instead of in excess of \$250,000 per calendar year.

HB 854. Effective 7/1/23. Signed 3/22/23.

HB 854 revises the requirements for a marriage and family therapy license to provide that the applicant's degree may be from an institution accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP), or in a program that is accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE). In addition, the bill reduces from 500 to 300 the number of client contact hours that an applicant for a marriage and family therapy license must have completed in a clinical practicum.

HB 1158. Effective upon passage. Signed 3/27/23.

HB 1158 amends various sections of the Mississippi Medical Cannabis Act as follows:

- Authorizes a practitioner to assist a patient in registering for a registry identification card with the Mississippi Department of Health (MDOH) after the practitioner has issued a written certification to the patient.
- Provides that the requirements of the Mississippi Medical Cannabis Act do not apply to a person who is authorized to purchase topical cannabis, and such persons may possess and use such products without being in violation of the act.

- Prohibits any state agency, department, political subdivision or board from requiring a practitioner to require a patient to submit to a drug test as a condition to receiving a certification for a registry identification card.

- Provides that a practitioner is not required to have any additional qualifications to be authorized to certify a qualifying patient for a registry identification card.

- Provides that a practitioner is not required to be registered to certify patients with any state agency or board other than the MDOH.

- Authorizes qualifying patients to make a follow-up visit with a different practitioner than the practitioner who originally issued their written certification, provided that such practitioner is otherwise registered and acting within their scope of practice and the provisions of the law.

- Requires MDOH to verify the information contained in a registry identification card application or renewal, and approve or deny an application or renewal within 10 days of receiving a completed application or renewal application.

- Provides that a medical cannabis written certification issued by a practitioner is valid for the six months immediately preceding the date of application.

- Caps the cannabis cultivation facility Tier 6 to not more than 150,000 square feet.

- Authorizes an individual or business entity to have an ownership or economic interest in a medical cannabis testing facility and a cannabis transportation entity.

- Provides that MDOH may contract with a private laboratory for the purpose of conducting compliance testing oversight of medical cannabis.

- Requires a prospective employee to undergo a fingerprint-based background check by the Department of Public Safety.

- Requires a subsequent background check to be conducted on prospective employees if they do not start employment with an entity for six months.

- Authorizes any topical cannabis product that is purchased by a dispensary from a licensed processor, and is not ingested by the liver, to be sold to a cardholder or any person over the age of 21 who is not a cardholder.

- Authorizes dispensary websites to display pictures of the products that the dispensary sells.

- Prohibits a state agency or board from implementing any rule, regulation, policy or requirement that is contrary to the provisions of the Mississippi Medical Cannabis Act.

- Authorizes licensing agencies to deny the application of any applicant who fails to meet the qualifications for obtaining such license, and establishes certain appeal procedures for denials.

- Provides that any ongoing investigation by a licensing agency under the Mississippi Medical Cannabis Act is considered confidential and exempt from disclosure under the Mississippi Public Records Act.

- Provides that addresses of prospective and licensed medical cannabis establishments, except for medical cannabis dispensaries, are considered confidential and exempt from disclosure under the Mississippi Public Records Act.

- Provides that the judicial review of an appeal from a final decision or order of an agency under the provisions of the act is based on the record made before the agency.

- Provides that controlled substances and raw materials which have been used in violation of the Mississippi Medical Cannabis Act may be subject to forfeiture, and empowers law enforcement officers of the Department of Revenue (DOR) or MDOH, acting within their duties in accordance with the act, to seize such objects.

- Empowers law enforcement officers of the DOR or MDOH, acting within their duties in accordance with the Mississippi Medical Cannabis Act, to destroy any controlled substances or paraphernalia seized under their authority.

- Requires the prescription monitoring program to issue an annual report to the Legislature that indicates the number of opioid prescriptions that were provided to patients during that year.

- Adds the definition of the terms "artificially derived cannabinoid", "cannabinoid" and "cannabis waste":

- ▶ "Artificially derived cannabinoid" means a chemical substance that is created by a chemical reaction that changes the molecular structure of any chemical substance derived from the plant Cannabis family Cannabaceae, and it does not include:

- ◆ A naturally occurring chemical substance that is separated from the plant Cannabis family Cannabaceae by a chemical or mechanical extraction process;

- ◆ Cannabinoids that are produced by decarboxylation from a naturally occurring cannabinoid acid without the use of a chemical catalyst; or

- ◆ Any other chemical substance identified by MDOH.

- ▶ "Cannabinoid" means any of the chemical compounds that are the active constituents derived from THC.

▶ "Cannabis waste" means plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts. This term does not include seeds, roots, stems and stalks.

- Provides that in any county or municipality in which real property is owned, leased or otherwise controlled by a waterway district or water management district created in Title 51, Mississippi Code of 1972, the decision of the county or municipality to opt out or opt in of allowing medical cannabis entities is binding on all real property in such district.

- Provides that the ordinances of a county or municipality related to the provisions of the medical cannabis law are applicable to all real property within the boundaries of the county or municipality in such district.

HB 1222. Effective 7/1/23. Signed 3/22/23.

HB 1222 creates "The Mississippi Collaborative Response To Mental Health Act" and:

- Requires each municipal and county law enforcement agency to provide mental health first-aid training that is evidence-based and approved by the Department of Mental Health.

- Requires each municipal and county law enforcement agency to have at least one crisis intervention trained officer by a certain date.

- Authorizes an agency, which employs less than five law enforcement officers, may execute an agreement with one or more law enforcement agencies to have a crisis intervention team officer serve as the officer for that agency.

- Requires court liaisons for certain counties.

- Revises the terms of the members of the State Board of Mental Health.

- Requires each regional commission to employ or contract with an accountant to manage its finances.
- Requires the accountant to provide an annual audit in addition to other duties.
- Provides that members of the regional commission shall serve at the will and pleasure of the appointing board of supervisors.
- Requires the commissioners to attend certain trainings as a condition to remaining a commissioner.
- Requires removal of any commissioner who fails to attend certain trainings provided by the Department of Mental Health unless alternate arrangements are made.
- Requires the chancery clerk to maintain a record for the number of persons ordered for admission to a treatment facility, the number of hearings to determine whether a person should be admitted and the number of affidavits filed for purposes of admitting a person to a treatment facility.
- Revises the powers and duties of the State Board of Mental Health.
- Requires law enforcement officers to transport persons in crisis to the appropriate healthcare facility at the request of the crisis intervention team.
- Provides that on or before December 1, 2023, each county shall report to the Department of Mental Health data relating to the placement of individuals both before an involuntary civil commitment proceeding, and after a hearing where an involuntary commitment order has been entered.

- Provides that after making expenditures of at least \$2,500,000 each year to provide funding for county and municipal law enforcement training and court liaisons, the Department of Mental Health may expend any additional funds to provide grants to community mental health centers for the purpose of increasing housing for patients.

- Provides that the Department of Mental Health shall have all powers necessary to implement and administer the program, and the department shall promulgate rules and regulations necessary for the implementation of the act.

HB 1264. Effective 7/1/23. Signed 3/28/23.

HB 1264 authorizes school districts to provide feminine hygiene products for female students in Grades 6-12 at no cost to the students.

PUBLIC PROPERTY

SB 2203. Effective 7/1/23. Signed 3/16/23.

SB 2203 provides that the Mississippi Department of Finance and Administration, acting on behalf of the Mississippi Department of Mental Health, is hereby authorized to survey, partition, transfer and convey all of the rights, title and interest in the 3,207 acres of certain real property located in Rankin County, Mississippi, acquired by the State of Mississippi in 1894 and more particularly described in the land records of the Office of Rankin County Chancery Clerk in Book 46 Page 38 and Book 46 Page 39, to (a) the state agencies and institutions currently situated and operating programs on said property; (b) the Mississippi Veterans Affairs Board for the establishment of a Veterans Nursing Home in Rankin County; and (c) the Mississippi State Department of Health for the establishment of a Counter-Measure Warehouse in Rankin County, as specifically provided in this section.

• The existing state agencies/institutions to be assigned parcels of property include the following:

- (a) The Mississippi Department of Mental Health (State Hospital and Hudspeth facility);
- (b) The State Fire Academy;
- (c) The Mississippi Department of Environmental Quality;
- (d) The Mississippi Department of Transportation;
- (e) The Mississippi Forestry Commission;
- (f) The Mississippi Department of Public Safety, including the Mississippi Law Enforcement Officers' Training Academy (MLEOTA), Highway Patrol Substation, Department Headquarters, and the Mississippi Crime Lab;

(g) The Mississippi Department of Education;
(h) The Mississippi Emergency Management Agency;
(i) The Department of Finance and Administration
Office of Surplus Property;

(j) The Mississippi Department of Corrections
correctional facility;

(k) The Mississippi State University Veterinary
Laboratory; and

(l) The Poultry Research and Diagnostic Laboratory in
the Mississippi State University College of Veterinary Medicine.

- Upon completing a field survey, the Department of Finance and Administration is authorized to define and assign the proposed site on said property for the new Veterans Nursing Home located in Rankin County to the northwest of Mississippi State Hospital east of State Highway 475 and west of the lake, to the Mississippi Veterans Affairs Board for the establishment, operation, maintenance and control of the said Veterans Nursing Home.

- Upon completing a field survey, the Department of Finance and Administration is authorized to define and assign the proposed site on said property for a Counter-Measure Warehouse located southwest of the Office of Surplus Property, to the Mississippi State Department of Health, for the establishment, operation, maintenance and control of said warehouse.

- Upon completing the field survey, the Department of Finance and Administration is authorized to define the sewer easements and facilitate the installation of flow meters into the sewer lines to be assigned to the Mississippi Department of Mental Health and the said Department of Mental Health is authorized to assess each agency or institution an amount proportionate to its use of sewer costs that the department pays

to the West Rankin Utility District, on a continuing basis as determined by the flow meters installed within each agency's assigned sewer line.

- The balance of any unassigned property on said parcel shall be under the maintenance and control of the Mississippi Department of Finance and Administration until such time as it may be required for use to construct buildings or facilities as may be authorized by law, at which time the Department of Finance and Administration shall be authorized to define and assign parcels for such purpose. The Department of Mental Health shall have the right to execute leases on all remaining unassigned property solely for timber planting and harvesting purposes, and for which the department shall receive the proceeds from the sell of any timber harvested from the unassigned property, the funds from which shall be deposited to the State Treasury specifically for the department.

- The State of Mississippi shall retain all mineral rights in the parcels of property assigned to state agencies and institutions under this section.

SB 2309. Effective on passage. Signed 3/14/23.

SB 2309 authorizes the Department of Finance and Administration acting on behalf of the Mississippi Department of Archives and History to donate the remainder of the real property known as the "old Magnolia Church site" located in Claiborne County, Mississippi, to the National Park Service for the purpose of facilitating a complete donation of all parcels of land comprising said property in order to complete the acquisition of the Champion Hill Battlefield site by the National Park Service.

SB 2722. Effective on passage. Signed 3/3/23.

SB 2722 authorizes the Department of Finance and Administration to purchase certain real property located within the Capitol Complex in the City of Jackson, Hinds County, Mississippi, known as the "North Forty" for public use.

SB 2723. Effective on passage. Signed 3/14/23.

SB 2723 authorizes the Department of Finance and Administration to purchase certain real property, and any improvements thereon, located within the Capitol Complex in the City of Jackson, Hinds County, Mississippi, known as the former "First Christian Church" for public use. The real property and improvements acquired under this bill shall be used exclusively for state office space and parking purposes.

HB 917. Effective 7/1/23. Signed 4/17/23.

HB 917 amends Section 29-5-2, to place the Mississippi Workers' Compensation Commission office building under the supervision and care of DFA. The bill was introduced as a proactive counteractive measure to ensure that the Worker's Compensation building could receive the necessary funding to repair or replace its HVAC unit which has been experiencing some trouble with.

RULES

HB 559. Effective 7/1/23. Signed 2/20/23.

HB 559 codifies new Section 3-3-67 to designate the second week of April each year as "The Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week" to promote awareness of the importance of effectively managing mosquitoes and the prevention of West Nile Virus.

TECHNOLOGY

SB 2140. Effective 7/1/23. Signed 4/11/23.

SB 2140, the National Security on State Devices and Networks Act, creates a new section within Title 25 of Chapter 53. This new section defines "prohibited technology," "state-issued devices," "state-operated networks," "state agency" and "state employee" before providing that no state employee shall download, access, or use a prohibited technology on a state-issued device or a state-operated network. The bill further directs the Mississippi Department of Information Technology Services (MDITS) to restrict such download, access, or use and to publicly maintain a list of prohibited technologies. Further, the bill amends Section 25-53-191 to provide that MDITS shall include such prohibitions in its model acceptable use policy.

SB 2717. Effective 7/1/23. Signed 3/3/23.

SB 2717 amends Section 25-53-201 to require the Mississippi Department of Information Technology Services (MDITS) to evaluate potential expansion of the Enterprise Security Program and to coordinate oversight of cybersecurity efforts between governing authorities, as defined in Section 25-53(F). The bill also requires MDITS to prepare a report on such opportunities and to present the report to the Chairmen of the Senate and House Accountability, Efficiency, and Transparency (AET) Committees, the Attorney General's Office and the Chairman of the Senate Technology Committee by November 1, 2023. Further, the bill defines ransomware and requires state agencies and governing authorities to report any demand for payment or payment made as a result of ransomware to MDITS no later than the next business day upon discovery of the ransomware. The

bill also requires MDITS to record all such information submitted from the agencies and authorities, develop a report on the information, and present the report as well as a yearly summary to the Lieutenant Governor, Speaker of the House, Attorney General, Chairmen of the Senate and House AET Committees, and the Chairman of the Senate Technology Committee. Finally, the bill provides that such ransomware incident reports shall be exempt from the Mississippi Public Records Act.

SB 2728. Effective 7/1/23. Signed 3/14/23.

SB 2728 amends Section 25-53-5 to authorize the Mississippi Department of Information Technology Services (MDITS) to enter into statewide master agreements for the acquisition of computer or telecommunications equipment or services, including cloud computing. Such equipment or services shall be available for shared use by state agencies, institutions of higher learning and local governing authorities, and may include equipment or services that have been acquired by other entities, so long as MDITS determines the acquisition to be in the best interest of the state. Such acquisitions shall be exempt from the advertising and bidding requirements of Section 25-53-1 et seq.

SB 2729. Effective 7/1/23. Signed 4/17/23.

SB 2729 amends Section 25-53-21 to clarify that when the Executive Director of the Mississippi Department of Information Technology Services negotiates a contract for the acquisition of computer or telecommunications equipment or services, such contract may only include a limitation on the liability to the state of prospective contractors if the limitation is approved by the state agency for whom the acquisition is being made.

TOURISM

SB 2137. Effective on passage. Signed 3/6/23.

SB 2137 designates each April as "Mississippi Native Plant Month" in order to preserve the heritage and the importance of Native Plants for clean air, water and soil stability. During the month of April, the Mississippi Department of Agriculture and Commerce shall urge all citizens (a) to educate themselves about the importance and history of Mississippi's native plants and the many benefits they provide to pollinators, and (b) to preserve Mississippi's biological heritage in aiding in the prevention of flooding and erosion and maintaining and preserving the health of Mississippi's economy and environment.

SB 2138. Effective on passage. Signed 3/3/23.

SB 2138 creates Section 3-3-66, Mississippi Code of 1972, which designates the Mississippi Opal as the official state gemstone. The Mississippi Opal was discovered during a detailed geological mapping of the Catahoula Formation in Claiborne County. The Mississippi Opal is a precious gemstone which shows flashes of fire and colors ranging from green to red. Designation of the Mississippi Opal as the official state gemstone encourages pride in our state's rich natural heritage.

SB 2139. Effective 7/1/23. Signed 3/28/23.

SB 2139 establishes a Mississippi USA Semiquincentennial Commission to develop programs for observing the 250th Anniversary of the United States of America. This bill authorizes cooperation with the United States Semiquincentennial Commission and the America250 Foundation and other public and private organizations in order to prepare information, events, and celebrations for the birth of our nation.

In addition to designating the creation of the Mississippi USA Semiquincentennial Commission, SB 2139 also lays out the specific objectives of the commission and how membership and the organization of the commission shall take place. Further, the bill creates the Mississippi Semiquincentennial Celebration Fund in the State Treasury. The commission shall accept and expend funds from private and public sources for this celebration, and report annually to the Governor and Legislature. This bill also prohibits solicitation of funds by members who are elected officials or public employees.

SB 2139 encourages the cooperation of state agencies and political subdivisions to celebrate and plan for the Semiquincentennial. The commission shall designate and coordinate events with respect to formal celebrations and commemorations, and promote and advertise the events to encourage awareness and understanding of our rich American history, fight for independence in the American Revolutionary War, the Declaration of Independence, and the American system of constitutional self-government, encourage teaching students of the century-long quest for "liberty and justice for all" to include everyone who has populated our nation, and emphasize the service and sacrifice of veterans to preserve American independence and freedom. Celebratory and commemorative events and activities should take place throughout the state in every county and municipality, and incorporate events that celebrate our state's art, culture, sports, entertainment, innovation, science, entrepreneurship, parks, preservation, and youth.

SB 2359. Effective 7/1/23. Signed 4/17/23.

SB 2359 creates the Mississippi Main Street Revitalization Grant Program Act to help Mississippi Main Street Designated Communities revitalize downtown communities. The fund shall be administered by the Mississippi Development Authority, which will accept applications and distribute funds based on the following criteria:

- (a) The demonstration of local financial need;
- (b) Projects that demonstrate high local impact;
- (c) Projects that produce a high level of public benefit;
- (d) Projects that demonstrate best practices in preservation;
- (e) Projects that will have local administration and implementation capacity;
- (f) The distribution of geographic size and location of the project;
- (g) Projects that will be completed on time; and
- (h) Whether the community in which the project is located has not received funding under this section for the previous year.

The Mississippi Development Authority shall provide grant funds to the Main Street Designated Communities on a reimbursement basis, not to exceed \$500,000 per community each year, and grantees shall not receive compensation for their required 20% local match. Main Street Designated Communities with a population of less than 10,000, shall be required to have a local cash match of 10% for the first \$100,000 requested, then will be required to have a local cash match of 20% for any amount over \$100,000.

Eligible costs for the expenditure of grant funds include the acquisition of land and any improvements thereon, preservation of historic downtown structures and sites, and initiatives that will produce a revitalization to the economy of the historic downtown areas. Grants may be awarded for prospective purchases or for acquisitions of which the applicant has closed. In the latter case, the applicant shall demonstrate:

(a) The closing occurred no more than 12 months prior to the date of application for the grant; and

(b) The subject purchase was made to help preserve and revitalize the location and economy of a historic downtown community.

HB 252. Effective 7/1/23. Signed 4/19/23.

HB 252 amends various sections of law relating to the issuance of festival wine permits under the Local Option Alcoholic Beverage Control Law to:

- Extend the date of the repealer on the authority of the Department of Revenue to issue a festival wine permit;

- Extend the expiration date of the exception to the statute requiring the Department of Revenue to serve as a wholesale distributor and seller of alcoholic beverages for those alcoholic beverages sold by the holder of a festival wine permit;

- Extend the expiration date on the authority of a distiller, wine manufacturer, rectifier, blender or bottler to have a financial interest in a wine festival permit; and

- Extend the date of the repealer on the annual privilege license tax for a festival wine permit.

The bill also amends other sections of the Local Option Alcoholic Beverage Control Law to:

- Authorize the holder of a package retailer's permit to sell fruits and foods that have been submerged in alcohol and are commonly referred to as edibles;

- Provide that an on-premises retailer's permittee at a permitted premises located on Jefferson Davis Avenue within one-half mile north of U.S. Highway 90 may serve alcoholic beverages by the glass to a patron in a vehicle using a drive-through method of delivery if the permitted premises is located in a leisure and recreation district. Such a sale will be considered to be made on the permitted premises; and

- Provide that the restrictions on the manufacturing, sale or storage of intoxicating liquors within certain distances of churches, schools, kindergartens and funeral homes will not apply to the sale or storage of alcoholic beverages at certain locations.

HB 419. Effective 7/1/23. Signed 4/21/23.

HB 419:

- Requires the Department of Finance and Administration (DFA) to establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities and to assist certain museums. The DFA will disburse funds as follows:

- ▶ \$1,000,000 to the GRAMMY® Museum Mississippi to assist in paying costs associated with advertising and other forms of promoting and publicizing the museum and museum related activities, and repairs and renovations of and upgrades and improvements to the museum for health and safety purposes related to the Coronavirus-19 disease; and

- ▶ \$21,000,000 as provided below to assist destination marketing organizations in paying costs for marketing activities.

The DFA will determine, in conjunction with the destination marketing organizations, the allocation of funds to the organizations under the program and disburse funds as follows:

- ▶ Not more than \$9,427,557 will be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to 75% of the destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year; and

- ▶ Not more than \$11,572,443 will be allocated to destination marketing organizations based on the proportion that a destination marketing organization contributes toward the total of tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization will not receive an amount less than \$125,000 under this provision.

Destination marketing organizations must provide details related to their planned expenditures to the DFA prior to funds being disbursed.

Before receiving funds, a destination marketing organization must certify to the DFA that:

- ▶ The funds will only be used for marketing activities;

- ▶ The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds; and

▶ The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

The bill defines the following terms for the purposes of the program:

▶ "Destination marketing organization" means an organization that received funds under Section 57-123-7.

▶ "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus-19 disease as expressed in Section 1 of the bill.

- Requires the DFA to establish a program to disburse \$1,000,000 to NarraTrip LLC, to use to assist municipalities in the state in paying costs to participate in and be promoted as part of the business's mobile apps geared toward promoting tourism in the state, including, but not limited to, providing information regarding historic sites, roadside markers and dining, music and art experiences.

HB 704. Effective 7/1/23. Signed 4/17/23.

HB 704 provides that a production company that expends at least \$50,000 in base investment, payroll and/or fringes, in the production of a series in Mississippi will be entitled to a rebate of a portion of the expenditures made by the production company. Subject to the provisions of the bill, the amount of the rebate will be equal to 25% of the base investment made by the production company. In addition, a production company may receive rebates equal to:

- 20% of payroll and fringes paid for any employee who is not a resident and whose wages are subject to Mississippi income tax withholding; however, if the payroll and fringes paid for an employee exceeds \$3,000,000, then the rebate is authorized only for the first \$3,000,000 of such payroll and fringes;

- 35% of payroll and fringes paid for any employee who is a resident and whose wages are subject to Mississippi income tax withholding; however, if the payroll and fringes paid for an employee exceeds \$3,000,000, then the rebate is authorized only for the first \$3,000,000 of such payroll and fringes; and

- 5% of the payroll and fringes paid for any employee who is an honorably discharged veteran of the United States Armed Forces and whose wages are subject to Mississippi income tax withholding.

The total amount of rebates authorized in any fiscal year cannot exceed \$10,000,000 in the aggregate.

Some of the terms defined in the bill for purposes of the rebate program are:

- "Base investment" means the actual investment made and expended in Mississippi by a production company in connection with the production of a state-certified production in the state. The term "base investment" includes amounts expended in

Mississippi by a production company as per diem and housing allowances in connection with the production of a state-certified production in the state. The term "base investment" does not include payroll. However, in the case of a production company, or its owner, principal, member, production partner, independent contractor director or producer, or subsidiary company that (a) is designated and pre-qualified by the Mississippi Development Authority (MDA) as Mississippi-based or a Mississippi resident; (b) has filed income taxes in the State of Mississippi during each of the previous three years; and (c) has engaged in activities related to the production of at least two series in Mississippi during the past 10 years, base investment may include payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968, if so requested by the production company. A production company must submit such a request to the MDA at the time the company submits an application for approval as a state-certified production. In addition, if base investment includes payroll and fringes, and the payroll and fringes paid for an employee exceeds \$3,000,000, then only the first \$3,000,000 of such payroll and fringes may be included in base investment.

- "Fringes" means costs paid by a production company for employee benefits that are not subject to state income tax. Fringes may include, but are not limited to, payments by an employer for unemployment insurance, Federal Insurance Contribution Act (FICA), workers' compensation insurance, pension and welfare benefits and health insurance premiums.

- "Series" means a nationally distributed connected set of television program episodes, consisting of not less than two episodes made in Mississippi, in whole or in part, for viewing

through: traditional television that is broadcast via cable, satellite or over-the-air aerial antenna systems; the digital distribution of television content as streaming media over the Internet through streaming platforms, which may be viewed on digital devices, such as a personal computer or handheld device; or through DVD release. The term "series" does not include any production or work described in this paragraph that contains any material or performance defined in Section 97-29-103.

- "Production company" means a company engaged in the business of producing series. The term "production company" does not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state, or any company or person who has ever declared bankruptcy under which an obligation of the company or person to pay or repay public funds or monies was discharged as a part of such bankruptcy.

- "Payroll" means salary, wages or other compensation including related benefits paid to employees upon which Mississippi income tax is due and has been withheld.

- "State-certified production" means a series approved by the MDA produced by a production company in the state. An application for approval as a state-certified production must be submitted to the MDA before production of the project begins.

HB 1027. Effective 7/1/23. Signed 3/14/23.

HB 1027 designates the blueberry (*Vaccinium corymbosum*, *Vaccinium virgatum*, or *Vaccinium darrowii*) as the state fruit of Mississippi.

UNIVERSITIES AND COLLEGES

SB 2373. Effective on passage. Signed 3/8/23.

SB 2373 repeals the Forgivable Loan Program for Baccalaureate and Graduate Students in Nursing and replaces it with the Skilled Nursing Homes and Hospital Nurses Retention Loan Repayment Program for new nursing graduates to be administered by the Mississippi Postsecondary Education Financial Assistance Board.

The bill requires applicants to be legal residents of the state, to have gained employment within the last year for the first time as a full-time licensed practical nurse or licensed registered nurse at a general acute care hospital or skilled nursing home in the state, and to have outstanding qualifying educational loans. It provides that recipients shall be selected on a first-come, first-served basis.

Awards for recipients may be a maximum of \$6,000 for each year of employment up to three years. A recipient won't be penalized for ending employment at the applicable facility as long as they continue to work at another applicable facility during the year on which the award is based. Recipients must keep the Financial Aid Board informed of any changes to their employment status. Awards shall be paid annually, after the expiration of the year of employment for which the award was granted, to the recipient's lender or loan service provider, to be applied to the outstanding balance.

The bill requires the Mississippi Postsecondary Education Financial Assistance Board to promulgate regulations for the program. The Mississippi Postsecondary Education Financial Assistance Board, in collaboration with the State Board of Nursing and any other applicable state agency as determined by

the Mississippi Postsecondary Education Financial Assistance Board, shall attempt to track award recipients under this program through their third employment year, unless the recipient leaves employment at a skilled nursing home or a licensed general acute care hospital in the state at an earlier date. The bill also applies a date of repeal of July 1, 2027, on the program.

SB 2487. Effective 7/1/23. Signed 4/19/23.

SB 2487 creates the Mississippi Dual Enrollment/Dual Credit Scholarship Program, to be administered by the Mississippi Postsecondary Education Financial Assistance Board. The bill requires the board to set dates and deadlines for applying for funding for dual credit courses. The bill includes high school students of any public or charter school program in the state who attend any postsecondary educational institution that is a public state-supported institution of higher learning, a public state-supported community or junior college or any not-for-profit private institution of higher learning in the state.

The bill provides that the board shall administer the Dual Enrollment/Dual Credit Scholarship Program as outlined in the procedures manual for the State of Mississippi Dual Enrollment and Accelerated Programs. Funds shall be distributed by the board to the providing higher education institution on behalf of each eligible student after the enrollment verification period.

Participation in the program is optional for all institutions.

All participating institutions shall be reimbursed at the rate of 40% of the average community college credit hour tuition rate for the current academic year. The bill also provides that participating institutions may elect to exclude specific centers, branch campuses, collegiate academies and middle college's within their governance or purview from participating in the program.

The bill provides that students in Grades 11 and 12 who are residents of the State of Mississippi shall be eligible to participate in the program, provided they meet minimum eligibility criteria in the manual. It also provides that each eligible student may be qualified for funding of up to six dual enrollment/credit semester credit hours prior to high school graduation. The bill excludes early college students from participating in the program. The bill creates a special fund to be designated the "Mississippi Dual Enrollment/Dual Credit Scholarship Program." The bill sets certain participation criteria requirements that institutions and students must fulfill. The bill also applied a date of repeal of July 1, 2025, on the program.

SB 2581. Effective 7/1/23. Signed 3/3/23.

SB 2581 provides that the Board of Trustees of State Institutions of Higher Learning shall appoint staff as may be required for the performance of the Commission on College Accreditation's duties and provide necessary facilities, support, equipment, supplies, travel and other expenses required to properly manage the duties of the commission. The Board of Trustees of State Institutions of Higher Learning may charge the commission for the actual cost incurred by the board to assist in the performance of the commission's duties. The bill also requires that the commission shall have the power, authority,

and duty to authorize and maintain an approved list of all public and private postsecondary, academic degree-granting institutions or any other entities domiciled, incorporated or otherwise located in the State of Mississippi which offer postsecondary academic degrees, programs or coursework.

SB 2590. Effective 7/1/23. Signed 3/3/23.

SB 2590 amends existing Chapter law to provide that the Board of Trustees of State Institutions of Higher Learning, acting on behalf of Mississippi State University of Agriculture and Applied Sciences, is authorized to enter into a long-term lease of all or any portion of certain real property under its control and possession. The bill provides that such real property shall be leased for a period not to exceed a term of 40 years with two additional options for a renewal period not to exceed ten years and one additional option for a renewal period not to exceed five years, for the purposes of developing housing and/or retail space for the benefit of the university.

HB 922. Effective on passage. Signed 3/22/23.

HB 922 amends Sections 37-101-1, 37-101-91, 37-101-141, 37-101-147, 37-101-181, 37-121-3 and 37-121-5 to update references to certain public state institutions of higher learning in the Mississippi Code to reflect current name designations, including:

- "The Mississippi State College University for Women" to its current nomenclature as "Mississippi University for Women."
- "The Delta State College" to its current nomenclature as "Delta State University."
- "The Alcorn Agricultural and Mechanical College" to its current nomenclature as "Alcorn State University."

- "The Jackson State College" to its current nomenclature as "Jackson State University."

- "The Mississippi Valley State College" to its current nomenclature as "Mississippi Valley State University."

VETERANS AND MILITARY AFFAIRS

SB 2187. Effective on passage. Signed 4/11/23.

SB 2187 revises the disability rating requirements for motor vehicle and motorcycle license plates and tags authorized for disabled veterans. Under the bill, any legal resident of the state who is rated as having 100% permanent service-connected disability or at least 70% nonpermanent service-connected disability by the Veterans' Administration or United States Department of Veterans Affairs may purchase annually two motor vehicle license plates or tags in his or her county of legal residence for a sum of \$1 each regardless of make or model of the motor vehicle or motorcycle. The person must provide an updated benefits letter from the Department of Veterans Affairs indicating that the person's rating has not been adjusted to less than 70%.

HB 677. Effective 7/1/23. Signed 4/17/23.

HB 677 authorizes County Veteran Service Officers to act for a veteran for certain services under a written power of attorney authorized by the veteran only for the purpose of assisting with claims, benefits, and appeals in an administrative hearing before the United States Department of Veterans Affairs. The bill provides these county veteran service officers with legal immunity only for such actions except in cases of abuse, fraud or breach of fiduciary duty.

The bill also clarifies that a county veteran service officer may be the surviving spouse or child of a veteran, whether the veteran is living or deceased.

HB 1029. Effective 7/1/23. Signed 4/17/23.

The United States Space Force (USSF) is the space service branch of the U.S. Armed Forces, one of eight U.S. uniformed services. The Space Force is administratively attached to the Department of the Air Force, one of three civilian-led military departments within the Department of Defense. The U.S. Space Force organizes, trains and equips space forces in order to protect U.S. and allied interests in space and to provide space capabilities to the joint forces, including developing guardians, and acquiring military space systems for our combatant commands.

HB 1029 simply adds members of the U.S. Space Force to all provisions of Mississippi law relating to veterans' rights and benefits. This bill is the same as SB 2608.

WILDLIFE, FISHERIES AND PARKS

SB 2526. Effective 7/1/23. Signed 3/3/23.

SB 2526 amends Sections 51-15-103, 51-15-107, 51-15-109, 51-15-113, 51-15-115 and 51-15-117 to authorize municipalities located in counties that are not members of the Pat Harrison Waterway District to join the district. Such a municipality may, by resolution spread on its minutes, request that the Pat Harrison Waterway Commission petition the Chancery Court of Forrest County to modify its decree organizing the district to include the municipality as a member of the district. The Mississippi Board of Water Commissioners shall be made a party defendant, and the chancery clerk shall furnish the Board of Water Commissioners with a copy of the petition, with attached exhibits. The municipality applying for membership shall not be made a party defendant.

The bill also amends Section 51-15-118 to authorize the governing authorities of a member municipality to elect to withdraw the municipality from the district, in the same manner and under the same terms pertaining to the election by a county board of supervisors to withdraw its county.

Conforming amendments are made to Sections 51-15-119, 51-15-131, 51-15-133, 51-15-136, 51-15-139 and 51-15-158.

SB 2534. Effective 7/1/23. Signed 4/17/23.

SB 2534 amends Section 49-4-39 to revise the powers and duties of the Commission on Wildlife, Fisheries and Parks regarding the regulation of hunting, fishing, wildlife viewing, guide and outfitter services. The commission shall prescribe an annual distinguishable decal for each boat used by guides or outfitters for taking paying customers on recreational freshwater fishing excursions. It shall also establish fees for

the types of licenses. The fees for guide and outfitter services annual licenses are to be not less than \$500 for residents, and not less than \$2,000 for nonresidents. The commission shall also require one-year proof of residency and a valid sportsman's license for residents, and a valid nonresident fishing license for nonresidents, as well as requiring First Aid/CPR certification.

A fishing guide, outfitter, skipper or captain using a boat to provide fishing guide services is required to obtain an annual boat license and decal for a fee of at least \$25. The applicant for the license and decal must register the boat with the Department of Wildlife, Fisheries and Parks and provide the department with a copy of the guide's, outfitter's, skipper's or captain's driver's license and proof of liability insurance, together with other information the department may require by regulation.

A violation of Section 49-4-39 or of any regulation created by the commission exercising its powers to regulate safety and services is categorized as a Class II violation, punishable as provided in Section 49-7-143.

SB 2556. Effective 7/1/23. Signed 4/17/23.

Under current law, the Governor's appointments to the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund are to consist of one member from each of the four congressional districts existing on July 1, 2022. The Lieutenant Governor's appointments are to consist of one member from each of the three State Supreme Court districts existing on July 1, 2022.

SB 2556 amends Section 49-39-5 to revise the geographic standards for these appointments, requiring that these seven appointees be from geographically diverse areas.

HB 49. Effective 7/1/23. Signed 3/13/23.

HB 49 authorizes the Department of Wildlife, Fisheries and Parks to issue a native son or daughter resident lifetime sportsman hunting and fishing license if official documents reflect that one of the applicant's parents was born in the State of Mississippi and was on active military service at the time of the applicant's birth.

The Commission on Wildlife, Fisheries and Parks is to determine the license fee at an amount not less than \$1,000 for a person 13 years of age or older, and not less than \$500 for a person under 13 years of age.

The applicant must provide a certified copy of an original birth certificate showing that the parent was born in Mississippi, as well as official documents indicating that the parent was on active military service at the time of the applicant's birth.

Finally, the bill provides that the applicant is not required to have been domiciled in Mississippi for 18 consecutive months immediately preceding the date of his or her application.

HB 516. Effective 7/1/23. Signed 3/13/23.

HB 516 decreases the minimum years of law enforcement experience required to be appointed a conservation officer from five years to two years.

HB 769. Effective 7/1/23. Signed 4/20/23.

HB 769 renames the wildlife management area formerly known as the Tuscumbia Wildlife Management Area, located in Alcorn County, Mississippi, as the Harvey Moss Wildlife Management Area at Tuscumbia. Mr. Moss is a former State Representative who represented Alcorn County for 28 years from 1984-2012. It also renames the WMA at Caney Creek, situated in portions of Scott and Smith Counties, as the Representative Richard L. "Dick" Livingston and Dale O. Windham Wildlife Management Area at Caney Creek. Mr. Livingston is a former State Representative, and Mr. Windham was a highly respected Wildlife, Fisheries and Parks officer.

HB 904. Effective on its passage. Signed 3/13/23.

HB 904 amends Section 51-13-111, which enumerates the powers of the Board of Directors of the Tombigbee River Valley Water Management District, to provide the district with the authority to transfer title to the property known as Kemper Lake in Kemper County, Mississippi, to the Kemper County Board of Supervisors, upon certain terms and conditions, including the payment of \$40,000 by the board of directors to the board of supervisors at the time of the transfer for costs associated with pavilion repairs and improvements. Additionally, the bill authorizes the board of supervisors to transfer title to a water management district that meets certain criteria prescribed by the board of supervisors. Such a transfer shall require a resolution duly adopted by the board of supervisors and the water management district and shall be exempt from any bid requirements in the section.

HB 923. Effective 7/1/23. Signed 4/17/23.

HB 923 amends Section 49-4-37 to designate the fish hatchery in North Mississippi operated by the Department of Wildlife, Fisheries and Parks as the Bob Tyler Fish Hatchery. A conforming amendment is made to Section 57-61-32.

HB 979. Effective 7/1/23. Signed 3/22/23.

HB 979 amends Section 49-7-95 to add forward-looking infrared (FLIR) and thermal imaging devices to the prohibited means of taking game at night.

Further, the bill provides that a person who hunts, takes or kills any animal during legal hunting hours, and subsequently searches for and/or recovers such mortally wounded animal with the aid of a light or lighting device, is not in violation of the law. Additionally, if the animal being tracked is discovered to still be alive, but wounded, the hunter or tracker may dispatch the animal by using a handgun with a barrel no longer than six inches and chambered in a caliber no larger than .45 caliber.

Finally, the bill clarifies the requirements for the use of tracking dogs for the retrieval of white-tailed deer shot and wounded during legal hunting hours by limiting the use of tracking/blood-trailing dogs to no more than two dogs.