



## Mississippi State Senate

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## MEMORANDUM

**TO: ALL SENATORS**

**FROM: LEGISLATIVE SERVICES**

**DATE: MAY 29, 2024**

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Enclosed is a summary of general bills which were enacted during the 2024 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**

**2024 REGULAR SESSION**

**Prepared by  
Senate Legislative Services Office**

**MAY 29, 2024**

## **VETOED BILLS**

The following general bills from the 2024 Regular Session have been vetoed by Governor Reeves as of May 23, 2024:

### **SB 2180. Vetoed 5/10/2024.**

AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO ENFORCE ANY CITY ORDINANCE; TO DELETE THE PROVISION OF LAW THAT REQUIRES PRIOR WRITTEN APPROVAL FROM THE CHIEF OF THE CAPITOL POLICE OR THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY FOR EVENTS WHICH WILL TAKE PLACE ON ANY STREET OR SIDEWALK IMMEDIATELY ADJACENT TO ANY BUILDING OR PROPERTY OWNED OR OCCUPIED BY ANY OFFICIAL, AGENCY, BOARD, COMMISSION, OFFICE OR OTHER ENTITY OF THE STATE OF MISSISSIPPI, OR WHICH CAN REASONABLY BE EXPECTED TO BLOCK, IMPEDE OR OTHERWISE HINDER INGRESS THERETO AND/OR EGRESS THEREFROM; TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE COMPENSATION OF CCID INFERIOR COURT JUDGES; AND FOR RELATED PURPOSES.

### **HB 922. Vetoed 4/20/2024.**

AN ACT TO PROVIDE THAT THE OFFICE OF ELECTION COMMISSIONER SHALL BE A NONPARTISAN OFFICE; TO PROVIDE THAT THE NAMES OF CANDIDATES FOR THE OFFICE OF ELECTION COMMISSIONER SHALL BE LISTED AS NONPARTISAN ON A BALLOT; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REVISE THE STAGGERED TERMS OF ELECTION COMMISSIONERS IN DISTRICTS TWO AND FOUR; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2027 ELECTION SHALL BE ELECTED FOR A THREE-YEAR TERM; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2030 ELECTION SHALL SERVE A FOUR-YEAR TERM AND EVERY FOUR YEARS THEREAFTER; TO AMEND SECTIONS 23-15-367 AND 23-15-511, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

### **HB 4053. Vetoed 5/13/24.**

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO OMAR EUGENE MAGEE OF COVINGTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**HB 4099. Vetoed 5/13/24.**

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DUSTIN DARELL MILLS OF RANKIN COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**HB 4104. Vetoed 5/13/24.**

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LAWRENCE DANIELS OF LOWNDES COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**HB 4124. Vetoed 5/13/24.**

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO TONY QUALLS OF HUMPHREYS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**HB 1707. Partially Vetoed 5/13/24.**

AN ACT TO AMEND SECTION 28 OF CHAPTER 549, LAWS OF 2023, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 4 OF CHAPTER 549, LAWS OF 2023, TO REVISE THE PURPOSE OF A CERTAIN PROJECT FUNDED WITH MONIES DISBURSED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 27-104-373, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS OR PURCHASES FOR PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND THAT INVOLVE EXPENDITURES ABOVE CERTAIN AMOUNTS MUST BE MADE AFTER OBTAINING COMPETITIVE WRITTEN BIDS; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 GULFPORT COMMERCE CORRIDOR FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 297 AND SENATE BILL NO. 2486, 2024 REGULAR SESSION, TO MAKE SEVERAL TECHNICAL CHANGES APPLICABLE TO CERTAIN AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS UNDER THE PUBLIC PURCHASING LAW; AND FOR RELATED PURPOSES.

**HB 1830. Partially Vetoed 5/13/24.**

AN ACT TO PROVIDE AN ADDITIONAL APPROPRIATION OF GENERAL FUNDS AND SPECIAL FUNDS TO DEFRAY THE OPERATING EXPENSES OF THE SECRETARY OF STATE, THE MISSISSIPPI DEVELOPMENT AUTHORITY, AND THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEARS 2024 AND 2025; AND FOR RELATED PURPOSES.

**STATISTICS OF THE 2024 REGULAR SESSION**

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>
Bills Passed Both Houses	486	472	460	374
Bills That Became Law	408	424	381	331
Senate Bills Introduced	1231	1159	1212	1092
S.B. Passed by Senate	321	299	293	240
S.B. Passed by House	212	243	212	162
S.B. Died in Conference	25	19	31	17
S.B. Vetoed	1	4	4	1
S.B. Partially Vetoed	0	0	1	1
S.B. Vetoes Overridden	0	0	0	0
S.B. Approved by Governor	176	216	162	138
S.B. Became Law Without Governor's Signature	5	1	1	2
S.C.R. Introduced	49	74	105	39
S.C.R. Adopted by Senate	32	60	92	27
S.C.R. Adopted by House	31	58	91	26
S.R. Introduced	133	111	63	63
S.R. Adopted	128	107	61	60
House Bills Introduced	2130	1820	1769	1531
H.B. Passed by House	445	387	379	339
H.B. Passed by Senate	274	229	248	212
H.B. Died in Conference	40	19	25	15
H.B. Approved by Governor	209	207	212	184
H.B. Became Law Without Governor's Signature	16	0	6	7
H.B. Vetoed	5	0	1	0
H.B. Partially Vetoed	2	2	1	1
H.B. Vetoes Overridden	0	0	0	0
H.C.R. Introduced	66	64	90	62
H.C.R. Adopted by House	31	35	59	41
H.C.R. Adopted by Senate	30	34	58	37
Nominations Received	111	97	158	94
Nominations Approved	99	89	147	78

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**ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY**

**SB 2125.** See summary under Insurance heading.

**SB 2244.** Effective 7/1/24. Signed 4/19/24.

SB 2244 authorizes and requires the Board of Trustees of State Institutions of Higher Learning and the boards of trustees of the community and junior colleges to adopt policies requiring each public institution of higher learning, community or junior college to provide free transcripts to foster care children and children placed in the legal custody of the Mississippi Department of Child Protection Services. It provides that foster care children and children who were previously placed in the legal custody of the Mississippi Department of Child Protection Services and their family, including their biological parents and siblings, their foster parents and siblings, their adopted parents and siblings, their guardians or any other member of their direct household, as applicable, shall be allowed free admission to any state park in this state. It also provides that foster care children and children who were previously placed in the legal custody of the Mississippi Department of Child Protection Services and their family, including their biological parents and siblings, their foster parents and siblings, their adopted parents and siblings, their guardians or any other member of their direct household, as applicable, shall be allowed free admission to any publicly funded museum in this state.

"Eligible child" is defined as:

(a) Any individual who is younger than 21 years of age who was placed in the legal custody of the Mississippi Department of Child Protection Services by a youth court or

through other legal means and who was in the legal custody of the department at any time;

(b) Any individual who is younger than 21 years of age who was placed in a qualified residential child care agency by a parent, legal guardian, court of competent jurisdiction, or other person or entity acting in the best interest of the individual and who did reside in a qualified residential child care agency at any time; or

(c) Any individual who is younger than 21 years of age who was adopted from the department's legal custody or adopted while residing at a qualified residential child care agency at any time.

"Qualified residential child care agency" is defined as an entity that provides a home for children and was licensed by the Mississippi Department of Child Protection Services at the time that the eligible child was housed by the agency.

**SB 2308.** Effective 6/30/24. Signed 4/15/24.

SB 2308 extends the date of repeal on the Mississippi Public Records Act to July 1, 2028.

**SB 2310.** Effective 6/30/24. Signed 4/15/24.

SB 2310 extends the date of repeal on the provision of law authorizing county boards of supervisors to assess an emergency telecommunications service charge to July 1, 2028.

**SB 2311.** Effective 7/1/24. Signed 4/19/24.

SB 2311 increases the cap for an annual salary supplement payable by the board of supervisors of any county to its sheriff by \$35,000.

**SB 2576.** See summary under Elections heading.

**SB 2649.** See summary under Environment Protection, Conservation and Water Resources heading.

**SB 3231.** Effective on passage. Signed 5/9/24.

SB 3231 amends Section 25-11-123 to make changes to certain funding provisions for the Public Employees' Retirement System (PERS). It rescinds the increase in the employer's contribution rate scheduled to take effect on July 1, 2024, but it provides instead for a 1/2% increase in the employer's contribution rate on July 1 of each year from 2024 through 2028.

The PERS Board of Trustees may make recommendations regarding additional funding sources for the retirement plan, including employer contribution increases, but recommendations to adjust employer contributions must be accompanied by at least two independent actuarial assessments. Sole authority to implement such recommendations is reserved to the Legislature, which expresses its intent that, in the 2025 Regular Session, a law be enacted to create a new tier for future PERS members, in furtherance of the system's continued financial stability and sustainability.

The bill rules out any interpretation of the section that would provide authority to reduce or eliminate any earned benefits provided by the state to current retirees or current members of the system.

**HB 653.** Effective 6/30/24. Signed 4/20/24.

HB 653 amends Section 25-3-41 to extend the expiration date of the moratorium on the trip optimizer type system to state agencies from June 30, 2024, to June 30, 2027.



**HB 1487.** Effective 7/1/24. Law without Governor's signature 5/9/24.

HB 1487 expands the boundaries of the Capitol Complex Improvement District on July 1, 2024, and another expansion effective July 1, 2025.

**HB 1644.** Effective 7/1/24. Signed 4/17/24.

HB 1644 provides that contracts between a county or municipality and a private provider of ambulance services for the contracting provider to be the exclusive provider of ambulance services in the county or municipality must contain a provision that requires the contracting provider to have a mutual aid agreement with other ambulance service providers to respond to 911 and natural disaster calls and provide service in the county or municipality during times and circumstances when the contracting provider is experiencing shortages of equipment or personnel that cause a delay in responding to calls for service.

**HB 1697.** Effective on passage. Signed 4/20/24.

HB 1697 authorizes municipalities, counties, state agencies, boards or commissions, public universities and colleges to adopt policies under which they are authorized to pay, for up to 60 days, the full regular compensation of any law enforcement officer, firefighter or emergency medical technician who protects the public interest of the municipality or county and who is killed in the line of duty.

## AGRICULTURE

**HB 1304.** Effective 7/1/24. Signed 4/20/24.

HB 1034 amends Section 69-1-23, to require the Commissioner of Agriculture and Commerce, within the parameters of his authority, to adopt rules and regulations to provide that any grain producers submitting grain for sale at a grain dealer are entitled to have the grain graded by an official inspector.

Further, the bill requires the Mississippi Department of Agriculture and Commerce to adopt rules governing the standards which are consistent with the standards developed by the USDA for sampling and grading grain. In carrying out its grain grading oversight authority, the department is required to certify grain dealers that employ grain samplers and graders, as well as certify instructional courses on the methods of sampling and grading grain, and to issue a certificate to grain dealers who conduct those instructional courses that are proven satisfactory to the department.

**HB 1353.** Effective 7/1/24. Signed 4/8/24.

HB 1353 amends Section 95-11-3, 95-11-5 and 95-11-7 to include horse racing in the definition of "equine activity" for the purposes of:

- Exempting such activities or livestock shows, as well as exempting equine professionals and the sponsors of such equine or livestock activities or shows which include horse racing as a component from liability for injury or death resulting from participation in the inherent risk of the activity.
- Requiring every equine or livestock activity sponsor and every equine or livestock professional to post and maintain signs which contain the warning notice in a clearly visible

location in the areas wherever the horse racing activity is conducted.

## APPROPRIATIONS

**SB 2179.** See summary under Judiciary, Division B heading.

**SB 2244.** See summary under Accountability, Efficiency, Transparency heading.

**SB 2285.** Effective 7/1/24. Signed 5/13/24.

SB 2285 amends Section 45-1-12 to revise the salary schedule of officers of the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics. The revision to the salary scale gives a percentage increase to the officers, with the lower ranks of the department receiving a larger increase than the more senior officers. The revision to the pay scale no longer relies on the number of years served for certain senior officers. Instead, the salary scale establishes promotional ranks for leadership within the department, with a standard salary for each rank, beginning with the rank of Major.

In addition, the Commissioner of Public Safety, with the approval of the State Personnel Board, is authorized to set the salaries of law enforcement officers assigned to the Mississippi Bureau of Investigation based on the pay scale contained in this section.

The bill also repeals Section 45-3-7, which is the provision of law that establishes the "David R. Huggins Act," which provides to certain Highway Patrol officers an amount of compensation in addition to the salary provided in Section 45-1-12.

**SB 2468.** Effective on passage. Signed 5/13/24.

I. SB 2468 directs the State Fiscal Officer to make certain transfers of funds from the Capital Expense Fund as follows:

- \$227,375,000 to the 2024 Local Improvements Projects Fund created in this bill.

- \$110,000,000 to the 2022 IHL Capital Improvements Fund.

- \$ 45,000,000 to the 2022 Community and Junior Colleges Capital Improvements Fund.

- \$ 26,100,000 to the 2022 State Agencies Capital Improvements Fund.

- \$ 23,900,000 to the 2022 Department of Finance and Administration Statewide Repair and Renovation Fund.

- \$ 18,000,000 to the Mississippi State University Veterinary School Fund created in this bill.

- \$ 40,000,000 to the Mississippi Site Development Grant Fund.

- \$160,000,000 to the 2023 Lafayette County Infrastructure Improvements Fund.

- \$ 90,000,000 to the 2023 Desoto County Infrastructure Improvements Fund.

- \$ 30,000,000 to the 2022 Emergency Road and Bridge Fund.

- \$ 10,000,000 to the Strategic Multi-Modal Investments Fund.

- \$ 40,000,000 to the 2022 Infrastructure Match Fund.

- \$110,000,000 to the Employers' Accumulation Account of the Public Employees' Retirement System created in Section 25 123(c), Mississippi Code of 1972.

- \$ 6,972,000 to the Mississippi Main Street Revitalization Grant Program Fund as created in Section 57-78-5, Mississippi Code of 1972.

- \$ 6,000,000 to the Gulf Coast Passenger Rail Restoration Match Fund as created in House Bill No. 1983, 2024 Regular Session.

SB 2848 also directs the State Fiscal Officer to transfer \$22,000,000 from the State BP Settlement Fund to the 2024 Local Improvements Projects Fund created in Section 4 of this act.

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

First, the 2024 Local Improvements Projects Fund, to be disbursed by the Department of Finance and Administration, as provided in Part VII of the summary of this bill.

Second, the Mississippi State University Veterinary School Fund, to be disbursed by the Department of Finance and Administration to assist Mississippi State University with paying costs associated with the design, construction, renovation, repairs, and equipping of the Wise Center.

III. The bill also provides that \$110,000,000 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:

- \$8,311,736 to Alcorn State University for repair, renovation, and expansion of and upgrades and improvements to the David L. Whitney Complex and Wellness Center.
- \$4,020,808 to Delta State University for repair and replacement of roofs for various campus academic and administrative buildings.
- \$16,020,794 to Jackson State University for repair and renovation of and upgrades and improvements to campus buildings and facilities, including, but not limited to, McAllister Whiteside Hall and development of alternative water resources and infrastructure for critical campus facilities.
- \$7,000,000 to Jackson State University for repair, renovation, and purchase of a new residence hall.

- \$13,284,608 to Mississippi State University for repair, renovation, construction, acquisition of property, furnishing and equipping of buildings and related facilities to house the College of Architecture, Art and Design.

- \$10,231,362 to Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine for repair and renovation of and upgrades and improvements to Bost Extension Center and Dorman Hall.

- \$8,856,405 to Mississippi Valley State University for construction, furnishing and equipping of a new residence hall and related facilities.

- \$16,561,477 to the University of Mississippi for construction, furnishing and equipping of a new mechanical and power plant building and related facilities to serve the northwest quadrant of the campus, and for repair, renovation, furnishing, equipping and expansion of and additions to the Data Center Building and related facilities.

- \$7,085,124 to the University of Mississippi Medical Center for repair, renovation, and upgrading of campus buildings, facilities, and infrastructure.

- \$18,627,686 to the University of Southern Mississippi for construction, furnishing and equipping of the Science Research Facility with a central mechanical plant and related infrastructure and facilities on the Hattiesburg Campus.

IV. The bill also provides that \$45,000,000 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.....	\$ 2,156,591
Copiah Lincoln.....	\$ 2,492,500

East Central.....	\$ 2,289,361
East Mississippi.....	\$ 2,625,690
Hinds.....	\$ 4,457,940
Holmes.....	\$ 3,403,594
Itawamba.....	\$ 3,233,987
Jones.....	\$ 3,047,330
Meridian.....	\$ 2,424,181
Mississippi Delta.....	\$ 2,208,329
Mississippi Gulf Coast.....	\$ 4,339,698
Northeast Mississippi.....	\$ 2,649,581
Northwest Mississippi.....	\$ 3,940,592
Pearl River.....	\$ 3,523,557
Southwest Mississippi.....	\$ 2,207,069

V. The bill also provides that \$26,100,000 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:

- \$6,000,000 to the Department of Mental Health for planning, repair, renovation, improvements, furnishing and equipping of buildings, grounds, and infrastructure under the care and control of the department statewide.
- \$7,000,000 to the Department of Corrections for planning, repair and renovation of and code and ADA upgrades and improvements to facilities, grounds and infrastructure under the care and control of the department statewide.
- \$2,250,000 to the Department of Public Safety for planning, construction, furnishing and equipping of new range training facility at the MLEOTA campus.
- \$3,750,000 to the Department of Agriculture and Commerce for paving, infrastructure, and improvement to include sewer and water improvements of Mississippi Street and remainder,



planning, and construction, furnishing, and equipping of campus security improvements.

- \$200,000 to the State Fire Academy for planning, repair, and renovation of, additions to, and furnishing and equipping of the Administration Building.

- \$4,000,000 to the Mississippi Department of Health for planning, repair, and renovation to the building envelope at Thompson Lab and planning, repair, and renovation, furnishing and equipping of the North Wing of the Underwood Building.

- \$2,500,000 to the Mississippi Veterans Affairs for planning, repair, renovation, replacements and improvements to HVAC systems, at veterans homes statewide.

- \$200,000 to the Mississippi Schools for the Deaf and the Blind for preplanning of repair and renovation of Dorm C.

- \$200,000 to the Mississippi School of the Arts for preplanning of repair and renovation of Cooper Hall.

VI. The bill also provides that \$23,900,000 transferred by this bill into the 2022 Department of Finance and Administration Statewide Repair and Renovation Fund created in Section 27 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 \$249,375,000 transferred by this bill into the 2024 Local Improvements Projects Fund will

be disbursed by the Department of Finance and Administration for the following purposes:

(a) To assist the City of Columbus, Mississippi, in paying costs associated with the construction of the Terry Brown Amphitheatre.....\$ 1,000,000

(b) To assist Chickasaw County, Mississippi, in paying costs associated with repairs and improvements to the Houston Courthouse.....\$ 500,000

(c) To assist the City of West Point, Mississippi, in paying costs associated with paving and improvements to city streets.....\$ 250,000

(d) To assist the City of Columbus, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 190,808

(e) To assist Bolivar County, Mississippi, in paying costs associated with the improvements and expansion of the Terrene Landing River Boat Dock.....\$ 500,000

(f) To assist Lamar County, Mississippi, in paying costs associated with Phase II of the Lincoln Road Extension.....\$ 1,500,000

(g) To assist Lowndes County, Mississippi, in paying costs associated with the acquisition or purchasing of software or hardware and costs associated with technology services for the Lowndes County Sheriff's Office.....\$ 1,300,000

(h) To assist the City of Greenwood, Mississippi, in paying costs associated with various infrastructure improvements .....\$ 500,000

(i) To assist the City of Picayune, Mississippi, in paying costs associated with matching funds for the Interstate-59 North Frontage Road Project.....\$ 550,000

- (j) To assist Webster County, Mississippi, in paying costs associated with the purchase of a patrol car for the Webster County Sheriff's Department.....\$ 50,000
- (k) To assist the Jackson Redevelopment Authority in paying costs associated with renovations and upgrades to Union Station.....\$ 1,000,000
- (l) To assist the City of Kosciusko, Mississippi, in paying costs associated with infrastructure improvements.....\$ 1,000,000
- (m) To assist Oktibbeha County, Mississippi, in paying costs associated with the purchase of a patrol car for the Oktibbeha County Sheriff's Department.....\$ 50,000
- (n) To assist the Neshoba County General Hospital in paying costs associated with the allied health facility in conjunction with East Central Community College.....\$ 1,000,000
- (o) To assist Panola County, Mississippi, in paying costs associated with improvements to the Panola County Airport .....\$ 500,000
- (p) To assist Oktibbeha County, Mississippi, in paying costs associated with improvements to VFW Post 5573.....\$ 50,000
- (q) To assist the Belden Volunteer Fire Department in Lee County, Mississippi, with paying various costs.....\$ 50,000
- (r) To assist the Palmetto Volunteer Fire Department Lee County, Mississippi, with paying various costs.....\$ 50,000
- (s) To assist Webster County, Mississippi, in paying costs associated with the renovation and expansion of the Mathiston Volunteer Fire Department.....\$ 25,000

(t) To assist the South Lee Volunteer Fire Department in Lee County, Mississippi, with paying various costs.....\$ 50,000

(u) To assist Lee County, Mississippi, in paying costs associated with repairs to and restoration of the Lee County Courthouse.....\$ 750,000

(v) To assist the Town of Mathiston, Mississippi, in paying costs associated with the purchase of a police car for the Mathiston Police Department.....\$ 50,000

(w) To assist VFW Post 6285 in Kiln, Mississippi, with paying costs associated with general improvements.....\$ 30,000

(x) To assist VFW Post 3253 in Bay Saint Louis, Mississippi, with paying costs associated with general improvements.....\$ 30,000

(y) To assist the Port of Pascagoula in paying costs associated with the North Rail Connector Project.....\$ 3,000,000

(z) To assist VFW Post 4808 in Bay Saint Louis, Mississippi, with paying costs associated with general improvements.....\$ 30,000

(aa) To assist American Legion Post 139 in Bay Saint Louis, Mississippi, with paying costs associated with general improvements.....\$ 30,000

(ab) To assist the Pascagoula Redevelopment Authority with costs associated with the downtown revitalization project...\$ 1,000,000

(ac) To assist American Legion Post 77 in Waveland, Mississippi, with paying costs associated with general improvements.....\$ 30,000

(ad) To assist the City of Moss Point, Mississippi, in paying costs associated with the Moss Point Riverfront District Revitalization Project.....\$ 250,000

(ae) To assist the City of Senatobia, Mississippi, in paying costs associated with infrastructure improvements to the downtown historic district.....\$ 10,000,000

(af) To assist the Town of Sunflower, Mississippi, in paying costs associated with citywide street improvements.....  
.....\$ 500,000

(ag) To assist the City of Moorhead, Mississippi, in paying costs associated with the purchase of four (4) vehicle units for the city's police department.....\$ 100,000

(ah) To assist Union County, Mississippi, in paying costs associated with repairs, renovations, and equipment for the West Union Volunteer Fire Department, Pinedale Volunteer Fire Department, and the Ingomar Volunteer Fire Department.....  
.....\$ 150,000

(ai) To assist the City of Moorhead, Mississippi, in paying various for the city's fire department.....\$ 50,000

(aj) To assist the Indianola Chamber Main Street in paying costs associated with purchasing a wayfinding system.....  
.....\$ 50,000

(ak) To assist Tate County, Mississippi, in paying costs associated with repairs, renovations, and equipment for the Independence Volunteer Fire Department, Green Leaf Volunteer Fire Department, Looxahoma Volunteer Fire Department and the Poagville Volunteer Fire Department.....\$ 200,000

(al) To assist the City of Booneville, Mississippi, with paying costs associated with repairing Wyninegar Road from 9th Street to U.S. Highway 45.....\$ 1,000,000

(am) To assist Washington County, Mississippi, in paying costs associated with improvements to the Greenville MidDelta Airport.....\$ 1,500,000

(an) To assist Marshall County, Mississippi, in paying costs associated with repairs, renovations, and equipment

for the Waterford Volunteer Fire Department, Mt. Pleasant Volunteer Fire Department, Potts Camp Volunteer Fire Department and the Barton Volunteer Fire Department.....\$ 200,000

(ao) To assist the City of Waynesboro, Mississippi, in paying costs associated with construction and infrastructure needs on city owned properties.....\$ 2,250,000

(ap) To assist Wayne County, Mississippi, in paying costs associated with the purchase of fire trucks....\$ 250,000

(aq) To assist Jackson County, Mississippi, in paying costs associated with completion of a multipurpose arena.....\$ 1,000,000

(ar) To assist George County, Mississippi, in paying costs associated with completion of the Barton Basin multipurpose building facility.....\$ 300,000

(as) To assist the Jackson County Office of Emergency Services with the purchase of twenty (20) sets of Self-Contained reathing Apparatus (SCBA) units for the East Jackson County Fire Department and West Jackson County Fire Department.....\$ 100,000

(at) To assist Clay County, Mississippi, in paying costs associated with improvements to county roads and bridges...\$ 500,000

(au) To assist George County, Mississippi, in paying costs associated with construction of Merrill Bridge approaches .....\$ 560,000

(av) To assist George County, Mississippi, in paying costs associated with purchasing and installing five (5) fire hydrants across the county.....\$ 150,000

(aw) To assist the City of Pass Christian, Mississippi, in paying costs associated with the downtown redevelopment project.....\$ 750,000

(ax) To assist the City of Lucedale, Mississippi, in paying costs associated with upgrades and improvements to Lucedale City Park.....\$ 700,000

(ay) To assist the Jackson County Utility Authority in paying costs associated with the Poticaw Road water extension project.....\$ 800,000

(az) To assist the City of Long Beach, Mississippi, in paying costs associated with infrastructure improvements.....\$ 500,000

(ba) To assist George County, Mississippi, in paying costs associated with the development of a railroad and trucking transload project for the George County Industrial Park.....\$ 2,000,000

(bb) To assist the Jackson Redevelopment Authority in paying costs associated with the redevelopment of Union Station in Jackson, Mississippi.....\$ 1,000,000

(bc) To assist the City of Waveland, Mississippi, in paying costs associated with the widening of the Kiln Waveland Cutoff Road.....\$ 1,000,000

(bd) To assist Itawamba County, Mississippi, in paying costs associated with the construction of a new Itawamba County Courthouse.....\$ 3,500,000

(be) To assist the Three Rivers Planning and Development District in paying costs associated with backup and security systems for multiple county and/or municipal governments.....\$ 3,000,000

(bf) To assist Sharkey County, Mississippi, in paying costs associated with repairs, renovations, and upgrades of the Sharkey County Courthouse.....\$ 750,000

(bg) To assist Neshoba County General Hospital in paying costs associated with construction to develop property

for East Central Community College to develop a Nursing School program.....\$ 1,000,000

(bh) To assist Lowndes County, Mississippi, in paying costs associated with improvements including upgrades and renovations to the Lowndes County Adult Detention Center.....\$ 750,000

(bi) To assist the City of Rolling Fork, Mississippi, in paying costs associated with the construction, renovation and repairs to city property, including, but not limited to, the police station, city hall, and the fire station.....\$ 750,000

(bj) To the Town of Mantachie, Mississippi, to assist the Mantachie Volunteer Fire Department in paying costs associated with maintaining an existing building, constructing a new building and purchasing equipment.....\$ 300,000

(bk) To assist Hinds County, Mississippi, in paying costs associated with purchasing body cameras and additional vehicles for the Hinds County Sheriff's Department.....\$ 500,000

(bl) To assist Meridian Main Street in paying costs associated with the Alleyway improvement project.....\$ 200,000

(bm) To assist the Town of Marks, Mississippi, in paying costs associated with the purchase of fire trucks for volunteer fire departments.....\$ 500,000

(bn) To assist the Tunica County Utility District in paying costs associated with water and sewer infrastructure upgrades and improvements.....\$ 500,000

(bo) To assist Mississippi State University in paying costs associated with the Interprofessional Simulation Lab at the Riley Campus.....\$ 750,000

(bp) To assist Tunica County, Mississippi, in paying costs associated with its natural gas system extension.....\$ 150,000



(bq) To assist the Meridian Regional Airport in paying costs associated with the construction, repairs, upgrades, and improvements to the airport terminal.....\$ 500,000

(br) To assist the Pat Harrison Waterway District in paying costs associated with repairs and infrastructure improvement at the Archusa Creek Lake Dam.....\$ 2,000,000

(bs) To assist the Town of Coldwater, Mississippi, in paying costs associated with sewer and water infrastructure improvements at the Coldwater Industrial Park.....\$ 1,900,000

(bt) To assist the City of Petal, Mississippi, in paying costs associated with construction and development of additions and improvements for transporting wastewater to the City of Hattiesburg, Mississippi sewer lagoon.....\$ 500,000

(bu) To assist the City of Petal, Mississippi, in paying costs associated with repairs, upgrades and improvements to Chappell Hill Road.....\$ 500,000

(bv) To assist Forrest County, Mississippi, in paying costs associated with the purchase of fire trucks for the volunteer fire departments in the county.....\$ 500,000

(bw) To assist the City of Meridian, Mississippi, in paying costs associated with the Waste Water Treatment Plant Rehabilitation Project.....\$ 500,000

(bx) To assist the Village of Pittsboro, Mississippi, in paying costs associated with the improvement, repair, and upgrade of the town's water system, including, but not limited to, the purchase of equipment.....\$ 50,000

(by) To assist the City of Meridian, Mississippi, in paying costs associated with purchasing fire equipment for the Meridian Fire Department.....\$ 400,000

(bz) To assist Lauderdale County, Mississippi, in paying costs associated with bridge repair for two bridges, SA38-587 and SA38-255 on Centerhill Martin Road.....\$ 1,000,000

(ca) To assist the Town of Bruce, Mississippi, in paying costs associated with improvements to the Bruce Fire Department.....\$ 75,000

(cb) To assist the Town of Burnsville, Mississippi, in paying costs associated with the construction of an Agricultural Center.....\$ 950,000

(cc) To assist Calhoun County, Mississippi, in paying costs associated with the purchase of equipment for the Sabougla Fire Department.....\$ 50,000

(cd) To assist the Town of Iuka, Mississippi, in paying costs associated with the purchase of a fire truck.....  
.....\$ 250,000

(ce) To assist the Town of Derma, Mississippi, in paying costs associated with infrastructure improvements.....  
.....\$ 200,000

(cf) To assist Holmes County, Mississippi, in paying costs associated with repairs to roads in Supervisors District 2  
.....\$ 500,000

(cg) To assist Chickasaw County, Mississippi, in paying costs associated with the repairs, renovations, and upgrades to the Rhodes Chapel Fire Department.....\$ 60,000

(ch) To assist Wilkinson County, Mississippi, in paying costs associated with the replacement of a bridge on Pinckneyville Road.....\$ 1,000,000

(ci) To assist the City of Fulton, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 492,915

(cj) To assist Pike County, Mississippi, in paying costs associated with upgrades and improvements to the Richards Community Park.....\$ 50,000

(ck) To assist the City of Hollandale, Mississippi, in paying costs associated with infrastructure improvements.....\$ 250,000

(cl) To assist the Town of Mantatchie, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 100,000

(cm) To assist the Short Coleman Water Association in paying costs associated with updates, improvements, and repairs to its surface water treatment system.....\$ 600,000

(cn) To assist Union County, Mississippi, in paying costs associated with the resurfacing of County Road 115 (Old Highway 15).....\$ 500,000

(co) To assist Tishomingo County, Mississippi, in paying costs associated with the construction of a multiuse justice court complex and improvements to the existing circuit court facility.....\$ 1,500,000

(cp) To assist Union County, Mississippi, in paying costs associated with the Tallahatchie River documentary.....\$ 250,000

(cq) To assist the City of Cleveland, Mississippi, in paying costs associated with the North Industrial Site Flood Mitigation Project at the Cleveland Municipal Airport.....\$ 600,000

(cr) To assist the Port of Greenville in paying costs associated with erosion control and levee improvements.....\$ 300,000

(cs) To assist Union County, Mississippi, in paying costs associated with replacing a bridge on County Road 113 (Murrah Road).....\$ 500,000

(ct) To assist the City of Greenville, Mississippi, in paying costs associated with infrastructure improvements.....\$ 500,000

(cu) To assist Union County, Mississippi, in paying costs associated with repair and renovation of the Chancery Clerk Building and the Union County Supervisors Office.....\$ 250,000

(cv) To assist the City of Ellisville, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 497,833

(cw) To assist Jones County, Mississippi, with paying costs associated with the planning, design and construction of a new volunteer fire department.....\$ 200,000

(cx) To assist Jones College in paying costs associated with the construction, repairs and renovations of a building for the Erin and Ben Napier School of Design & Building Arts.....\$ 2,000,000

(cy) To assist the City of Jackson, Mississippi, acting through its Department of Planning and Development, in paying costs associated with removal of blighted property on U.S. Highway 80 and south of U.S. Highway 80.....\$ 250,000

(cz) To assist the Town of Mize, Mississippi, in paying costs associated with infrastructure improvements.....\$ 250,000

(da) To assist the City of Georgetown, Mississippi, in paying costs associated with the completion of City Hall.....\$ 200,000

(db) To assist the City of Florence, Mississippi, in paying costs associated with infrastructure improvements.....\$ 500,000

(dc) To assist the Town of Wesson, Mississippi, in paying costs associated with repairs and upgrades to the roads

that serve both Wesson Attendance Center and Copiah-Lincoln  
Community College.....\$ 750,000

(dd) To assist the Town of Puckett, Mississippi, in  
paying costs associated with infrastructure improvements.....  
.....\$ 250,000

(de) To assist Lafayette County, Mississippi, in  
paying costs associated with replacing various bridges in the  
county.....\$ 2,500,000

(df) To assist the City of Richland, Mississippi, in  
paying costs associated with the State Highway 49 pedestrian  
crossover.....\$ 500,000

(dg) To assist the City of Oxford, Mississippi, in  
paying costs associated with street repair and paving.....  
.....\$ 2,000,000

(dh) To assist the Capitol Complex Improvement  
District, as overseen by the Capitol Complex Improvement  
District Project Advisory Committee, in paying costs associated  
with lighting, landscaping, and signage within the Fondren  
Business District.....\$ 250,000

(di) To assist the Tomaston Medical Park in paying  
costs associated with the construction of two state-of-the-art  
medical facilities in Woolmarket, Mississippi.....  
.....\$ 1,000,000

(dj) To assist Lamar County, Mississippi, in paying  
costs associated with the widening of Cole Road.....\$ 1,000,000

(dk) To assist the Mississippi Centers for Autism and  
Related Developmental Disabilities with paying general costs.....  
.....\$ 200,000

(dl) To assist the Magnolia Regional Health Center in  
paying costs associated with the residency program.....  
.....\$ 300,000

- (dm) To assist the Kossuth Water Association in paying costs with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 100,000
- (dn) To assist the Yellow Creek State Inland Port in paying costs associated with construction, repairs and renovations for the Yellow Creek Port Office and/or Conference Center.....\$1,000,000
- (do) To assist the Port of Pascagoula in paying costs associated with the North Rail Connector Project.....\$ 1,500,000
- (dp) To assist the City of Horn Lake, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 727,500
- (dq) To assist Warren County, Mississippi, in paying costs associated with improvements at the Vicksburg Port.....  
.....\$ 1,000,000
- (dr) To assist the City of Jackson, Mississippi, in paying costs associated with renovations, repairs, upgrades, and improvements to Thalia Mara Hall.....\$ 1,000,000
- (ds) To the Town of Utica, Mississippi, to assist the Reedtown Water Association in paying costs associated with the completion of pipe installation and replacement.....\$ 300,000
- (dt) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with infrastructure improvements on Druid Hill Drive.....  
.....\$ 395,136
- (du) To assist Hinds County, Mississippi, in paying costs associated with paving, resurfacing, repair, and improvement of Northside Drive from U.S. Interstate I-55 east....  
.....\$ 600,000

(dv) To assist the City of Ridgeland, Mississippi, in paying costs associated with infrastructure improvements on property adjacent to Colony Park Boulevard.....\$ 2,000,000

(dw) To assist the City of Raymond, Mississippi, in paying costs associated with the repair of two water tanks located on the Raymond Town Square and the campus of Hinds Community College.....\$ 400,000

(dx) To assist Hinds County, Mississippi, in paying costs associated with infrastructure improvements within Supervisor District 1.....\$ 1,500,000

(dy) To assist Hinds County, Mississippi, in paying costs associated with community solar powered surveillance systems in five (5) neighborhoods: Woodlea HOA, Lakeover HOA, Pine Ridge HOA, Woodhaven HOA and Norwood HOA.....\$ 50,000

(dz) To assist Hinds County, Mississippi, in paying costs associated with repaving project on Hanging Moss Road and Beasley Road.....\$ 400,000

(ea) To assist the City of West Point, Mississippi, in paying costs associated with milling and paving of city streets.....\$ 250,000

(eb) To assist the City of Guntown, Mississippi, in paying costs associated with the purchase of a fire truck.....\$ 350,000

(ec) To assist Clay County, Mississippi, in paying costs associated with repairs and maintenance to the Clay County Courthouse.....\$ 500,000

(ed) To assist the City of Tupelo, Mississippi, in paying costs associated with the construction of a new fire department and command center.....\$ 1,250,000

(ee) To assist Panola County, Mississippi, in paying costs associated with improvements, including, but not limited to, additional hangars, at the Panola County Airport.....\$ 1,000,000

(ef) To assist the City of Saltillo, Mississippi, in paying costs associated with the completion of a new fire department.....\$ 500,000

(eg) To assist the City of Picayune, Mississippi, in paying costs associated with the purchase of equipment for officers, including, but not limited to, guns, tasers, armor, optics, vehicles and portable radios, for the city police department.....\$ 100,000

(eh) To assist the City of Hernando, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 204,095

(ei) To assist the City of Picayune, Mississippi, in paying costs associated with the construction of a burn building for the city's fire department.....\$ 100,000

(ej) To assist Newton County, Mississippi, in paying costs associated with renovations and facility improvements at the Newton County Sheriff's Department.....\$ 150,000

(ek) To assist the City of Picayune, Mississippi, with matching funds for Interstate 59 North Frontage Road, known as South Mississippi Gateway Utilities Project.....\$ 200,000

(el) To assist the City of Newton, Mississippi, in paying costs associated with the purchase of police vehicles and equipment.....\$ 200,000

(em) To assist the Town of Terry, Mississippi, in paying costs associated with constructing, furnishing and equipping a police station and purchasing playground equipment for a park.....\$ 400,000



(en) To assist the City of Hazlehurst, Mississippi, in paying costs associated with completing additional classroom, dining space, playground equipment, furnishing and equipping for the Millsaps Heritage Center.....\$ 400,000

(eo) To assist Attala County, Mississippi, in paying costs associated with road and bridge maintenance....\$ 1,000,000

(ep) To assist Leake County, Mississippi, in paying costs associated with the purchase of vehicles for the county Sheriff's Office.....\$ 250,000

(eq) To assist the City of Morton, Mississippi, in paying costs associated with the paving of East Fourth and South Mill.....\$ 400,000

(er) To assist Choctaw County, Mississippi, in paying costs associated with the resurfacing of Quinn Street.....\$ 500,000

(es) To assist the Scott County School District in paying costs associated with the design, construction, repairs, and renovations of the STEAM Academy or facility improvements....\$ 1,000,000

(et) To assist the City of Eupora, Mississippi, in paying costs associated with the resurfacing of streets in the city.....\$ 400,000

(eu) To assist the Kiln Utility & Fire District in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 120,000

(ev) To assist Choctaw County, Mississippi, in paying costs associated with resurfacing streets and roads in Supervisors District 3.....\$ 200,000

(ew) To assist the City of Diamondhead, Mississippi, in paying costs associated with the Diamondhead Commercial District Transformation Project.....\$ 1,000,000

(ex) To assist Choctaw County, Mississippi, in paying costs associated with resurfacing streets and roads in Supervisors District 1.....\$ 200,000

(ey) To assist the Pearlinton Water and Sewer District in paying costs associated with the rehabilitation, improvement and interconnection of the Oak Harbor well to the Pearlinton water and sewer system.....\$ 500,000

(ez) To assist Choctaw County, Mississippi, with providing funds to be divided equally between the Volunteer Fire Departments within the county.....\$ 200,000

(fa) To assist the City of Pearl, Mississippi, in paying costs associated with a traffic signal on El Dorado Road.....\$ 400,000

(fb) To assist the Town of French Camp, Mississippi, in paying costs associated with improvements and maintenance to sidewalks.....\$ 50,000

(fc) To assist the City of Pearl, Mississippi, in paying costs associated with the Pearl-Richland Intermodal widening project.....\$ 500,000

(fd) To assist the American Legion Post 82 in Ackerman, Mississippi, with paying costs associated with general improvements.....\$ 25,000

(fe) To assist Rankin County, Mississippi, in paying costs associated with planning and construction of the I-20 Connector Loop Project.....\$ 1,500,000

(ff) To assist the VFW Post 3806 in Eupora, Mississippi, in paying costs associated with general improvements.....\$ 25,000

(fg) To assist the City of Pearl, Mississippi, in paying costs associated with the lighting project on State Highway 80 from Pirates Cove to Pearson Road.....\$ 1,500,000

(fh) To assist the Tomnolen Fire Department with paying various costs.....\$ 25,000

(fi) To assist Forrest County, Mississippi, in paying costs associated with equipment for volunteer fire departments... ..\$ 250,000

(fj) To assist the Town of Mathiston, Mississippi, in paying various costs for the town's fire department.....\$ 25,000

(fk) To assist Perry County, Mississippi, in paying costs associated with repairs and renovations to the county courthouse.....\$ 750,000

(fl) To assist Grenada County, Mississippi, in paying costs associated with improvements to Nat Trout Road.....\$ 1,600,000

(fm) To assist the City of Marks, Mississippi, in paying costs with infrastructure improvements.....\$ 150,000

(fn) To assist the City of Water Valley, Mississippi, in paying costs associated with maintenance, upgrades and repairs to the city's electric department.....\$ 1,500,000

(fo) To assist Quitman County, Mississippi, in paying costs associated with the repairs and renovations of the Quitman County Courthouse.....\$ 500,000

(fp) To assist the City of Grenada, Mississippi, in paying costs associated with construction of a new fire station at U.S. Highway 51 and Govan Street.....\$ 600,000

(fq) To assist the Friends of the Vicksburg National Military Park and Campaign in paying costs associated with the Vicksburg Military Park Interpretive Center.....\$ 1,000,000

(fr) To assist East Mississippi Veterans Memorial Park with paying various costs.....\$ 200,000

(fs) To assist Yazoo County, Mississippi, in paying costs associated with equipping of the Dover Fire Station.....  
.....\$ 250,000

(ft) To assist the City of Vicksburg, Mississippi, in paying costs associated with the improvements to a retaining wall.....  
.....\$ 350,000

(fu) To assist Warren County, Mississippi, in paying costs associated with the purchase of wetlands mitigation credits and other developments at the South Port.....  
.....\$ 8,200,000

(fv) To assist Lauderdale County, Mississippi, in paying costs associated with the purchase of two UTV plus firelight equipment and two trailers to pull UTV's for the Lauderdale County volunteer fire departments to be stored at Daleville Volunteer Fire Department and Causeyville Volunteer Fire Department.....  
.....\$ 100,000

(fw) To assist the Town of Flora, Mississippi, in paying costs associated with infrastructure improvements.....  
.....\$ 400,000

(fx) To assist the City of Sardis, Mississippi, in paying costs associated with water and sewer infrastructure improvements.....  
.....\$ 250,000

(fy) To assist Warren County, Mississippi, in paying costs associated with ADA access improvements and other infrastructure improvements to the Warren County Courthouse.....  
.....\$ 400,000

(fz) To assist Humphreys County, Mississippi, in paying costs associated with repairing the county's pump station and adding an additional pump.....  
.....\$ 150,000

(ga) To assist Issaquena County, Mississippi, in paying costs associated with infrastructure improvements.....  
.....\$ 500,000

(gb) To assist Marshall County, Mississippi, in paying costs associated with repairs, upgrades and improvements to the water and sewer infrastructure in and along Quality Drive in north Marshall County.....\$ 300,000

(gc) To assist the City of Louisville, Mississippi, in paying costs associated with the completion of the renovation and revitalization of the Strand Theatre.....\$ 500,000

(gd) To assist the Town of Byhalia, Mississippi, in paying costs associated with making infrastructure improvements .....\$ 500,000

(ge) To assist Noxubee County, Mississippi, in paying costs associated with the construction of the Shuqualak Lumber Road.....\$ 500,000

(gf) To assist the Kiln Utility and Fire District in paying costs associated with improvements to the existing water system, including, but not limited to, fire protection and sanitary sewer collection.....\$ 500,000

(gg) To assist Kemper County, Mississippi, in paying costs associated with the gas and water pipelines from De Kalb to Scooba.....\$ 1,000,000

(gh) To assist the City of Senatobia, Mississippi, in paying costs associated with reconstruction of Mississippi Highway 4, Main Street and Scott Street intersections to be combined with matching funds.....\$ 3,000,000

(gi) To assist the City of Senatobia, Mississippi, to pay off debt of the city related to the purchases of fire trucks currently allocated to debt service going forward and will be used to pay ongoing operational needs of the Senatobia Fire Department including adding at least one additional full-time firefighter to each shift. Any funds remaining after the payment of debt shall be used to assist the Senatobia Fire Department to purchase needed equipment.....\$ 1,250,000

(gj) To assist Tate County, Mississippi, in paying infrastructure and related expenses associated with the redevelopment of the former Chromcraft Industrial Site.....\$ 1,500,000

(gk) To assist the City of Brandon, Mississippi, in paying costs associated with road and street improvements to include construction, right-of-way acquisition, utility relocation and other associated improvements, such as storm water drainage, sidewalks, and multiuse path development and construction necessary to improve vehicle and pedestrian safety .....\$ 3,000,000

(gl) To assist Tate County, Mississippi, in paying costs associated with the construction of a new fire station and first responder training facility and for purchase of fire fighting and emergency response equipment.....\$ 3,500,000

(gm) To assist the Tate County Genealogical and Historical Society in paying costs to digitize and store historical county records, documents and artifacts and other operational costs.....\$ 50,000

(gn) To assist Chickasaw County, Mississippi, with a match for federal funds for updates and improvements to the County Courthouse in Houston, Mississippi.....\$ 500,000

(go) To assist Montgomery County, Mississippi, in paying costs associated with construction and paving on Robinson Thompson Road.....\$ 1,200,000

(gp) To assist Chickasaw County, Mississippi, in paying costs associated with rebuilding and repairs to the fire station for the Rhodes Chapel Volunteer Fire Department in Houston, Mississippi.....\$ 50,000

(gq) To assist the City of Houston, Mississippi, in paying costs associated with the expansion of record keeping capacity at the Chickasaw County Heritage Museum.....\$ 50,000

(gr) To assist the Town of Sumrall, Mississippi, in paying costs associated with land acquisition and expansion of sportsplex.....\$ 500,000

(gs) To assist the Pat Harrison Waterway District in paying costs associated with an RV project at Flint Creek Water Park in Stone County, Mississippi.....\$ 400,000

(gt) To assist Lincoln County, Mississippi, in paying costs associated with renovations to the County Courthouse.....\$ 500,000

(gu) To assist Pontotoc County, Mississippi, in paying costs associated with constructing, furnishing and equipping a multipurpose building.....\$ 500,000

(gv) To assist the West Jackson County Utility District in paying costs associated with the construction of a new water tank.....\$ 500,000

(gw) To assist the Town of Hickory Flat, Mississippi, in paying costs associated with constructing, furnishing and equipping a community building and purchasing playground equipment.....\$ 300,000

(gx) To assist the Town of Snow Lake, Mississippi, in paying costs associated with infrastructure improvements and road maintenance.....\$ 750,000

(gy) To assist Benton County, Mississippi, in paying costs associated with general improvements to Benton County Veterans Park.....\$ 500,000

(gz) To assist the Jackson County School District in paying costs associated with repairs, renovations, and improvements at Vancleave High School.....\$ 250,000

(ha) To assist Union County, Mississippi, in paying costs associated with purchasing equipment.....\$ 500,000

(hb) To assist the City of Corinth, Mississippi, in paying costs associated with infrastructure improvements on South Parkway.....\$ 400,000

(hc) To assist the City of Corinth, Mississippi, in paying costs associated with rehabilitation of a one span bridge on South Tate.....\$ 100,000

(hd) To assist the City of D'Iberville, Mississippi, in paying costs associated with the city's working waterfront project.....\$ 1,000,000

(he) To assist Lamar County, Mississippi, in paying costs associated with renovations to and equipping the Lamar County Facility.....\$ 700,000

(hf) To assist Lamar County, Mississippi, in paying costs associated with Lincoln Road Phase 2.....\$ 500,000

(hg) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in the Avenues area of Hattiesburg, including, but not limited to, roads, bridges, sewer, drainage, sidewalks, stormwater, detention, land acquisition, utility relocation and lighting.....\$ 3,500,000

(hh) To assist the Mississippi Development Authority in paying costs associated with creating a program to make grants available for organizing economic and community development activities around military installations and other state and federal installations that host military missions.....  
.....\$ 325,000

(hi) To assist the Hancock County, Mississippi, Sheriff's Department in paying costs associated with the purchase of a vehicle for the City of Diamondhead Police Department.....\$ 50,000

(hj) To assist the Mississippi Coast Coliseum Commission in paying costs associated with capital improvements,



including roof repairs and repair, resurfacing, and paving the parking lot.....\$ 1,500,000

(hk) To assist Harrison County, Mississippi, in paying costs associated with resurfacing the walking track, adding adequate lighting, safety equipment and other recreational equipment at Lizana Elementary Ballpark.....\$ 250,000

(hl) To assist George County, Mississippi, in paying costs associated with infrastructure improvements on East Wilkerson Ferry Road.....\$ 900,000

(hm) To assist the City of Diamondhead, Mississippi, in paying costs associated with equipment, training and building maintenance for the city's fire department.....\$ 20,000

(hn) To assist Wayne County, Mississippi, in paying costs associated with planning and construction of a multipurpose center.....\$ 900,000

(ho) To assist the Harrison County Fire Service in paying costs associated with equipping, training and building maintenance for the West Wortham Road Station.....\$ 20,000

(hp) To assist George County, Mississippi, in paying costs associated with the Crenshaw Road stormwater drainage and safety project.....\$ 750,000

(hq) To assist the Harrison County Fire Service in paying costs associated with equipping, training and building maintenance for the Lizana Volunteer Station.....\$ 20,000

(hr) To assist Wayne County, Mississippi, in paying costs associated with the purchase of law enforcement vehicles...\$ 250,000

(hs) To assist the Harrison County Fire Service in paying costs associated with equipping, training and building maintenance for the Kiln/Fenton Station.....\$ 20,000

(ht) To assist Greene County, Mississippi, in paying costs associated with the completion of the Emergency Management Office.....\$ 600,000

(hu) To assist the Town of Caledonia, Mississippi, in paying costs associated with the purchase of vehicles and equipment.....\$ 150,000

(hv) To assist the Walter Anderson Museum of Art in paying costs associated with repairs and renovations to the community center.....\$ 250,000

(hw) To assist the City of Gluckstadt, Mississippi, in paying costs associated with improvements to Gluckstadt Road, including but not limited to, improvements to intersections, addition to a westbound through lane from Interstate 55, traffic signals and street lights and other improvements.....\$ 750,000

(hx) To assist the City of Madison, Mississippi, in paying costs associated with the renovation of the Historic Arts Center.....\$ 750,000

(hy) To assist the City of Ridgeland, Mississippi, in paying costs associated with the planning and construction of Commerce Park Connector Road.....\$ 2,000,000

(hz) To assist the Town of Shuqualak, Mississippi, in paying costs associated with rebuilding Conner Road from flooding washout.....\$ 50,000

(ia) To assist the Town of Brooksville, Mississippi, in paying costs associated with street improvements including roadbed and repavement.....\$ 200,000

(ib) To assist the Mississippi Development Authority in paying costs associated with defraying any expenses described in Section 57-1-501, which is the provision that establishes the Economic Development and Infrastructure Fund.....\$ 2,500,000

- (ic) To assist Noxubee County, Mississippi, in paying costs associated with renovations to the Noxubee Civic Center....  
.....\$ 250,000
- (id) To assist the Gulfport Redevelopment Commission with a mixed-use downtown development project, including general infrastructure to leverage public and private investment.....  
.....\$ 3,500,000
- (ie) To assist Noxubee County, Mississippi, in paying costs associated with repaving and maintenance of Deerbrook Road.  
.....\$ 250,000
- (if) To assist Copiah County, Mississippi, in paying costs associated with infrastructure improvements....\$ 600,000
- (ig) To assist Scenic Rivers Development Alliance to assist five counties with facility and park equipment, parking and road repairs, building repairs, site development, river and lake access, erosion control and repairs, utility repairs, seating improvements and other facility related upgrades.....  
.....\$ 1,000,000
- (ih) To assist the City of Port Gibson, Mississippi, in paying costs associated with a matching grant for the historical city hall.....\$ 100,000
- (ii) To assist the Sunnyhill Water Association in paying costs associated with a new water supply well with supporting infrastructure on Gateway Boulevard inside the Pike County Industrial Park.....\$ 500,000
- (ij) To assist Claiborne County, Mississippi, in paying costs associated with a historical matching grant for the Library.....\$ 125,000
- (ik) To assist Marion County, Mississippi, in paying costs associated with improvements to county roads.....  
.....\$ 800,000

- (il) To assist the City of Amory, Mississippi, in paying costs associated with repairs and improvements to city streets.....\$ 2,000,000
- (im) To assist the City of Columbia, Mississippi, in paying costs associated with improvements to infrastructure on Church Street.....\$ 500,000
- (in) To assist the Windows of Amory, a nonprofit corporation, in paying costs associated with repairs and renovations due to storm damage.....\$ 200,000
- (io) To assist the City of Columbia, Mississippi, in paying costs associated with a soccer and tennis complex.....\$ 500,000
- (ip) To assist Amory STRONG, Inc., a Mississippi nonprofit corporation, for purchasing real property and constructing or rehabilitating structures for the purpose of resale.....\$ 500,000
- (iq) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 286 in Carroll County Beat 1.....\$ 250,000
- (ir) To assist the Town of Gloster, Mississippi, in paying costs associated with the repair, renovation and construction of the Georgia Pacific Road.....\$ 1,500,000
- (is) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 430 in Carroll County Beat 3.....\$ 500,000
- (it) To assist the City of Magnolia, Mississippi, in paying costs associated with street drainage improvements.....\$ 340,000
- (iu) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 49, County Road 217 and County Road 148 in Carroll County Beat 4.....\$ 500,000

- (iv) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 26, County Road 27 and County Road 264 in Carroll County Beat 5.....\$ 500,000
- (iw) To assist the City of Carthage, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 997,713
- (ix) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 126 and County Road 123 in Carroll County Beat 2.....\$ 500,000
- (iy) To assist the Town of Carrollton, Mississippi, in paying costs associated with repairing concrete on the sidewalks in the town.....\$ 100,000
- (iz) To assist Neshoba County, Mississippi, in paying costs associated with the purchase of fire trucks and firefighting equipment.....\$ 500,000
- (ja) To assist the City of Greenwood, Mississippi, in paying costs associated with the reconstruction of sidewalks for ADA compliance and lighting along Walthall Street....\$ 1,500,000
- (jb) To assist the City of Winona, Mississippi, in paying costs associated with resurfacing Front Street.....  
.....\$ 250,000
- (jc) To assist the City of Sardis, Mississippi, in paying costs associated with infrastructure improvements.....  
.....\$ 150,000
- (jd) To assist Pearl River County, Mississippi, in paying costs associated with improvements to the Bill Watson Ballpark.....\$ 500,000
- (je) To assist Pearl River County, Mississippi, in paying costs associated with improvements to the McNeill Walking Trail.....\$ 200,000

(jf) To assist the University of Mississippi in paying costs associated with the Faulkner Writing Project.....  
.....\$ 750,000

(jg) To assist the City of Poplarville, Mississippi, in paying costs associated with the Cottage District Project.....  
.....\$ 500,000

(jh) To assist the North Lumberton Utility Association in paying costs associated with replacing the water well located in Lamar County on Little Black Creek Road.....  
.....\$ 750,000

(ji) To assist Lafayette County, Mississippi, in paying costs associated with crisis intervention beds for the Regional Mental Health Center.....\$ 500,000

(jj) To assist Walthall County, Mississippi, in paying costs associated with the construction of a new solid waste transfer station.....\$ 1,000,000

(jk) To assist the Pearl River Valley Water Supply District in paying costs associated with the construction of a new main office building.....\$ 2,000,000

(jl) To assist the City of Gautier, Mississippi, in paying costs associated with the Mississippi Songwriters Performing Arts Center and Operational and Educational Programming of the Mississippi Songwriters Alliance.....  
.....\$ 1,500,000

(jm) To assist the Mississippi Department of Transportation in paying costs associated with improvements to Elton Road in Jackson between Interstate 55 and Terry Road.....  
.....\$ 600,000

(jn) To assist the City of Gautier, Mississippi, in paying costs associated with ADA compliance and additional recreational facilities for adults and youth such as outdoor

basketball courts, tennis courts, playground equipment and a splash pad, for Hickory Hills.....\$ 1,500,000

(jo) To assist the City of Gautier, Mississippi, in paying costs associated with the purchase of and improvements to water meters.....\$ 1,500,000

(jp) To assist the Singing River Healthcare Academy in paying costs associated with general improvements.....\$ 1,500,000

(jq) To assist the Town of Terry, Mississippi, in paying costs associated with infrastructure improvements.....\$ 150,000

(jr) To assist the City of Starkville, Mississippi, in paying costs associated with the completion of downtown Main Street Project.....\$ 2,450,000

(js) To assist Oktibbeha County, Mississippi, in paying costs associated with the completion of the county's 365 Project to equip 911 and county patrol cars with the latest computer and communication technology.....\$ 500,000

(jt) To assist Oktibbeha County, Mississippi, in paying costs associated with the restoration of Morgantown Road Bridge.....\$ 500,000

(ju) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with major thoroughfares to Jackson State University.....\$ 1,500,000

(jv) To assist Oktibbeha County, Mississippi, in paying costs associated with improvements to the Maben Post Office parking lot, culvert and erosion control.....\$ 50,000

(jw) To assist Newton County, Mississippi, in paying costs associated with building an addition and related fixtures for the Sheriff's facility.....\$ 150,000

(jx) To assist the City of Union, Mississippi, in paying costs associated with paving various streets.....\$ 250,000

(jy) To assist the City of Byram, Mississippi, in paying costs associated with the intersection between Siwell Road and Terry Road.....\$ 500,000

(jz) To assist Newton County, Mississippi, in paying costs associated with the purchase of a heavy duty fire pumper and rescue vehicle.....\$ 350,000

(ka) To assist the Town of Decatur, Mississippi, in paying costs associated with paving various streets.....\$ 250,000

(kb) To assist Olive Branch, Mississippi, in paying costs associated with improvements, renovations, repairs, and upgrades to the Olive Branch Airport.....\$ 1,000,000

(kc) To assist Bolivar County, Mississippi, in paying costs associated with expanding the Terrene Landing River Park to include a second docking ramp.....\$ 500,000

(kd) To assist the Town of Mount Olive, Mississippi, in paying costs associated with infrastructure improvements.....\$ 300,000

(ke) To assist the Mississippi Department of Transportation in paying costs associated with the funding of highway capacity dollars for the Interstate 55 project within DeSoto County.....\$ 4,000,000

(kf) To assist Covington County, Mississippi, in paying costs associated with improvements to Gandsi Road.....\$ 75,000

(kg) To assist the City of Collins, Mississippi, in paying costs associated with parks and recreation improvements...\$ 150,000



(kh) To assist the Canton Municipal Utilities in paying costs associated with the rehabilitation of the Nissan Pump Station.....\$ 750,000

(ki) To assist Covington County, Mississippi, in paying costs associated with fire protection.....\$ 150,000

(kj) To assist the Town of Tchula, Mississippi, in paying costs associated with infrastructure improvements.....  
.....\$ 400,000

(kk) To assist Covington County, Mississippi, in paying costs associated with upgrades and improvements to the courtroom of the Covington County Courthouse, specifically including audio and video capabilities.....\$ 50,000

(kl) To assist the City of Laurel, Mississippi, in paying costs associated with the replacement of West Drive bridge.....\$ 800,000

(km) To assist the Town of Braxton, Mississippi, in paying costs associated with a water well pump and column replacement.....\$ 370,000

(kn) To assist the City of Ellisville, Mississippi, in paying costs associated with infrastructure improvements.....  
.....\$ 500,000

(ko) To assist Rankin County, Mississippi, in paying costs associated with road maintenance projects.....\$ 5,000,000

(kp) To assist Rankin County, Mississippi, with the final payment for the East Metro Corridor.....\$ 1,500,000

(kq) To assist the Town of Calhoun City, Mississippi, in paying costs associated with road resurfacing and road maintenance.....\$ 150,000

(kr) To assist the City of Mendenhall, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure.....\$ 500,000

(ks) To assist the Town of Pittsboro, Mississippi, in paying costs associated with renovation and expansion of City Hall.....\$ 200,000

(kt) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of a fire truck and equipment.....\$ 700,000

(ku) To assist the City of Ripley Parks and Recreation in paying costs associated with various improvements .....\$ 300,000

(kv) To assist the Town of New Hebron, Mississippi, in paying costs associated with street repairs and infrastructure improvements.....\$ 50,000

(kw) To assist the VFW Post 6696 located in Walnut, Mississippi, in paying costs associated with various improvements.....\$ 35,000

(kx) To assist the Town of Falkner, Mississippi, with matching funds for upgrades to the town's water system.....\$ 100,000

(ky) To assist Tippah County, Mississippi, with paying various costs for the Dry Creek Volunteer Fire Department .....\$ 50,000

(kz) To assist the Town of New Hebron, Mississippi, in paying costs associated with the purchase of a fire truck.....\$ 480,000

(la) To assist Tippah County, Mississippi, in paying costs associated with improvements to the county fairground.....\$ 250,000

(lb) To assist Tippah County, Mississippi, in paying costs associated with improvements to the Walnut Industrial Park .....\$ 250,000

- (lc) To assist Tippah County Hospital in paying costs associated with parking lot infrastructure and repair.....\$ 250,000
- (ld) To assist the City of Brookhaven, Mississippi, in paying costs associated with the construction, resurfacing and improvement of Brookway Boulevard, including any related infrastructure.....\$ 750,000
- (le) To assist the Mississippi Department of Transportation in paying costs associated with pre-construction activities in association with improvements to the Interchange of US Highway 98 and I-59, the extension of US Highway 98 westward toward US Highway 11, and the widening of US Highway 11 and other nearby access roads in Forrest and Lamar Counties, Mississippi.....\$ 1,125,000
- (lf) To assist the Town of Raleigh, Mississippi, in paying costs associated with infrastructure repair and upgrades to the town's water, sewer and fire protection system and purchase of a garbage truck.....\$ 250,000
- (lg) To assist Smith County, Mississippi, in paying costs associated with leveling, chip sealing and striping of county roads.....\$ 250,000
- (lh) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 5 on CR 8, CR 113, and Short Pine Ave.....\$ 450,000
- (li) To assist the City of Baldwin, Mississippi, in paying costs associated with overlay for multiple streets.....\$ 1,500,000
- (lj) To assist Pontotoc County, Mississippi, in paying costs associated with renovations to the front and exterior of the County Courthouse.....\$ 350,000

(lk) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements to Tipton Street....  
.....\$ 300,000

(ll) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 4 on CR 5282.....\$ 75,000

(lm) To assist the Town of Braxton, Mississippi, in paying costs associated with general street paving and infrastructure improvements.....\$ 500,000

(ln) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 3 on CR 5282.....\$ 145,000

(lo) To assist the Town of West, Mississippi, in paying costs associated with infrastructure and street improvements, capital expenses on city property and the purchase of equipment.....\$ 300,000

(lp) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 2 on CR 3511.....\$ 500,000

(lq) To assist the City of Kosciusko, Mississippi, in paying costs associated with infrastructure improvements.....  
.....\$ 2,500,000

(lr) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 1 on CR 219, CR 5282, and CR 52816.....\$ 500,000

(ls) To assist Lee County, Mississippi, in paying costs associated with the acquisition and purchase of tornado shelters for installation of such shelters at fire departments and volunteer fire departments upon public property throughout the county.....\$ 304,000

(lt) To assist the City of Starkville, Mississippi, in paying costs associated with the Starkville Main Street Project.....\$ 550,000

(lu) To assist Attala County, Mississippi, in paying costs associated with infrastructure improvements....\$ 2,500,000

(lv) To assist Leake County, Mississippi, in paying costs associated with maintenance of Pine Grove Road and other county roads.....\$ 2,500,000

(lw) To assist the City of Carthage, Mississippi, in paying costs associated with infrastructure improvements and road maintenance.....\$ 1,500,000

(lx) To assist the City of Flowood, Mississippi, in paying costs associated with planning, engineering and construction of Fannie Cook Parkway.....\$ 3,500,000

(ly) To assist the Mississippi Department of Transportation with federal fund match for Highway 25 Project PL 118-42.....\$ 1,000,000

(lz) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with repairing, milling and paving of Simwood Place Street.....\$ 400,000

(ma) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with connecting the Museum Trail and Belhaven through downtown Jackson, Mississippi, to Jackson State University....\$ 250,000

(mb) To assist the City of Meridian, Mississippi, in paying costs associated with general street paving and infrastructure.....\$ 500,000

(mc) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements,

construction and/or repair to a public facility and/or sidewalks, lighting, tree canopy restoration, G.I.S. mapping and/or the north and west gateway improvements.....\$ 3,000,000

VIII. Lastly, the bill authorizes Delta State University to enter into a public-private partnership with a third-party developer for planning, designing, renovating, constructing, furnishing, and equipping Ward Hall Dormitory and Cleveland Hall, using funds specifically appropriated for that purpose. Delta State University may also enter into a partnership with the Cleveland School District to create a model rural education school to serve Pre-K through sixth-grade students from Bolivar County and a model program which shall also serve as a model for the education of teachers and administrators.

**SB 2487.** Effective 7/1/24. Signed 5/13/24.

SB 2487 makes three primary changes to Section 45-2-1, which authorizes the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund. First, it increases the death benefit paid to law enforcement officers from \$100,000 to \$150,000 and provides a payment of \$25,000 per child of the covered individual up to a total payment of \$250,000. It also includes a \$15,000 payment for funeral expenses.

Second, the bill deletes the provision of law that authorizes payment to a covered individual's estate where a beneficiary is not designated and there is no surviving child, spouse, or parent.

Third, the bill authorizes the Commissioner of the Department of Public Safety and the State Fire Marshall to award grants for enhanced training or safety equipment for covered individuals. The bill requires a minimum balance of \$4 Million to be kept in the death benefits trust fund with the funds in

excess of the minimum balance transferring to a training or safety equipment fund to be used for the approved grants.

**SB 2729.** See summary under Universities and Colleges heading.

**SB 2840.** Effective 7/1/24. Signed 4/3/24.

SB 2840 amends Section 39-11-13 to authorize the Mississippi Arts Commission to retain up to 1% of the monies in the Building Fund for the Arts to defray administrative costs associated with administering the grant program under this section.

**SB 2848.** Effective on passage. Signed 5/13/24.

SB 2848 amends several code sections related to ARPA grant programs, provides a procedure for unobligated ARPA funds, creates the ARPA - MDOT Maintenance Project Fund, and transfers certain ARPA funds.

First, the bill amends Section 27-104-323, which established the Coronavirus Local Fiscal Recovery Fund, to direct the State Fiscal Officer to transfer the full amount of any investment earnings or interest earned in this fund to the Coronavirus State Fiscal Recovery Fund on July 1, 2024. Also, the bill directs that any earnings or interest earned on amounts in the Coronavirus Local Fiscal Recovery Fund after July 1, 2024, be deposited to the credit of the Coronavirus State Fiscal Recovery Fund.

Next, the bill amends Section 37-106-64, which established the "Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program," to delete the qualification requirement that nurses must be new graduates who had gained employment within the last year for the first time. Qualification for repayment will still be subject to the other requirements of the program.

Further, the bill amends Section 41-3-16.1, which established the ARPA Rural Water Associations Infrastructure Grant Program administered by the State Department of Health. The amendments to the section direct the department's use of funds appropriated to the program after April 1, 2024. The department shall distribute those funds to projects from the second round of grant awards in the order in which the applications were ranked for grants as long as the department determines that the project can obligate the funds by October 1, 2024, and expend the funds by December 31, 2026. Where the department determines that a project cannot obligate or expend the funds by the required dates, the department shall not fund the project, and it shall continue from the second round of grant awards in the order in which the applications were ranked for grants.

The bill also provides a procedure for ARPA funds that are unobligated by October 1, 2024. No later than October 6, 2024, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the funds to the ARPA - MDOT Maintenance Project Fund, which the bill creates in the State Treasury. Monies in the fund shall be used by the Department of Transportation for eligible Surface Transportation maintenance projects included in the Maintenance Program of the Three-Year Plan as adopted by, amended by, or reissued by the Mississippi Transportation Commission under the authority of Section 65-1-141.

Last, the bill provides for several transfers. Upon passage, \$54,100,000 is transferred from the Coronavirus State Fiscal Recovery Fund to the Coronavirus State Fiscal Recovery Lost Revenue Fund. Also upon passage, a total of \$120,908,506 is transferred to the Coronavirus State Fiscal Recovery Fund from the following named funds:



▶ \$25,265,726 from the Mississippi Municipal and County Water Infrastructure Fund.

▶ \$861,050 from the ARPA- Tourism Fund.

▶ \$39,460,629 from the Mississippi Hospital Sustainability Grant Program Fund.

▶ \$29,384,500 from the MH SB Corona State Fiscal Rec Funds ARPA Fund.

▶ \$18,057,096 from the MH CO Corona State Fiscal Rec Funds ARPA Fund.

▶ \$3,316,000 from the Mississippi Law Enforcement and Fire Fighters Premium Pay Fund.

▶ \$1,500,000 from the Trial Judges-ARPA 2021-(CPS) Fund.

▶ \$3,063,505 from the Trial Judges-ARPA 2021- Temporary Courts Fund.

**HB 317.** See summary under Public Health and Welfare heading.

**HB 760.** See summary under Public Health and Welfare heading.

**HB 974.** See summary under Public Property heading.

**HB 1037.** Effective 7/1/24. Signed 4/17/24.

HB 1037 revises the Deficit Appropriation Prevention Act, which provides the process for state agencies to avoid or limit the need for any additional, deficit or supplemental appropriations. Specifically, the bill provides the following:

- A state agency, department or institution shall not operate in a manner that results in the need for an additional, deficit, or supplemental appropriation, except as provided in the act.

- If it is determined by a state agency, department or institution that the likelihood of needing an additional, deficit, or supplemental appropriation for the current fiscal year exists, the state agency, department or institution shall use a standardized request form promulgated by the Legislative Budget Office and the Department of Finance and Administration to notify the Governor, Lieutenant Governor, Speaker of the House, and Chairs of the House and Senate Appropriations Committees, the Legislative Budget Office and the Department of Finance and Administration within 15 days of this determination.

- ▶ The standardized request form must include a description of the need, an explanation of why the agency cannot cover the expenses with their existing appropriation, the impact of disapproval and a plan to avoid or limit any additional deficit or supplemental appropriation.

- ▶ The agency shall also include in the report a listing of all funds the entity is authorized to expend, the amount appropriated from each fund, the amount of funds expended at the time of the request and the current cash balance of the fund.

- The Legislative Budget Office and the Department of Finance and Administration shall approve, recommend changes, or create new plans to avoid or limit the need for any additional, deficit or supplemental appropriations for each state agency, department or institution based on the information provided in the standardized request forms.

**HB 1129.** See summary under Public Health and Welfare heading.

**HB 1207.** See summary under Public Property heading.

**HB 1210.** Effective 7/1/24. Signed 4/17/24.

HB 1210 establishes the "Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program at Mississippi State University" for the purpose of providing scholarships to qualifying students pursuing a degree in veterinary medicine, who will then commit to the practice of veterinary medicine in rural areas of the state. Specifically, the bill provides the following:

- Provides that the Dean of the Mississippi State University College of Veterinary Medicine will administer the scholarship program.
- Provides that the program will annually award scholarships to an average of two scholars, whose scholarship assistance may be funded annually for a period not to exceed four years.
- Prescribes the minimum criteria for eligibility for receipt of a scholarship, continued maintenance of the scholarship and post program completion obligations and penalties for failure to perform the contractual obligation of the scholarship agreement.

▶ To be eligible for program scholarship funds, recipients must:

- ♦ Be a student of the Mississippi State University College of Veterinary Medicine;
- ♦ Agree to become licensed in the practice of veterinary medicine in Mississippi upon graduation;

- ◆ Complete all requirements in public health, livestock biosecurity, foreign animal disease diagnosis, regulatory veterinary medicine and zoonotic disease, and an externship and mentoring requirement with a licensed, accredited veterinarian in a rural area, as required by the veterinary medical school;

- ◆ Enter into a contract with the program to provide full-time veterinary medicine services as a food supply animal veterinarian or as a rural mixed animal veterinarian for a minimum of four years in one or more communities approved by the program; and

- ◆ Begin the full-time practice of veterinary medicine in a rural community within 90 days after completion of the degree program or, if the scholarship recipient enters a post-degree training program, such as graduate school, internship or residency program, within 90 days after completion of the post-degree training program.

- ▶ Students entering into a program agreement will receive annual assistance in an amount not to exceed the in-state tuition rate assessed for attending the veterinary medical school for a period not to exceed four years for tuition and fees incurred by the student in pursuit of his or her veterinary medicine degree.

- ▶ Upon completion of all commitments under the provisions of the agreement, the financial obligations of the student shall be deemed satisfied and forgiven.

- ▶ Priority for scholarships under the program will be given to Mississippi residents. If the number of Mississippi residents applying for scholarship funds is less than the number of slots available, nonresident students may be considered.

► Upon the failure of a person to satisfy the obligation to engage in the full-time practice of veterinary medicine in a rural community with no just cause, that person, within 90 days of the failure, is liable for the repayment of all financial assistance provided to such person through the program, less a prorated amount based on any periods of veterinary medicine practice meeting the requirements of the program, plus interest.

**HB 1357.** Effective 7/1/24. Signed 5/13/24.

HB 1357 provides that the Department of Agriculture's authority to budget for improvements to department property and marketing and promotion programs and for purposes as otherwise appropriated by the Legislature shall be at the Mississippi Agriculture And Forestry Museum in Jackson, Mississippi. It also revises how funds are spent by specifying that the expenditure of such funds shall be upon appropriation by the Legislature. It also provides that leases concerning naming rights under this section shall be subject to approval by the Department of Finance And Administration; and removes the authority of the Department of Agriculture to escalate certain funds. It further requires the department of Agriculture expenditure of funds be subject to appropriation by the Legislature. It requires the Mississippi State Fair to be held in Jackson, Mississippi, on the state fairgrounds.

**HB 1450.** See summary under Education heading.

**HB 1519.** Effective on passage. Signed 4/20/24.

HB 1519 authorizes a certain town, acting through its governing body to assume responsibility to undertake a short-line railroad project, and, in conjunction therewith to acquire a short-line railroad, as evidenced by a resolution duly adopted

and entered on the official minutes of the governing body. This authority extends to the town's governing board's ability to implement and oversee all aspects of such short-line railroad project, including, entering into and executing agreements with planning and development districts and private third parties for project management and consulting services associated with the short-line railroad project, entering into and executing agreements with third-party operators for the operation of the short-line railroad, and to engage additional third parties and enter into such agreements necessary or required for the project, and to acquire, purchase, install, lease, finance, construct, own, hold, equip, control, maintain, use, operate and repair structures and equipment necessary and convenient for the planning, development, use, operation and maintenance of the short-line railroad.

**HB 1704.** Effective on passage. Signed 4/8/24.

HB 1704 revises the Fiscal Year 2024 appropriations to the specified agencies as follows:

- To the Board of Psychology to revise the amount of funds provided for the administrative support of the Mississippi Autism Board.
- To the Office of State Aid Road Construction to revise the amount of funds authorized to be expended for the replacement of structurally deficient bridges.
- To the Board of Trustees of State Institutions of Higher Learning to revise the purposes for which Alcorn State University may incur expenses related to making improvements to the Davey L. Whitney Complex and Wellness Center.
- To the Mississippi Department of Insurance to revise the maximum amounts of general and special funds so that the

Mississippi Length of Service Award Program will be funded with special funds.

- To the State Department of Health to clarify the period for which expenditures may be made for reimbursement of expenses for severe weather storm damage.

- To the State Department of Education to revise the maximum amounts of general and special funds to change the funding sources for the Charter School Authorizer Board.

In addition, the bill revises various statutes related to the state budget and agency expenditures as follows:

- Authorizes the State Treasurer to escalate his or her budget and expend the amount of any funds borrowed from the Working Cash-Stabilization Reserve Fund to offset any temporary cash flow deficiencies in the GF Obligations Fund.

- Deletes the provision that funds appropriated for the Early Learning Collaborative Act of 2013 remaining after awards to early learning collaboratives and the State Department of Education's administrative needs are met may be carried over in the following year.

- Deletes the provision that Education Enhancement Funds appropriated for classroom supplies, instructional materials and equipment for teachers that are unexpended will be carried forward, combined with the following year's allocation of Education Enhancement Fund instructional supplies funds and reallocated for the following year.

- Authorizes state agencies receiving funds from the Mississippi Outdoor Stewardship Trust Fund to escalate their budgets and expend such funds.

Finally, the bill directs the State Treasurer, in conjunction with the State Fiscal Officer, to make the following transfers of funds in the State Treasury:

- \$5,000,000 from the Capital Expense to the Forestry Facility Grant Program Fund.

- \$3,000,000 from the Insurance Department's General Fund account to the Mississippi Volunteer Firefighter Length-of-Service Award Program (LOSAP) Fund.

**HB 1705.** Effective on passage. Signed 5/13/24.

HB 1705 directs the State Treasurer, in conjunction with the State Fiscal Officer, to make the following transfers of funds in the State Treasury:

- \$92,000 from the Capital Expense Fund to the Animal Disease Response Fund.

- \$800,000 from the Capital Expense Fund to the Oil and Gas Emergency Plugging Fund.

- \$1,575,864 from the Capital Expense Fund to the Disaster Assistance Trust Fund.

- \$2,000,000 from the Capital Expense Fund to the Mississippi Dam Safety Fund.

- \$500,000 from the Capital Expense Fund to the Historic Site Preservation Fund.

- \$259,000 from the Real Estate Commission Fund to the Home Inspector License Fund.

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

- The Opioid Settlement Fund, to be appropriated by the Legislature in accordance with the requirements of the opioid litigation settlements.

- The Forest Improvement Revolving Fund, to be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state.



- The Volunteer Fire Department Equipment Conversion Revolving Fund, to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires.

- The Camden State Forest Revolving Fund, to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County.

- The Arts Commission Challenge Initiative Fund, to be used by the Arts Commission to award grants to arts organizations.

- The Public Employees' Retirement System Building Repair and Maintenance Fund, to be used by the Board of Trustees of the Public Employees' Retirement System for the repair and maintenance of the Timothy Alan (Tim) Ford Building.

- The Comprehensive Hurricane Damage Mitigation Program Fund, to be expended by the Department of Insurance for the statutory purposes of the Comprehensive Hurricane Damage Mitigation Program established in Section 83-1-191.

► The bill directs the Mississippi Surplus Lines Association to transfer \$5,000,000 to the State Treasurer to be deposited into the new Comprehensive Hurricane Damage Mitigation Program Fund.

The bill also directs the Department of Insurance to issue a request for proposals to contract with a third party for the administration of the Comprehensive Hurricane Damage Mitigation Program, which contract will be funded from monies in the Comprehensive Hurricane Damage Mitigation Program Fund created in the bill.

Finally, the bill revises the fiscal year appropriations to the State Board of Barber Examiners and the State Board of

Cosmetology to provide that the appropriations may be expended by a successor board to those individual boards. These changes are necessary because of the creation of a new State Board of Cosmetology and Barbering that was created by HB 313, summarized in the Business and Commerce Committee summary.

**HB 1707.** Effective on passage. Partially vetoed 5/13/24.

HB 1707 clarifies and corrects the names and purposes of certain projects funded with monies disbursed from the 2023 Local Improvements Projects Fund.\*

In addition, the bill does the following:

- Revises the purpose of a project for Jackson State University funded with monies disbursed from the 2022 IHL Capital Improvements Fund.
- Provides that contracts or purchases for projects funded with monies disbursed from the 2023 Local Improvements Projects Fund that involve expenditures that are more than \$75,000 must be made after advertising for competitive bids and obtaining at least three competitive written bids.
- Provides that monies in the 2023 Desoto County Infrastructure Improvements Fund will be used by the Mississippi Department of Transportation instead of the Department of Finance and Administration.
- Provides that monies in the 2023 Lafayette County Infrastructure Improvements Fund will be used by the Mississippi Department of Transportation instead of the Department of Finance and Administration.
- Provides that monies in the 2023 Gulfport Commerce Corridor Fund will be used by the Mississippi Department of Transportation instead of the Department of Finance and Administration.

- Revises the public purchasing law to delete certain provisions that were applicable to certain American Recovery and Reinvestment Act projects; and requires state agencies and local governing authorities using federal funds for the procurement of any good or service, including exempt personal and professional services, to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - Subpart D - Post Federal Award Requirements Procurement Standards in federal regulations.

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\* On May 13, 2024, the Governor returned HB 1707 to the House with a partial veto message in which he said that he is vetoing the same six projects that he previously vetoed in 2023. Section 1 of HB 1707 amended Section 28 of Chapter 549, Laws of 2023 (HB 603, 2023 Regular Session), to clarify and correct the names and purposes of certain projects funded with disbursements from the 2023 Local Improvements Projects Fund in HB 603. On April 21, 2023, the Governor returned HB 603 to the House with a partial veto message in which he said that he was vetoing six of the projects in Section 28. The House did not attempt to override the Governor's vetoes or challenge the Governor's actions on HB 603.

When amending a code section or section of law, the entire section must be included in the bill, even if only a portion of the section is being changed. So, Section 1 of HB 1707 includes all of the language in Section 28 of HB 603, including the six projects vetoed by the Governor. However, HB 1707 did not purport to reauthorize the vetoed projects in Section 28 of HB 603, but only to clarify and correct the names and purposes of other projects in that section. Nevertheless, the Governor

vetoed the same six projects that he vetoed in HB 603 last year, saying that while he believes that the clarifying and correcting of names for certain projects in HB 1707 does not reauthorize those projects, he is vetoing the projects again to avoid any legal ambiguity.

**BUSINESS AND FINANCIAL INSTITUTIONS**

**SB 2382.** Effective 7/1/24. Signed 4/15/24.

SB 2382 allows pawnbrokers to pass third-party credit and debit processing charges to customers. Pawnbrokers must provide clear notice at the point of entry and the point of sale, to notify all customers that a processing fee will be charged to debit or credit card transactions.

**SB 2532.** Effective upon passage. Signed 4/15/24.

SB 2532 clarifies that municipalities and counties may issue any bond as a serial bond payable annually or as a single-term bond payable annually. Single-term bonds paid annually shall not have a final maturity over 20 years.

**SB 2543.** Effective 7/1/24. Signed 4/18/24.

SB 2543 creates a cap adjustment based on a loan amount using the United States Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U). Instead of the interest and charges as provided in Section 75-17-21, on a loan of \$5,100 or less, a licensee may contract and charge a monthly finance charge not to exceed an annual percentage rate, calculated according to the actuarial method, of 59% per annum on the unpaid balance of the amount financed. Beginning with calendar year 2024 and for each subsequent calendar year, on or before July 1 of the following year, the Mississippi Department of Banking and Consumer Finance will issue a memo authorizing a new maximum loan size. The new amount will be calculated by applying any increase or decrease in the United States Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) for the previous calendar year to the previous maximum loan size and rounding that amount upward to the nearest \$10.00 increment.

**SB 2545.** Effective 7/1/24. Signed 4/15/24.

SB 2545 clarifies the definition of monetary donation regarding the regulation of charitable solicitations. Monetary donation means cash or cash equivalents.

**SB 2762.** Effective 7/1/24. Signed 4/19/24.

SB 2762 establishes a maximum amount of retainage and the time for release of said retainage for the performance of public works construction contracts. Retainage is defined as the money or other securities as agreed to by the parties of a construction contract, earned by the contractor, subcontractor or lower-tier sub-subcontractor or supplier, for work properly performed or materials suitably stored if payment for stored materials is provided in the contract, which has been retained by the owner conditioned on final completion and acceptance of all work in connection with a project or projects by the contractor, subcontractor, or sub-subcontractor or supplier.

No more than 5% of the estimated amount of work properly done and the value of materials stored on the site or suitably stored and insured off-site may be retained. The owner shall release and pay retainage to the contractor for work completed on any construction contract no later than 60 days after the final completion of the contractor's work provided all necessary certificates of occupancy have been issued. After the contractor has completed 50% of the work in substantial compliance with the contract requirements and remains in substantial compliance, no further retainage may be withheld. If an owner withholds an amount greater than the allowed 5%, the owner shall be liable to the contractor for interest accruing on the excess amount withheld at the rate of 1% per month. This bill does not limit or alter the paying party's right to

withhold or not approve payments for work not properly performed or payment not earned.

The party to which payment is contractually owed may file a civil action to claim the amount owed and the interest as provided by this bill. The prevailing party shall also be entitled to recover reasonable attorneys' fees, court costs and reasonable expenses from the other party.

**SB 2788.** Effective 7/1/24. Signed 4/17/24.

SB 2788 revives the Home Inspector Regulatory Board and provides that the powers and duties of the Mississippi Real Estate Commission, in regard to home inspection, shall be transferred to the Mississippi Real Estate Appraisal Board. The Home Inspector Regulatory Board shall serve as an adjunct board to the Mississippi Real Estate Appraisal Board and shall consist of five members appointed by the Governor, with the advice and consent of the Senate. The board shall consist of at least one representative from each of the congressional districts and one from the state at large. All board members must be licensed home inspectors. Membership to the board shall begin with staggered terms, and thereafter members shall be appointed to serve for four-year terms. The Home Inspector Regulatory Board shall advise the Mississippi Real Estate Appraisal Board on all matters related to home inspection.

**HB 845.** Effective 7/1/24. Signed 4/20/24.

HB 845 amends Section 79-11-507 to clarify that a charitable organization's annual financial statement filed with the Secretary of State must be accompanied by forms required to be filed with the Internal Revenue Service for the organization's most recent fiscal year end.

**HB 1021.** Effective 7/1/24. Signed 4/20/24.

HB 1021 authorizes the Commissioner of Banking and Consumer Finance to establish by rule, regulation or order, a process to allow certain purchased and/or pledged goods of pawnbrokers to be stored off premises, at a secure, nonresidential location.

**HB 1092.** Effective 7/1/24. Signed 4/25/24.

HB 1092 amends Section 63-7-62 to establish standards regarding the installation of automobile airbags and supplemental restraint systems. It provides that a person may not knowingly or intentionally:

- Manufacture, import, distribute, offer for sale, sell or lease or otherwise transfer, or install or reinstall into a motor vehicle a counterfeit automobile supplemental restraint system component, a nonfunctional airbag or an object that replaces an automobile supplemental restraint system component which does not comply with Standard No. 208, 49 CFR 571.208, for the make, model and year of the motor vehicle; or

- Install or reinstall as part of an automobile supplemental restraint system any object, component, part or device that causes a motor vehicle's diagnostic system to fail to warn the motor vehicle operator that an airbag is not installed or that a counterfeit automobile supplemental restraint system component or nonfunctional airbag is installed in the motor vehicle. For the purposes of this provision, the time when an installation of a counterfeit automobile supplemental restraint system component, a nonfunctional airbag or an object that replaces an automobile supplemental restraint system component which does not comply with Standard No. 208, 49 CFR 571.208, for the make, model and year of the motor vehicle occurs is when the installation work is complete and the earlier of these two conditions occurs:



- ▶ The motor vehicle is returned to the operator; or
- ▶ The title to the motor vehicle is transferred.

Any person who knowingly manufactures, imports, distributes, offers for sale, sells or leases or otherwise transfers, or installs or reinstalls any object in lieu of an airbag or automobile supplemental restraint system designed in accordance with federal safety regulations for the make, model and year of vehicle, as a part of a vehicle inflatable restraint system, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than one year, or both.

The bill provides that in the event that a franchised motor vehicle dealer, as defined in Section 63-17-55, or its owners, did not know and should not have reasonably known, that a counterfeit automobile supplemental restraint system component, nonfunctional airbag or other component device has been imported, manufactured, sold, offered for sale, installed or reinstalled in lieu of a supplemental restraint system component at the franchised motor vehicle dealer's place of business or elsewhere, knowledge by any other person will not be imputed to the franchised motor vehicle dealer or its owners, and the franchised motor vehicle dealer or its owners will not have any criminal liability under Section 63-7-62.

The bill defines the following terms:

- "Airbag" means an inflatable restraint device for occupants of motor vehicles, which is part of an automobile supplemental restraint system.

- "Automobile supplemental restraint system" means a passive inflatable crash protection system that a vehicle manufacturer designs to protect automobile occupants in conjunction with a seat belt assembly, as defined in 49 CFR

571.209, and which has one or more airbags and all components required to ensure that each airbag:

- ▶ Operates as designed in a crash; and
- ▶ Meets federal motor vehicle safety standards for the specific make, model and year of manufacture of the vehicle in which the airbag is installed.

- "Counterfeit automobile supplemental restraint system component" means a replacement component, including an airbag, that without the authorization of a manufacturer, or a person who supplies parts to the manufacturer, displays a trademark that is identical or substantially similar to the manufacturer's or supplier's genuine trademark.

- "Nonfunctional airbag" means a replacement airbag that:
  - ▶ Was previously deployed or damaged;
  - ▶ Has a fault that a motor vehicle's diagnostic systems detect once the airbag is installed;
  - ▶ May not be sold or leased under 49 USC 30120(j); or
  - ▶ Includes a counterfeit automobile supplemental restraint system component or other part or object that is installed for the purpose of misleading a motor vehicle owner or operator into believing that a functional airbag is installed."Nonfunctional airbag" does not include a salvaged airbag, or an airbag that is installed in a motor vehicle that has been declared a total loss or is otherwise a totaled vehicle, or for which the owner was issued a salvage title certificate or a similar title from another state.

- "Salvaged airbag" means an original equipment manufacturer nondeployed airbag that has been removed from a motor vehicle for use in another motor vehicle.

**HB 1105.** Effective 7/1/24. Signed 4/20/24.

HB 1105 amends Section 79-29-109 to remove the prohibition on using the words "partnership" and "limited partnership" when providing a name for a limited liability company as set forth in its certificate of formation.

**HB 1271.** Effective on passage. Signed 4/23/24.

HB 1271 revises the application of a property condition disclosure statement by revising the liability for real estate transactions. It provides that the Mississippi Real Estate Commission shall not promulgate nor enforce any rule or regulation, nor make any administrative or other interpretation, whereby any real estate licensee may be required to include in any agreement or otherwise be required to agree to any requirement regarding unilateral termination by a buyer-agency agreement. It also revises the ability to discipline a real estate licensee for failure to comply with property condition disclosure statements as required in Sections 89-1-501 through 89-1-523.

**HB 1344.** Effective 7/1/24. Signed 4/29/24.

HB 1344 requires domestic and foreign nonprofit corporations to file an annual report with the Secretary of State providing certain specified information as follows:

- Each nonprofit corporation, as defined in Section 79-11-127(z), must file an annual report with the Secretary of State Business Services Division before May 15th of each year on a form prescribed by the Secretary of State.

- Each domestic nonprofit corporation and each foreign nonprofit corporation authorized to transact business in this state must deliver an annual report to the Secretary of State for filing, on such date as may be established by the Secretary of State, which provides the following information:

▶ The name of the nonprofit corporation and the state or country or other foreign jurisdiction under whose law it is organized;

▶ The name, email address and street or physical address of its registered agent in this state;

▶ The address of its principal office;

▶ The name, titles and business address of its principal officer;

▶ A brief description of the nature of its business;  
and

▶ Whether it has received public funds and a listing of any governmental entity that distributed the public funds. The term "public funds" means funds received by the organization during its most recently completed fiscal year which were received from the State of Mississippi or any local governmental authority located within the State of Mississippi.

- Information in the annual report must be current as of the date the annual report is executed on behalf of the nonprofit corporation.

- If an annual report does not contain the required information, the Secretary of State will provide written notice promptly to the reporting nonprofit corporation and return the report for correction. If the report is corrected to contain the required information and delivered to the Secretary of State within 30 days after the effective date of notice, the report is deemed to be timely filed.

- If the nonprofit corporation fails to file timely or fails to disclose the required information, the corporation may be subject to the penalties of dissolution or disallowance of nonprofit status, or both.

These requirements do not apply to water associations as defined in Section 79-11-394.

The bill also provides that there will be no fee charged for the filing of an annual report.

**HB 1408.** Effective 7/1/24. Signed 5/8/24.

HB 1408 amends Section 75-24-305 to revise the definition of the term "roof system" under the Insurance Benefits Roofing Repair Consumer Protection Act. The bill amends Section 75-24-307 to prohibit a residential roofing contractor from requiring payment until the expiration of the cancellation period, and prohibits a residential roofing contractor from representing a property owner on insurance claims and from receiving payment from an attorney for claim referrals. The bill prescribes requirements for a post-loss assignment by the insured to a residential roofing contractor. HB 1408 also requires a residential roofing contractor to comply with all applicable building codes when replacing, repairing, constructing or reconstructing a roof system. The bill provides that, pursuant to the terms of the insured's contract, nothing in Section 75-24-307 shall be construed to prohibit a residential roofing contractor from providing the insured an estimate for repair, replacement, construction or reconstruction of the insured's property, and any such estimate may be submitted to the insured's insurance company; conferring with an insurance company's representative about damage to the insured's property; or discussing repair or replacement options with an insurance company's representative or the insured about options for the repair or replacement of the damage. Section 75-24-311 is amended to conform.

**HB 1577.** Effective on passage. Signed 4/25/24.

HB 1577 harmonizes bidding terms for public deposits between counties and municipalities.

The bill also repeals Section 27-105-363, which allows for counties and municipalities to follow an identical process for selecting public depositories.

**HB 1675.** Effective 7/1/24. Signed 4/20/24.

HB 1675 defines the term "farm credit system cooperative associations" under the provisions of the Uniform Disposition of Unclaimed Property Act as a farmer-owned cooperative system established under the authority of the Farm Credit Act of 1971, for the purpose of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes, and which are chartered by and subject to the regulatory control of the Farm Credit Administration. The term includes:

- Farm credit banks;
- The bank for cooperatives;
- Agricultural credit banks;
- Federal land bank associations;
- Federal land credit associations;
- Production credit associations;
- Agricultural credit associations;
- The federal Farm Credit Banks Funding Corporation;
- The Federal Agricultural Mortgage Corporation;

- Service corporations established pursuant to Section 12 USCS Section 2211;

- Such other institutions as may be made a part of the Farm Credit System.

The bill further exempts farm credit system cooperative associations from the requirements to dispose of stock or other intangible ownership interests, dividends, distributions or property presumed to be abandoned by an owner after the specified five-year period in the manner prescribed by law.

Lastly, the bill allows farm credit system cooperative associations to retain the unclaimed funds which are used for the benefit of the general membership of the association.

## CORRECTIONS

**SB 2445.** Effective 7/1/24. Signed 4/30/24.

SB 2445 makes technical revisions to post-conviction programs administered by the Mississippi Department of Corrections.

- The bill extends the date of repeal on the Mississippi Correctional Facility Pilot Work Release Program to July 1, 2027.
- The bill includes Hinds County in the list of counties authorized to participate in the Pilot Work Release Program.
- The bill revises the percentages of the distribution of wages earned by inmates in the Work Release Program:
  - The inmate is allowed to keep 50% in savings accounts, 25% is applied to fees-fines-restitution payments, the county can use 15% for operational expenses and the inmate is allowed to use 10% for incidental-commissary expenses. These same percentages are revised for MDOC/MPIC operated work release programs.
  - The Mississippi Prison Industries Corporation is required to operate a work initiative at Central Mississippi Correctional Facility, South Mississippi Correctional Institution, Mississippi State Penitentiary and the Mississippi Correctional Institute for Women. The MPIC Corporation or the sheriff of the county or other private-operated facilities is authorized to create a work initiative in their discretion, consistent with the legal standards of the program.
  - The department with regard to a work initiative in an MDOC facility, and the sheriff with regard to a work initiative at a regional facility shall have the ultimate authority for oversight of the administration of the work initiative, and



shall work with the department and the corporation to establish guidelines and develop an annual report to the Legislature.

- The repealer on the Mississippi Prison Industries Act of 1990 is extended to July 1, 2024.

- The PEER Committee is directed to conduct an annual review of the work initiative.

- The Mississippi Prison Industries Program administration is clarified to include all inmates under the jurisdiction of the Mississippi Department of Corrections incarcerated at any state, regional or private correctional facilities.

- The Director of the State Office of Workforce Development is designated as a member of the Prison Industries Corporation.

**SB 2448.** Effective 7/1/24. Signed 4/30/24.

SB 2448 extends the automatic repealer on the Mississippi Earned Parole Eligibility Act of 2021 to July 1, 2027.

**HB 757.** Effective 7/1/24. Signed 4/30/24.

HB 757 extends the date of repeal from July 1, 2024, to July 1, 2027, on Sections 47-5-901 through 47-5-909, which authorizes the Department of Corrections to house state offenders in county jails under certain conditions.

**HB 844.** Effective 7/1/24. Signed 4/30/24.

HB 844 amends Section 47-7-17 to require the State Parole Board to solicit written or oral recommendations from certain individuals, within 30 days before the scheduled hearing of any offender who has been convicted of a crime of violence, as defined under Section 97-3-2, or has been convicted as a sex, habitual or capital offender or has been convicted of murder, human or drug trafficking or offenses that specifically prohibit parole release. The parole board is required to solicit the

recommendations concerning the potential parole of violent offenders from the following individuals:

- The Attorney General;
- The attorney who prosecuted the case;
- The judge who presided over the case;
- The chief of police of the municipality where the offender was convicted; and
- The sheriff of the county where the offender was convicted.

The bill also requires the parole board, within 30 days before the scheduled parole hearing of a violent offender, to provide written or electronic notice of the filing of the application for parole to the following individuals:

- The attorney who prosecuted the case;
- The judge who presided over the case;
- The chief of police of the municipality where the offender was convicted; and
- The sheriff of the county where the offender was convicted.

Finally, the bill provides that if the attorney who prosecuted the case or the judge who presided over the case is not living or serving, the required solicitation for recommendations and the required notice of the filing of the application for parole shall be provided to the district attorney and one of the judges of the court in which the offender was convicted.

**COUNTY AFFAIRS**

**SB 2697.** Effective 7/1/24. Signed 4/8/24.

SB 2697 amends Section 27-31-1, Mississippi Code of 1972. Section 27-31-1 is a list of types of property that are exempt from taxation. This bill adds one clarifying phrase, which stipulates that for taxation purposes, property used exclusively and directly for educational and outreach purposes and is not leased or otherwise used to generate revenue shall be treated as belonging to the foundation using it.

## DRUG POLICY

**HB 1685.** Effective 7/1/24. Signed 4/20/24.

HB 1685 adds the following seven substances to the Schedule I controlled substances list because these drugs have no legitimate medical use and have a high potency with great potential to cause harm:

- Brorphine;
- Metonitazene;
- Zipeprol;
- Eutylone;
- Amineptine;
- Mesocarb;
- Methiopropamine.

The bill further adds daridorexant and zuranolone as Schedule IV controlled substances because these drugs have 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.

The bill also removes fenfluramine as a Schedule IV controlled substance, and adds ganaxolone as a Schedule V controlled substance.

**ECONOMIC AND WORKFORCE DEVELOPMENT**

**SB 2572.** Effective 7/1/24. Signed 4/17/24.

SB 2572 amends Section 37-153-7 to allow proxy participation in meetings of the state Workforce Investment Board by allowing certain state officials to appoint designees in order to meet a quorum. Those state officials are as follows: the Executive Director of the Mississippi Department of Employment Security; the Executive Director of the Department of Rehabilitation Services; the State Superintendent of Public Education; the Executive Director of the Mississippi Development Authority; the Executive Director of the Mississippi Community College Board; the President of the Community College Association; and the Commissioner of the Institutions of Higher Learning.

**SB 2717.** Effective on passage. Signed 5/8/24.

SB 2717 amends several code sections to remove the position of Deputy Commissioner for Workforce Development from the Department of Corrections. The bill amends Section 46-5-26 to remove the requirement that there be a Deputy Commissioner for Workforce Development who serves as the Chief Executive Officer of Prison Industries and Director of Prison Agricultural Enterprises. Further, the bill amends Section 47-5-541 to replace the Executive Director of AccelerateMS with the Executive Director of the Office of Workforce Development, to require the Chief Executive Officer of the corporation to implement workforce development programs within the corrections system, and to describe the duties of the Chief Executive Officer of the corporation. The duties of the Chief Executive Officer include taking inventory and measuring the effectiveness of current workforce development programs, partnering with

educational institutions to provide opportunities in workforce development programs, providing information to offenders on workforce development programs available within the corrections system, working within the industry to identify barriers which inhibit offender reentry and employment, evaluating the responsiveness of the corrections system and other support entities to the needs of the industry, developing short- and long-term goals for the state related to workforce development and reentry offender employment, and performing a comprehensive review of workforce development in the corrections system, including the amount expended on programs supported by state or federal money and their outcomes. Finally, the bill amends Section 47-5-577 to extend the date of repeal for Sections 47-5-531 through 47-5-575 from July 1, 2024, to July 1, 2027.

**HB 770.** Effective 7/1/24. Signed 5/8/24.

HB 770 amends Sections 37-153-7 and 27-104-7 to extend the expiration date on the exemption for the Office of Workforce Development from the requirements of the Public Procurement Review Board which relate to rental agreements and the leasing of real property for purposes of conducting agency business.

**HB 1567.** Effective 7/1/24. Signed 5/8/24.

HB 1567 amends Section 37-73-3 to modify the directive of the Office of Workforce Development from piloting a career coaching program in middle schools and high schools to implementing such program for the long term.

The bill amends Section 37-153-209 to revise the qualification of the Mississippi Allied Health College and Career Navigator to provide that the Office of Workforce Development shall promulgate rules and regulations on the eligibility requirements of the navigators.

The bill creates new Section 37-153-223 to create the Individual Training Account Workforce Reinforcement Assistance (ITA-WRAP) Program, which shall be directed by the Office of Workforce Development for the purpose of providing education and training to citizens seeking employment in high-wage, high-demand industries with documented workforce shortages prioritized by the office. The Department of Employment Security shall serve as fiscal agent in administering the funds.

The bill also creates a new section of law to authorize the Executive Director of the Mississippi Department of Rehabilitation Services to grant a paid internship to students pursuing junior or senior undergraduate-level year coursework toward a bachelor's degree in a program that qualifies the individual to become a rehabilitation specialist or a benefit program specialist within the Mississippi Department of Rehabilitation Services. The section provides that the funds may be used for tuition, books and related fees. It also provides the requirements to be eligible and remain eligible for the internship and the terms of the internship. Before being placed in the program, each applicant shall enter into a contract with the Mississippi Department of Rehabilitation Services, which shall be deemed a contract with the State of Mississippi, agreeing to the terms and conditions upon which the internship shall be granted to him or her. The form of such contract shall be prepared and approved by the Attorney General of this state, and shall be signed by the Executive Director of the Mississippi Department of Rehabilitation Services and the participant. Once the participant is in the program, he or she will be an employee of the Mississippi Department of Rehabilitation Services and shall be eligible for medical insurance paid for by the agency, but not be admitted into the Public Employees' Retirement System and shall not accrue medical

or personal leave. Any recipient who is accepted into the program by the Mississippi Department of Rehabilitation Services and who fails to complete undergraduate level coursework toward an approved degree, or withdraws from school at any time before completing his or her education, shall be liable to repay the Mississippi Department of Rehabilitation Services for all monies received during the time the recipient was in the program.

The bill also creates the Paramedics Recruitment and Retention Scholarship Program. It provides that the program shall be used by the Office of Workforce Development, with the Mississippi Department of Employment Security acting as the fiscal agent, for the purpose of providing funding for grants to cover the full cost of tuition, fees, books and any required uniforms for qualified applicants to attend an accredited paramedic program and to reimburse the cost of a qualified applicant's fee for the successful completion of the National Registry Paramedic Cognitive and Psychomotor Examinations. It also provides how an applicant may qualify for a grant and that the recipient of a grant shall commit to serving as a paramedic for three continuous years in the state. It provides the reporting requirements and authorizes the Office of Workforce Development to enter into MOAs with local school districts for the purpose of allowing certain high school students to enroll in accredited paramedic training programs through dual-credit or dual-enrollment, but those students cannot take the certification exam until they attain 18 years of age.



## EDUCATION

**SB 2232.** Effective 7/1/24. Signed 5/8/24.

SB 2232 amends Section 37-7-203 to authorize the Newton Municipal School District to elect its school board members beginning with the November 2024 election. The bill provides certain procedures by which the members may be elected, including requiring the municipal governing authority to apportion the district into five special trustee election districts. The bill provides that on the first Tuesday after the first Monday in November 2024, an election shall be held in the municipal separate school district for local school board members in the same manner and at the same time as the presidential election is held and conducted. It also sets the next election for November 2027 and every four years thereafter to ensure the local school board election is held at the same time and in the same manner as the statewide election cycle.

**SB 2246.** Effective 7/1/24. Signed 4/15/24.

SB 2246 amends Section 37-151-81 to make a technical amendment to the provisions that establish the preschool reporting requirement for special education students to ensure the reporting of all ages of preschool children.

**SB 2339.** Effective 7/1/24. Signed 4/15/24.

SB 2339 amends Section 37-16-7 to direct the State Board of Education to develop a curriculum related to the study of sign language. The developed class will count as an academic credit for foreign languages for the purposes of high school graduation.

**SB 2349.** Effective 7/1/24. Signed 4/19/24.

SB 2349 provides that beginning in the 2024-2025 school year, each school board and charter school will support, adopt and implement a cardiac emergency response plan (CERP) that addresses the appropriate use of school personnel to respond to incidents involving an individual experiencing a sudden cardiac arrest or a life-threatening emergency while on school grounds or at an athletic event. The bill requires school officials to work directly with local emergency service providers to integrate the CERP into the community's EMS responder protocols.

The bill also authorizes a school board to accept gifts and donations for the purchase of an AED that meets the standards established by the U.S. Food and Drug Administration.

The bill amends Section 73-25-37 to provide immunity to a school district, school district employee or agent acting in good faith who provides assistance or services under this act from civil prosecution and liability in any action for civil damages in his or her individual, marital, governmental, corporate or other capacity as a result of the services provided in the act. The bill also amends Section 41-60-33 to exempt all public schools and charter schools from certain requirements for the administration of AEDs.

**SB 2556.** Effective 7/1/24. Signed 4/17/24.

SB 2556 amends Section 37-21-51 to require the Department of Education to provide certain data metrics relating to achievement and non-achievement effects of the Early Learning Collaborative Act of 2013 to better measure program outcomes in future evaluations. The short-term and long-term effects measured by the department shall include, at a minimum, the following:

- Kindergarten readiness;

- English Language arts proficiency in grades 3 through 8;
- Math proficiency in grades 3 through 8;
- Science proficiency in grades 5 and 8;
- Disciplinary incidents;
- Chronic absenteeism;
- On-time graduation rate;
- College enrollment;
- Grade retention; and
- Special education services/exits.

**SB 2681.** Effective 7/1/24. Law without Governor's Signature, 4/22/24.

SB 2681 amends Section 37-173-1 to expand the Dyslexia Therapy Scholarship for Students with Dyslexia Program by making Certified Academic Language Therapists (CALT) eligible to be employed by school districts to provide dyslexia services. The bill sets the education, training and experience requirements needed for an individual to be certified as a CALT. The bill also provides that for reciprocity by providing that if an individual meets the new requirements set by the act and is otherwise licensed by his or her state's respective department or agency that licenses such occupations, then the Department of Education shall issue the individual a license through reciprocity.

**SB 2695.** Effective 7/1/24. Signed 5/10/24.

SB 2695 amends Sections 37-25-3 to provide that beginning with the 2026-2027 school year, the school board of any school district maintaining a secondary school shall establish and maintain a driver education and training program for pupils enrolled in the day secondary schools in the district.

The bill amends Section 37-25-5 to provide on or before July 1, 2025, the State Superintendent of Public Education and the Commissioner of Public Safety shall jointly prepare and recommend to the State Board of Education, and the board shall adopt rules and regulations governing the establishment, conduct and scope of driver education and training programs in secondary schools of the state. The program must include both classroom instruction and behind-the-wheel instruction, and a program of study for distracted driving, alcohol, drug and safety education as it pertains to driver and highway safety. The bill also provides that on or before July 1, 2025, the State Superintendent of Education and the Commissioner of Public Safety shall jointly prepare an estimated budget and fiscal report of the additional expenses and costs related to the implementation of mandatory driver education programs and present the same to the Legislature.

The bill amends Section 37-25-7 to revise certain technical provisions and to provide that any driver education student shall not be required to possess a learner's permit or driver's license while the student is under the direct supervision of a driver education instructor and is actually enrolled in an approved course of driver education.

The bill amends Section 63-1-9 to provide procedures and additional measures by which learner's permits may be issued. It also requires the Department of Public Safety, beginning July 1, 2026, to establish a driver education and training program to be taught throughout the state and made available for home school students and adults who have not otherwise taken a driver's education course.

Senate Bill 2695 also creates two new code sections. Section 37-25-8 provides that upon satisfactory completion of the State Driver Education and Training Program, a driver's

education student shall be issued a Certificate of Completion, and a copy of the certificate shall be delivered by the school to the Driver Service Bureau of the Department of Public Safety. Section 37-25-14 requires the Department of Public Safety to report to the Department of Education annual statistics regarding crash and fatality data for the State of Mississippi and nationally, including, but not limited to, statistics involving teenage drivers.

**HB 346.** Effective 7/1/24. Signed 5/13/24.

HB 346 requires each public school district, beginning on July 1, 2025, to have at least one employee or vendor at each school who has met the training requirements necessary to administer seizure rescue medication for persons experiencing seizure disorder symptoms. In addition, the bill provides the following:

- Requires training for such employee or vendor to be consistent with guidelines developed by the United States Food and Drug Administration and any successor agency.

- Requires the parents, legal guardians or other responsible adult of children who experience seizure disorder symptoms to provide written authorization to the school for the administration of the medication at school, along with a written statement from the child's health care practitioner.

- Requires the parent, guardian or adult to collaborate with school personnel to create a seizure action plan. "Seizure action plan" is defined as a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student or employee diagnosed with a seizure disorder.

- Requires that the written statement and the child's seizure action plan be kept on file in the office of the school nurse or school administrator.

- Exempts from civil and criminal liability school districts and employees acting in good faith and in substantial compliance with a student's individual health plan that provide assistance or services to students with epilepsy or seizure disorders.

**HB 765.** Effective 7/1/24. Signed 5/10/24.

HB 765 reenacts Sections 37-159-1, 37-159-3, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 and 37-159-17, which are the provisions creating and provide for the administration of the "Mississippi Critical Teacher Shortage Act of 1998."

Section 37-159-19 is reenacted and amended to extend the date or repeal until July 1, 2027.

The bill amends Section 37-106-36, which establishes the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program," to make certain technical revisions including:

- Eligibility requirements were expanded to include individuals who have obtained or a nontraditional five-year alternate route license, while excluding those persons with provisional emergency licenses; and those individuals with outstanding graduate educational loans.

- Allowing initial recipients to remain eligible for two additional award periods, subject to the availability of funds.

- Priority consideration for loans funds given to second and third year recipients who remain eligible and reapply for the loan program. The Postsecondary Financial Assistance Board is required to develop rules to ensure the program's expenses in a fiscal year do not exceed the funding for the program in that fiscal year, while having the discretion to limit the acceptance of applications and limit total number of awards issued.

- Additionally, the board is required to now track award recipients through the fourth year after initially receiving an award, instead of their first teaching year.

- Recipients who fail to maintain a standard or nontraditional license or fail to fulfill the one-year teaching contract shall forfeit any right to the award.

The bill creates new Section 25-11-126, to allow retired school teachers who possessed at least 30 years of creditable service at the time of their retirement, have been retired at least 90 days, are currently receiving a retirement allowance and continue to hold a standard MS teaching license, as well as those teachers who retired with 25 years of creditable services as of July 1, 2024, to return to employment for a total of five consecutive or intermittent years, in a school district designated by the State Department of Education as having critical shortages and/or critical subject-area shortages after retirement. It also allows the teacher the option to continue receiving the retirement benefit in addition to receiving the base compensation authorized for returning retired teachers established under Section 37-19-7, along with the local contribution of the school district in which the retiree is employed, at the discretion of the school district.

Each school district hiring retired teachers is required to make a direct payment of a pension liability participation assessment to PERS, which along with the retired teacher's salary for returning to work, shall be determined by using an allocation up to 125% of the amount provided under the salary schedule in Section 37-19-7 that is comparable to the teacher's total years of service and license endorsement at the time of retirement, and once the teacher's rate of compensation is determined, no more than 50% of which would be paid by the

school district to the retiree and the remaining 50% would be paid to PERS.

While working under the authority of the bill, the retiree will continue receiving his or her retirement allowance and be a contributing member of the system without accruing additional retirement benefits for five years of participation. Additionally, if any reemployed retiree works in a school district for any portion of a scholastic year less than a full contractual term of traditional teachers, the time worked by the retired teacher shall constitute one of the five allowable years of post-retirement teaching eligibility.

School districts may employ retired teachers based on criteria established by the State Department of Education for critical teacher shortage areas and critical subject-matter areas, provided that the person considered for reemployment meets certain prescribed conditions such as the following: possession of adequate licensure and endorsement in the applicable subject area, certification by the local superintendent that the teacher possesses the requisite experience; training and expertise relevant to the position to be filled, no preexisting arrangement of employment; and possessed a satisfactory performance review before retirement and is hired to teach in a critical subject-matter area or in a critical teacher shortage area only.

Each school district is required to create a policy related to the hiring of retired teachers and including, but not limited to, the hiring of full- and part-time retired teacher employees.

The bill amends Section 37-19-7, to allow the teacher pay scale to determine the rate of compensation for retired teachers returning to work in a school district designated as a critical subject-matter area or in a critical teacher shortage area by allowing the school district to allocate up to 125% of the



amount provided under the salary schedule for such teachers, no more than 50% of which would be paid by the school district to the retiree and the remaining 50% would be paid to PERS as a pension liability participation assessment.

Retired teachers who have received national board certification would be eligible for the annual \$6,000 salary supplement available to permanent full-time national board certified teachers.

Sections 25-11-123 and 25-11-127, which are provisions relating to PERS are amended in conformity to the changes affecting retired school teachers returning to employment.

Lastly, the bill amends Section 37-41-27 to authorize school boards to allow motor vehicles other than school buses to be used to transport small groups of students, fewer than 16 in total, for school-related activities, and which do not require a commercial driver's license with passenger endorsement.

**HB 1194.** Effective 7/1/24. Signed 4/20/24.

HB 1194 amends Section 37-15-6 to authorize the State Department of Education to report aggregate data concerning public school expulsions which does not disclose students' personally identifiable information, for use by other public or private schools upon their request and only when a student seeks enrollment or admission to that school.

**HB 1229.** Effective 7/1/24. Signed 5/13/24.

HB 1229 amends Sections 37-181-5, 37-181-7, 37-181-9, 37-181-13, 37-181-15 and 37-181-17, reenacts Sections 37-181-1, 37-181-3, 37-181-11, 37-181-19 and 37-181-21, and reenacts and amends Section 37-181-23, which are provisions which created "The Equal Opportunity for Students with Special Needs Act," to extend the date of repeal to July 1, 2028.

The amendments to the program include adding the term "guardian" of a child with a disability deemed eligible for participation in the program for the purpose of that person being considered the responsible party for making education decisions for instruction and services for a participating student and being eligible for the reimbursement of cost for eligible expenses under the program.

Additionally, the bill requires the parent or guardian of an eligible student to certify to the State Department of Education that the student has been accepted into an eligible school qualified to provide services for the participating student's disability or special education needs, or provide services addressing a participating student's IEP. Eligible schools participating in the program are also required to provide this certification to the department, evidencing ability to provide the necessary services before the ESA is reimbursed to an eligible student. Failure of a school to comply with the certification requirement places the school at risk of losing eligibility status as a participating school. Also, eligible schools must report participating students' performance on Advance Placement examinations and any examinations related to college or university admission, as well as high school graduation rates and, if known, college acceptance rates. The waitlist will only include those students for whom such certification has been provided to the department.

**HB 1341.** Effective 7/1/24. Signed 4/20/24.

HB 1341 amends Section 37-15-29 to differentiate the ability of certain active Armed Forces Service members and certain civilian military personnel to enroll their children in the school district of their choice. Originally these individuals were required to reside on a military base in order

to enroll their children in any school in the school district or an adjacent district. The amendment removes the on-base residency requirement for active members of the United States Armed Forces, while leaving the requirement in place for civilian military personnel, to attend any school campus and school district of the parent's or legal guardian's choice.

Under this transfer authority, a student is allowed only one transfer during an academic year, school districts are not required to provide transportation to a student who enrolls or transfers to another school district or school campus within the current district of chosen attendance, and once admitted, that student is not required to reapply for admission for continued enrollment in subsequent years, unless expelled.

If the school district lacks the capacity to accommodate a request for enrollment for transfer and is unable to accept the student into the district or a specific school campus, the school board shall deny the request and spread the denial upon its minutes.

**HB 1450.** Effective 7/1/24. Signed 5/13/24.

HB 1450 establishes the Interstate Teacher Mobility Compact to authorize the State of Mississippi's entrance with other member states for the purpose of facilitating mobility of teachers who are spouses of service members of the United States Armed Forces. The Compact establishes a collective regulatory framework that expedites and enhances the ability of teachers to move across state lines and enter into their chosen professional discipline as educators based on reciprocity granted to those who are licensed and in good standing within the member states to the compact from which they relocate.

**HB 1669.** Effective 7/1/24. Signed 4/20/24.

HB 1669 amends Section 37-21-3 to revise the educational qualifications of assistant teachers employed in public schools to allow for the employment of those individuals who possess a high school diploma/GED and a Child Development Associate credential, a Montessori certification or an equivalent certification.

**HB 1696.** Effective 7/1/24. Signed 4/25/24.

HB 1696 amends Section 37-17-6 to revise the process by which school districts that have been deemed as failing to meet minimum academic standards or districts suffering impairments related to a lack of financial resources so they may be placed into a District of Transformation.

If during each of two consecutive school years or during two of three consecutive school years, the school district receives an "F" accountability rating; during each of four consecutive school years the school district receives a "D" or "F" accountability rating; more than 50% of the schools within a school district are designated as Schools-At-Risk in any one year, then the school district is subject to placement in a District of Transformation, subject to the ability and capacity of the State Department of Education to administer the operation of.

School districts or schools eligible to be placed into a District of Transformation, but not be absorbed due to the capacity of the State Board of Education, are required to develop and implement a district improvement plan with prescriptive guidance and support from MDE. Failure of the local school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided will result in the school district's

continuing eligibility status for placement into a District of Transformation.

If a school district is placed into a District of Transformation for financial reasons, due to a serious lack of financial resources, the school district shall be required to reimburse the state for any costs incurred by the state on school district's behalf.

The bill creates Section 37-17-6.1, to provide for the administrative transition of the two local school districts within the Mississippi Achievement School District into two separate Districts of Transformation to be completed by July 1, 2025. This section further prohibits any other schools being placed into the MASD after July 1, 2024, and provides for the automatic dissolution of the MASD effective on July 1, 2025.

The bill amends Section 37-17-13 to provide that a local school board that is abolished as a result of a state emergency being declared by the district by the Governor upon the recommendation of the State Board of Education, shall have the interim superintendent continue to serve alongside the school board upon the district being returned to local control after an election of new board members for the first two years. After the first year of being returned to local control, the new school board is required to appoint a new district superintendent, who will serve as deputy superintendent to the interim superintendent for the remainder of his/her final year in the district. The last amendment to this section prohibits a person who was a board member at the time a school district was placed into a District of Transformation from being eligible to serve on the new school board or as superintendent of the reconstituted school district.

Lastly, the bill repeals Section 37-17-17, which established for the Mississippi Achievement School District, effective on July 1, 2025.

**HB 4130.** Effective 7/1/24. Signed 5/8/24.

HB 4130 replaces the Mississippi Adequate Education Program, which has the funding formula used for public education since 1994, with the "Mississippi Student Funding Formula."

Section 1 creates Section 37-151-200, which names the act as the "Mississippi Student Funding Formula."

Section 2 creates Section 37-151-201, which prescribes terminology and definitions of the terminology used in this act, particularly with regards to the following terms:

- "Base amount" or "student base amount" means the student base funding level that is established in the funding formula as the estimated cost of educating a student with no additional measured needs or special factors.

- "Final weighted enrollment" means the final product of applying weights to the net enrollment of a school district or charter school after accounting for the sparsity of a school district or charter school.

- "Low income student" means a student who has been identified by the department, through inclusion in the identified student percentage, as having been approved for free meals based on documentation of:

- ▶ Receipt of benefits from the following federally funded programs: Supplemental Nutrition Assistance Program (SNAP); Temporary Assistance for Needy Families (TANF); Food Distribution Program on Indian Reservations (FDPIR); or Medicaid, where applicable, as approved by United States Department of Agriculture (USDA) to conduct matching with Medicaid data to identify children eligible for free meals; or

► The inclusion of students who are identified as homeless children, migrant children, runaway children or Head Start children, who are approved for free school meals without application and not subject to verification, which includes foster children certified for free meals through means other than an application for free and reduced price school meals.

- "Net enrollment" means the average of the total aggregate student enrollment of a school district or charter school on the last day of months two and three of the previous school year. The total aggregate student enrollment for each day may be determined by calculating the total number of students enrolled plus or minus the total number of new student enrollments or withdrawals, respectively, with the resulting amount being considered the total aggregate student enrollment on a given day. However, if a local school board or the governing board of a charter school adopts a class schedule that operates throughout the year for any or all schools in the district or the charter school, net enrollment must be computed by the State Department of Education so that the resulting net enrollment will not be higher or lower than if the local school board or the governing board had not adopted a year-round schedule.

- "Preliminary weighted enrollment" means the initial product of applying weights to the net enrollment of a school district or charter school.

- "Sparsely populated district or charter school" means a school district or charter school with a density of less than eight students per square mile, as determined by dividing the net enrollment of a district or charter school by the square mileage within its geographic boundaries. For the purpose of determining the sparsity of a charter school, the square mileage of a charter school is equivalent to the square mileage within

the geographic boundaries of the school district in which the charter school is located.

- "Weight" or "weighting" means a multiplier used to adjust the preliminary weighted enrollment and final weighted enrollment to support the additional costs of educating students in defined student populations or in a defined geographic context.

Section 3 creates Section 37-151-203, which establishes the student base amount at \$6,695.34 per student for fiscal year 2025. School districts will be held harmless for fiscal years 2026, 2027 and 2028, and a 25% increase shall be applied to the student base amount of each previous fiscal year then multiplied by the 20-year average annual change in the rate of inflation rounded up to the nearest .10% for the State of Mississippi as determined by the State Economist, plus any adjustments for additional state requirements. For fiscal year 2029 and every four years thereafter the State Board of Education shall recalculate the student base amount using instructional costs, administrative costs, ancillary personnel and expenses and operation and plant maintenance.

In any year that the total state revenue does not increase, the Legislature is authorized to retain the base student cost from the previous fiscal year. However, in any year that the State Fiscal Officer informs the Legislature of a revenue shortfall, the base student cost may be lowered, notwithstanding the prohibition on lowering the base student cost to an amount less than that provided in the previous fiscal year.

By November 1, 2024, the State Department of Education is required to submit a plan for the implementation of the Mississippi Student Funding Formula to the Legislative Budget Office, the Chairmen of the House and Senate Education



Committees, the Lieutenant Governor and Speaker of the House, as well as recommending any technical amendments necessary for its effective administration, prior to the 2025 Regular Session of the Legislature.

Section 4 of this act creates Section 37-151-205, which prescribes the method for determining the preliminary weighted enrollment for each school district and charter school, by applying additional funding percentages for students identified in applicable weight categories, which is then multiplied by net enrollment as follows:

- ▶ Low-income students - 30%;
- ▶ English Language Learners - 15%;
- ▶ Students receiving services in a special education program are weighted according to the severity of their disability, and then counted at the highest tier applicable to their diagnosis:

- ◆ Tier I: Students diagnosed with a specific learning disability, speech and language impairment or developmental delay - 60%;

- ◆ Tier II: Students diagnosed with autism, hearing impairment, emotional disability, orthopedic impairment, intellectual disability or other health impairment -110%;

- ◆ Tier III: Students diagnosed with visual impairment, deaf-blindness, multiple disabilities or traumatic brain injury - 130%;

- ▶ Gifted education - 5% applied to 5% of the net enrollment, regardless of the number of students in gifted education;

- ▶ CTE courses for students in Grades 9-12 - 10%;

- ▶ Number of low-income students that exceeds 35% of the school district or charter school's net enrollment - 10%

applied only to the number of low-income students in excess of the number of low income students which constitute 35% of net enrollment. The number of students to which this weight is applicable is calculated by subtracting the number of students equivalent to 35% of the net enrollment of that school district or charter school from the total number of students in that school district or charter school identified as low income;

► Sparsity - the difference between the number of students per square mile in that district or charter school and a sparsity threshold of eight students per square mile, then dividing the resulting figure by 100 to create a percentage, which is then multiplied by the preliminary weighted enrollment.

Section 5 creates Section 37-151-207, which requires the State Board of Education, beginning with fiscal year 2026, to compute and maintain the net enrollment of school districts and charter schools for used in the funding formula by using:

For school districts - the percentage change from the prior year of each school district's months two and three for the three immediately preceding school years of the year for which funds are being appropriated;

For charter schools - the enrollment projections for the relevant year set forth over the term of the charter contract; and

Net enrollment of a school district must be reconciled with the school district's net enrollment using months two and three for the year for which funds are appropriated, and any necessary adjustments must be made to payments during the school district's following year of operation, and the net enrollment must include any student enrolled in a dual enrollment-dual credit program.

Section 6 creates Section 37-151-209, which gives the school district or charter school full autonomy to spend all

funds allocated under the total funding formula to the district or charter school in the manner determined by the school board or governing board to best meet the needs of the student population.

Section 7 creates Section 37-151-211, which requires each county tax assessor to file a report with MDE before February 1 of each year, with essential information to be used by the department in determining the local contribution required to be provided by each school district or charter school toward the cost of school funding. The department will, in turn, use this information to calculate and certify to each school district the millage required to raise its minimum local tax effort, which must be the value of not less than 28 mills for the then current fiscal year or a millage rate equivalent to 27% of the total funding formula funds for the school district and charter schools in the district.

Section 8 creates Section 37-151-213, which provides that in order to qualify for funds under the Mississippi Student Funding Formula, school districts may not exceed a student-teacher ratio determined in accordance with appropriate accreditation standards developed by the Mississippi Commission on School Accreditation, unless a waiver from compliance is granted by the State Board of Education upon the presentation of a justified alternative educational program. The board may, on its own accord, grant a waiver upon a finding of a good faith effort made by the school district to comply, but unable to do so due to a lack of classroom space beyond the district's control, which proves impossible to comply, and the cost of temporary classroom space cannot be justified. If a violation of the student-teacher ratio requirements occurs without a waiver being granted, the school district faces the consequence of having its state share in support of the funding formula for

the next succeeding fiscal year reduced by the percentage variance that the actual student-teacher ratios in the school district are to the required student-teacher ratios established under accreditation standards.

Section 9 creates Section 37-151-215, which creates the hold harmless provisions of the Mississippi Student Funding Formula the first three fiscal years of the programs implementation, by providing that for fiscal year 2025, fiscal year 2026 and fiscal year 2027, the state share of support of the funding formula may not be less than an amount equal to the sum of all state funds received by that school district or charter school for fiscal year 2024 for funds distributed: under MAEP; by MDE for the purpose of paying teachers' and assistant teachers' salaries in accordance with Sections 37-19-7 and 37-21-7, respectively, for the 2023-2024 school year; and based on net enrollment or the total number of students enrolled for each day in each public school district or charter school, divided by the total number of school days, and allowable to be spent on any expenditures necessary to operate a public school district or charter school, excluding salary increases for superintendents, assistant superintendents or principals.

Sections 10 through 115 amend various provisions of law that referenced the application of the MAEP funding formula, to reflect the change to the application of the Mississippi Student Funding Formula in conformity to the creation of the new school funding methodology.

Section 116 repeals Section 37-13-153, which required state funding for home economics teachers to be included as a line item in the education appropriations bills for fiscal years 1995, 1996 and 1997.

Section 117 repeals Sections 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79

and 37-151-83, which define certain terms and establish the formula to be used in determining the annual allocation of funds to each school district under MAEP.

Section 118 repeals Section 37-152-1, which creates the Commission on Restructuring the Mississippi Adequate Education Program (MAEP).

Section 119 repeals Sections 27-65-75(5), 37-47-7, and 37-47-24, which provide for the Educational Facilities Revolving Loan Fund and its funding mechanism.

## ELECTIONS

**SB 2144.** Sections 1-12 shall take effect 1/1/25; Section 13 shall take effect 7/1/24. Signed 5/13/24.

SB 2144 revises the time for all runoff elections in the state from three to four weeks after the first election. The bill also prohibits ranked-choice voting in statewide, county, local, municipal or school district elections.

**SB 2425.** Effective 7/1/24. Signed 4/22/24.

SB 2425 further defines the terms caregiver, family member and household member in regard to the state's ballot harvesting laws.

**SB 2576.** Effective on passage. Signed 4/15/24.

SB 2576 clarifies what counts as valid voter identification. The bill defines valid as an official government document that establishes the voter's identity and has no expiration date or has an issuance date of not more than 10 years prior to the date the document was presented. Valid voter identification includes, but is not limited to, a Mississippi driver's license, a valid identification card issued by an agency, branch, department or entity of the State of Mississippi, a valid United States passport, a valid employee identification card containing a photograph of the elector and information about the agency or entity of the United States government, the State of Mississippi or any other authority or entity within Mississippi, a current and valid license to carry a pistol, a valid tribal identification card, a valid United States military identification card, a current and valid student

identification card with a photograph of the elector and issued by an institution of higher learning within the state, or an official Mississippi voter identification card containing a photograph of the elector.

**SB 2577.** Effective 7/1/24. Signed 4/30/24.

SB 2577 defines a digitization as an image or audio altered realistically and utilizing an image or audio of a person, other than the person depicted, along with computer-generated images or audio, commonly called deepfakes. Digitizations also include the creation of an image or audio using software, machine learning artificial intelligence or any other computer-generated or technological means. A digitization is a digital representation that a reasonable person would believe depicts the speech and/or conduct of an individual who did not engage in such speech and/or conduct as presented, and the production is substantially dependent on technical means rather than another person's physical or verbal impersonation of an individual.

The bill creates a criminal penalty for a person who wrongfully disseminates or enters into a contract or agreement to disseminate digitizations that are meant to injure a political candidate, influence election results, or deter a person from voting. To be guilty, a person must know or have actual knowledge that the dissemination is a digitization, not have received the consent of the depicted individual and release or share the digitization within 90 days of an election. SB 2577 further outlines the penalties for disseminating a digitization, who may bring an injunctive cause of action against the individual or individuals disseminating the digitization, defenses to being prosecuted for disseminating a digitization, and who is exempt from the penalties provided within this bill.

**HB 1035.** Effective 7/1/24. Signed 4/29/24.

HB 1035 amends Section 23-15-975 to include justice court judges in the "Nonpartisan Judicial Election Act"; however, justice court judges, who are licensed and/or authorized to practice law by The Mississippi Bar, may engage in the practice of law before any court, administrative agency or other judicial or quasi-judicial forum. It also amends Section 23-15-197 to provide the time for holding an election for the office of justice court judge. The bill amends Section 23-15-977 to provide that the qualifying fee for election to the office of justice court judge shall be \$100, and it increases the fees for family and county court judges to \$100. HB 1035 also amends Sections 9-11-2, 23-15-193, 23-15-297, 23-15-359, 23-15-973 and 23-15-1021 to conform to the provisions of this act.

**HB 1121.** Effective 7/1/24. Signed 4/17/24.

HB 1121 amends Sections 7-1-1 and 25-1-3 to make minor, nonsubstantive changes that conform to changes made in House Bill No. 1276, 2023 Regular Session. The changes to Section 7-1-1 provide that the time of the installation of the Governor shall be at noon on the Tuesday next after the first day of the legislative session. Section 25-1-3 provides that the term of office of all state officers elected at a general election for that purpose, except the Governor, shall commence on the Thursday next after the first day of the legislative session.

**HB 1135.** Effective 7/1/24. Signed 4/30/24.

HB 1135 amends Section 23-15-913 to provide that the name of any judge selected to hear election day disputes shall be provided to the Secretary of State by the Chief Justice of the Mississippi Supreme Court at the time the appointment is made, unless the Secretary of State is a party to the election day dispute to which that special circuit judge is appointed. The



bill provides that if an election day dispute occurs, the circuit clerk shall only docket the dispute to the judge designated by the Supreme Court to hear the case in that county, and that all election day disputes arising in one county shall go to the same judge in that county unless the judge is absent or unavailable. The bill provides the process to handle the situation if a selected judge is absent or unavailable. The listed and selected judges provided by the Chief Justice of the Mississippi Supreme Court shall have sole jurisdiction to hear election day disputes, and election disputes can only be filed in a circuit court with proper jurisdiction and heard by one of the judges selected by the Chief Justice of the Mississippi Supreme Court. Section 23-15-951 is amended to conform.

**HB 1406.** Effective 7/1/24. Law without Governor's signature 5/14/24.

HB 1406 creates a new section of law to provide that for all absentee ballots that are cast in person at the office of the registrar, the absentee ballot application and the required elector certificates shall be printed on the same absentee ballot envelope, with the application being printed on the front side of the envelope and the elector's certificates printed on the back side of the envelope. Such envelope shall not be smaller than eight and one-half inches by eleven inches. Once a voter has completed the application, he or she shall proceed to cast his or her absentee ballot and then place the ballot in the absentee ballot envelope as otherwise provided by law. After the ballot is sealed in the envelope, the elector shall complete the elector's certificate. A signature mismatch shall not be grounds for rejecting an absentee ballot that was cast in person in the registrar's office.

The bill also amends Sections 23-15-633, 23-15-635, 23-15-641, 23-15-719 and 23-15-625 to conform and to provide that signatures on absentee ballot envelopes shall be in boxes across the flap of the envelope, but a portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot.

The bill amends Section 23-15-639 to distinguish between absentee ballots received by mail and those cast in person in the registrar's office for purposes of processing the ballot. If the absentee ballot was received by mail, the signature on the application will be compared to the signature in the box on the back of the envelope. If the absentee ballot was cast in person at the registrar's office, the resolution board will confirm that the voter completed the application on the front of the envelope and signed the elector's certificate in the box on the back of the envelope. If it is signed and the resolution board finds that the applicant is a registered and qualified voter or otherwise qualified to vote, the envelope shall be opened and the absentee ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

Section 23-15-715 is amended to provide that any person who is incarcerated in prison or jail in the county where the person is registered to vote and has not been convicted of a disenfranchising vote may make application for an absentee ballot by mailing the appropriate application to the registrar.

The bill amends Section 23-15-627 to revise the form for applications that are mailed to absentee electors to include any person who is required to be on-call on election day during the times when the polls will be open and any person who is incarcerated in prison or jail in the county where the person is registered to vote and the person has not been convicted of a

disenfranchising crime. The bill also amends the section to add language that allows a voter to provide his or her telephone number, email address and mailing address so that he or she may be notified if there is a problem with his or her absentee ballot. The bill provides for the application form to be printed on the front of the absentee ballot envelope for absentee voters appearing before the registrar.

Section 23-15-631 is amended to provide that an absentee ballot may only be transmitted by the United States Postal Service or other common carriers, including, but not limited to, United Parcel Service or FedEx Corporation.

Sections 23-15-713, 23-15-637 and 23-15-721 are amended to conform.

Section 23-15-697 is amended to provide that hand-delivery of ballots to a voter or from a voter shall be prohibited, and the use of drop boxes or other mechanisms to submit a completed absentee ballot other than by mail or common carrier, shall be prohibited.

## ENERGY

**SB 2283.** Effective 6/30/24. Signed 4/30/24.

SB 2283 amends Sections 77-1-51 and 77-1-55 to extend the date of repeal on the provisions of law which create the Public Service Commission and prescribe its powers and duties to December 31, 2028. Section 77-1-51 is further amended to specify that the date of repeal applies to the entire Title 77 Chapter 1. Section 77-1-55 is amended to reflect the change in Section 77-1-51.

**SB 2453.** Effective on passage. Signed 4/8/24.

SB 2453 authorizes the Public Service Commission to cancel a municipality's certificate to provide service greater than one mile outside its corporate boundaries upon a finding that the municipality did not provide reasonably adequate service in those areas. Further, this bill amends Section 77-3-22 to stipulate that if any municipally owned or operated electric utility providing service greater than one mile outside its municipal boundaries is unable or unwilling to adequately serve its customers, the commission or its designated representative may petition for an order attaching the assets of such municipally owned or operated electric utility and placing such system under the sole control and responsibility of the receiver.

**SB 2454.** Effective on passage. Signed 4/17/24.

SB 2454 moves the dates of repeal on the Mississippi Gulf Coast Region Utility Board, the Board of Directors of the Mississippi Gulf Coast Region Utility Board, provisions concerning the Utility Board's employees and budget, and provisions concerning duties and responsibilities of the Utility Board from July 1, 2027, to July 1, 2024.

**SB 2557.** See summary under Universities and Colleges heading.

**SB 2603.** Effective 7/1/24. Signed 4/15/24.

SB 2603 amends Section 77-13-3 to define the terms "locate request ticket" and "trenchless excavation."

Additionally, the bill amends Section 77-13-5 to:

- Provide that advance written, electronic or telephonic notice shall not be required where a qualified operator using reasonable care uses a hand-powered probe rod to locate that operator's underground facilities for the purpose of underground facility mapping;

- Provide that the notice required for excavation shall contain the location of the proposed excavation, which is limited to an area the excavator reasonably believes may be completed within fourteen calendar days from the date and time the locate ticket request is entered into the Mississippi 811, Inc., system and does not include any area in which the excavator has already completed the excavation work;

- Provide that prior to providing the advance notice to Mississippi 811, Inc., the excavator shall pre-mark the approximate boundary of the proposed excavation area with white paint, flags, or stakes;

- Provide that pre-marking of the proposed excavation area shall not be required if the area can be defined in the advance written, electronic or telephonic notice by certain geographical descriptions;

- Provide that the proposed excavation location on a renewal locate request ticket shall not include any area in which the excavator has already completed the excavation work;

- Provide that the excavator shall not use power-driven equipment for trenchless excavation, including directional boring, across or within the marked approximate location of underground utility lines or underground facilities, with certain exceptions; and

- Provide that for trenchless excavations, including directional boring, parallel to the marked approximate location of underground utility lines or underground facilities, the excavator shall use certain noninvasive methods to identify the location of the underground utility facility at careful and prudent intervals.

**HB 1350.** Effective 7/1/24. Signed 4/30/24.

HB 1350 prohibits telephone solicitors from making telephone solicitations to people in the State of Mississippi regarding Medicare Advantage Plans. However, if a person has first initiated a call with an entity regarding a Medicare Advantage Plan, a telephone solicitor is not prohibited from then making a telephone solicitation regarding such plan.

Further, the bill excludes issuers of Medicare supplements from the exemption for calls relating to insurance from the requirements of the Telephone Solicitation Act and prohibits issuers of Medicare supplements from making telephone solicitations.

**HB 1471.** Effective on passage. Signed 4/30/24.

HB 1471 prohibits any officer or employee of the Office of Broadband Expansion and Accessibility of Mississippi from accepting or receiving, either directly or indirectly, any gratuity, gift, gift in kind, money, emolument, or any other pecuniary benefit from any broadband service provider, vendor, contractor, or subcontractor that does business with or contracts with the office.

The bill further provides that the office must grant final determinations of awards for projects to provide broadband access in unserved or underserved areas no later than 60 days after publishing a preliminary determination of an award on BEAM's website, or 30 days after this law goes into effect, whichever is later, unless BEAM determines that a proposed project includes an area where broadband services currently are deployed, or where construction of a network to deploy broadband service is underway by a provider other than the applicant, or where construction is scheduled to be completed within one year after the date of application.

**HB 1583.** Effective 7/1/24. Signed 4/17/24.

HB 1583 creates the Consumer Freedom of Choice in Appliances Act, which prohibits a governmental entity from enacting or enforcing any resolution, ordinance, regulation, rule, code, or policy to take any action that restricts or prohibits, or has the effect of restricting or prohibiting, any person or entity from using any appliance based on the type of utility service required to operate the appliance.

**HB 1648.** Effective 7/1/24. Signed 4/17/24.

HB 1648 authorizes the electronic submission of bids for public utility contracts and requires that public utilities implement the provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding.

The bill further provides that when construction bids are submitted electronically, the requirement for including a certificate of responsibility or a statement that the bid enclosed does not exceed \$50,000 on the exterior of the bid envelope shall be deemed met by including such certificate or statement as an attachment with the electronic bid submittal.

**HB 1664.** Effective 7/1/24. Signed 4/17/24.

HB 1664 provides that it is unlawful for any Public Service Commissioner, any candidate for Public Service Commissioner, or any employee of the Public Service Commission or Public Utilities Staff to knowingly accept any gift, pass, money, campaign contribution or any emolument or other pecuniary benefit whatsoever, either directly or indirectly, from a covered person.

The bill further provides that it is unlawful for a covered person to offer any gift, pass, money, campaign contribution or any emolument or other pecuniary benefit whatsoever to any Public Service Commissioner, any candidate for Public Service Commissioner or any employee of the Public Service Commission or Public Utilities Staff.



**ENVIRONMENTAL PROTECTION, CONSERVATION AND WATER RESOURCES**

**SB 2649.** Effective 7/1/24. Signed 4/19/24.

SB 2649 amends Section 49-2-13 to create paragraph (1) of this section, which allows the Executive Director of the Department of Environmental Quality to enter into contracts for the purpose of obtaining assistance with the review, evaluation, and processing of permit and certification applications. The bill further amends this section to require that the executive director submit an annual report to the Chairs of the House and Senate Accountability, Efficiency and Transparency Committees, which shall include the following information:

- The backlog of permit applications and/or certification applications that exist on July 1, 2024;
- The backlog of permit applications and/or certification applications that exist when the report is submitted;
- The average price of permits and/or certifications that are being expedited;
- The types of permits and/or certifications that are being expedited;
- What persons or public or private corporate entities are being used to assist with the review, evaluation and processing of permit applications and/or certification applications;
- How much the persons or public or private corporate entities have been paid through the program; and
- How many people leave the department for employment with the persons or public or private corporate entities that are being used to assist with the review, evaluation and processing of permit applications and/or certificate applications.

Paragraph (1) of this section shall stand repealed on July 1, 2028.

The bill also amends Section 27-104-7 to grant the Department of Environmental Quality an exception to procurement review processes for such contracts.

## FINANCE

**SB 2226.** Effective 7/1/24. Signed 4/22/24.

SB 2226 removes the repealer on the Israel Support Act of 2019. It also increases, from \$20 Million to \$50 Million, the maximum amount of funds the State Treasurer may invest in bonds issued, assumed or guaranteed by the Country of Israel under certain circumstances.

**SB 2298.** Effective 7/1/24. Signed 5/8/24.

SB 2298 amends Section 31-13-11 to revise the minimum and maximum fee paid to the State Bond Attorney for the validation and issuance of bonds issued or proposed to be issued by a county, municipality or other district or subdivision of the state. The minimum is increased from \$100 to \$500, and the maximum is increased from \$500 to \$1,000.

The bill also amends Section 31-13-1 to require the State Bond Attorney, when a conflict of interest arises that is not consentable, to notify the Governor, Lieutenant Governor and Attorney General immediately of the conflict, in writing. On receipt of the notification, the Governor shall appoint a State Bond Attorney Pro Tempore, with the same qualifications for office as the Attorney General, to serve for the sole purpose of reviewing and acting on the proposed bond issue validation that is the subject of the conflict. Upon issuance of the Opinion of the State Bond Attorney Pro Tempore and the conclusion of participation in any validation proceeding or contest, the powers vested in the State Bond Attorney Pro Tempore will be vacated.

**SB 2405.** Effective 7/1/24. Signed 5/13/24.

SB 2405 amends Section 67-1-51 to provide that a person holding a package retailer's permit issued before July 1, 2024, may own one additional package retailer's permit if the additional permit is issued for a premises with a minimum capital investment of \$20,000,000 that is part of a major retail development project and located in one of the three most southern counties in the state, and not within 100 miles of another in-state location for which the permittee holds such a permit.

**SB 2457.** Effective 7/1/24. Signed 4/22/24.

SB 2457 amends Section 67-1-5 to revise the definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law to modify and expand the description of a previously designated qualified resort area on land owned by a state institution of higher learning. The land may be owned by an entity bound by an affiliation agreement with the institution of higher learning, or by entities solely owned by such institution or solely owned by entities bound by affiliation agreements with such institution. An additional location is also specified.

**SB 2470.** Effective on passage. Signed 4/22/24.

SB 2470 amends Section 27-65-111 to move the back-to-school sales tax holiday from the last Friday in July to the second Friday in July, and to extend it by one day.

**SB 2476.** Effective 7/1/24. Signed 4/25/24.

SB 2476 removes the repealer on Section 27-7-22.39, which authorizes a credit against income taxes and ad valorem taxes for voluntary cash contributions to certain qualifying charitable organizations, and a separate credit against income

taxes and ad valorem taxes for voluntary cash contributions to certain qualifying foster care charitable organizations.

**SB 2492.** Effective 7/1/24. Signed 4/25/24.

SB 2492 amends Section 27-67-35 to allow municipalities and counties to expend monies from use tax revenue for personal property or equipment to be used for the repair, maintenance and/or reconstruction of roads, streets and bridges, and further to allow municipalities to expend such monies for personal property or equipment to be used for the repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure, including storm water and drainage improvements.

The bill also revises the types of expenditures that may be considered when calculating expenditures made by a municipality or county for road and bridge improvements and, in the case of municipalities, for water and sewer infrastructure improvements, during the previous fiscal year for the purpose of allocating use tax revenue to the municipality or county. Certain expenditures that are not permissible if made from use tax revenues may still be considered in the use tax revenue allocation formula, provided they are related to the specific purposes for which use tax revenue may be spent.

**SB 2567.** Effective 7/1/24. Signed 4/22/24.

SB 2567 amends Section 67-1-51 to authorize the Department of Revenue to issue an on-premises tobacco permit to allow permittees to sell alcoholic beverages for consumption on the licensed premises, in which the permittee must have a capital investment of at least \$500,000, and which derive 75% of gross revenues from the sale of cigars, cheroots, tobacco pipes, pipe tobacco and/or stogies. Food may be, but is not required to be, sold on the premises. Issuance of the permit does not preempt local ordinances prohibiting the use of tobacco products.

Section 27-71-5 is amended to impose an annual privilege license tax of \$450 for the permit.

**SB 2644.** See summary under Highways and Transportation heading.

**SB 2801.** Effective 7/1/24. Signed 5/10/24.

SB 2801 authorizes distinctive motor vehicle license tags for supporters of:

- American Family Association, Inc. (which tags have the words "In God We Trust");

- Tunnel to Towers Foundation;

- Navy Seabee Foundation (replacing former authorization for Seabee Historical Foundation);

- Most Worshipful King Hiram Grand Lodge, A.F. & A.M., State of Mississippi; and Electra Grand Chapter Order of the Eastern Star, A.F. & A.M., State of Mississippi (separate authorizations replacing former authorization for a single, combined tag);

- Clarkdale High School in Lauderdale County, Mississippi;

- Columbia Academy Cougars;

- Mississippi Hunting Dog Association;

- O'Keefe Educational Media DBA Disability Connection;

- New Orleans Pelicans;

- Mississippi Economic Council; and

- Lighthouse Academy for Dyslexia.

The bill also extends the time for the following previously authorized special tags to meet the 300-tag presale requirement:

- Pass Christian School District;

- Grand Chapter of Mississippi Order of the Eastern Star;

- Former Rosa A. Temple High School in Vicksburg, Mississippi (in support of Central Mississippi Prevention Services, Inc.);

- Moss Point School District;
- EV Mississippi;
- Desert of Mississippi Shriners and Daughters AEAONMS, PHA;
- Wildlife Mississippi; and
- Jack and Jill of America, Inc.

Tags authorized for Garden Clubs of Mississippi, Inc., Magnolia Heights School, and Methodist Cursillo of Mississippi are placed in a new pilot program, whereby such tags may be issued after meeting a 100-tag presale requirement. However, until 300 of each of the tags are sold, the additional fee will be deposited into the DOR License Tag Acquisition Fund. After 300 tags are sold, the fee will be distributed as provided in the law authorizing the tags.

Finally, the fee for the Choose Life tags for the support of Choose Life Mississippi is reduced from \$50 to \$30.

**SB 2803.** Effective 7/1/24. Signed 5/13/24.

SB 2803 amends Section 67-1-5 to revise the definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law to add 20 specified locations in the state. For four of these locations, as well as one previously added location, the relevant municipalities are authorized to specify the hours of operation of facilities selling alcoholic beverages, to specify the percentage of revenue that facilities selling alcoholic beverages must derive from meal sales, and to designate the areas in which facilities selling alcoholic beverages may be located.

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

**SB 2830.** Effective on passage. Signed 4/15/24.

SB 2830 amends Section 57-114-3 to revise the definition of "qualified business or industry" to make it conform to the definition of "qualified economic development project."

Section 57-114-13 is also amended to modify the date on which an annual report by a qualified business or industry is due to be filed with the Mississippi Development Authority.

Finally, Section 57-114-15 is amended to correct a reference to the Department of Revenue, in order to conform to the applicable reference in the same subsection to the Department of Employment Security.

**SB 2862.** See summary under Public Health and Welfare heading.

**SB 3099.** Effective 1/1/24. Signed 4/23/24.

SB 3099 authorizes an income tax credit for employers who sponsor skills training for employees that is provided or approved by the local community or junior college. The credit is applied to qualified training expenses and may be used only by the actual employer qualifying for the credit. The credit shall not exceed 50% of the employer's income tax liability in a tax year, but any excess may be carried forward for five successive years. The credit shall not exceed \$2,500 per employee in any year, and the maximum aggregate amount of



credits that may be claimed by all taxpayers in a tax year is \$1,000,000.

Employers shall be certified as eligible for the credit by the local community or junior college serving the employer, as well as by the Department of Revenue. A community college or junior college may commit to provide employer-sponsored skills training programs for an employer for multiple years, not to exceed five years. The Mississippi Community College Board shall report to the Legislature by January 30 of each year summarizing the number of participants, the junior or community college through which the training was offered, and the type of training offered.

The law authorizing the credit is set to repeal on December 31, 2027.

**SB 3105.** Effective 7/1/24. Signed 5/2/24.

SB 3105 amends Section 27-69-3 to define the term "heated tobacco product" under the Tobacco Tax Law as "a product containing tobacco that produces an inhalable aerosol by (a) heating the tobacco without combustion of the tobacco or (b) heat generated from a combustion source that only or primarily heats rather than burns the tobacco." Section 27-69-13 is amended to provide that the excise tax on heated tobacco products shall be 1.25¢ per disposable stick, and a conforming amendment is made to Section 27-69-27.

**HB 155.** Effective 7/1/24. Signed 4/17/24.

HB 155 amends Section 57-1-301 to revise the definition of the term "capital improvements" for purposes of the Local Governments Capital Improvements Revolving Loan Program to include repair, renovation and improvement of municipal natural gas facilities.

**HB 310.** Effective 7/1/24. Signed 4/20/24.

HB 310 amends Sections 63-21-69 and 27-19-63 to revise the number of days by which the new owner of the vehicle has to make application for issuance of the privilege license tag from seven to 30 full working days.

**HB 624.** Effective 1/1/24. Signed 4/17/24.

HB 624 reenacts and amends Section 27-7-22.42, which authorizes an income tax credit for qualified railroad reconstruction or replacement expenditures and qualified new rail infrastructure expenditures, and which was repealed by operation of law on January 1, 2024, to extend the date of the repealer on the section to January 1, 2027.

**HB 776.** Effective 7/1/24. Signed 5/8/24.

HB 776 amends Section 67-1-7 to provide that municipalities that have voted in favor of coming out from under the dry law may enforce such proper rules and regulations for fixing zones and territories to promote public health, morals and safety, as they may by ordinance provide. The board of supervisors of any county that has voted in favor of coming out from under the dry law may make such rules and regulations as to territory outside of municipalities as are provided in the bill for municipalities. It also provides that municipalities may enforce such proper location of package retailer stores within the municipality by application of a properly adopted zoning ordinance.

The bill also amends Section 67-1-37 to provide that the Alcoholic Beverage Control Division of the Department of Revenue may not issue any permit which would conflict with any zoning ordinance legally adopted by the governing authorities of any municipality or rule or regulation of any board of supervisors

of any county as provided for in the above-referenced amendment to Section 67-1-7.

**HB 1003.** Effective 7/1/24. Signed 5/10/24.

HB 1003 amends Section 27-33-31 to delete the provision in the prior law that allowed a homeowner who is a totally disabled veteran and the unremarried surviving spouse of such a person, as well as a qualified homeowner who is the unremarried surviving spouse of a member of the United States Armed Forces who was killed or died on active duty, or of a member of a reserve component of the United States Armed Forces or of the National Guard who was killed or died on active duty for training, to apply for homestead exemption within 30 calendar days of the closing date for a homestead purchase, but not later than December 31 of the year of purchase.

**HB 1161.** Effective 7/1/24. Signed 5/8/24.

HB 1161 amends Section 67-1-14 to provide that municipalities located, wholly or partially, in counties that have voted against coming out from under the dry law may authorize the sale of alcoholic beverages pursuant to an election.

**HB 1230.** Effective 7/1/24. Signed 4/20/24.

HB 1230 amends Section 37-7-104.3 to extend until July 1, 2027, the authority of the Starkville-Oktibbeha Consolidated School District to issue bonds to provide funds for the purpose of purchasing school buses, textbooks, computers and software and other equipment and fixtures for school facilities and for certain other purposes.

**HB 1286.** Effective 1/1/25. Signed 4/20/24.

HB 1286 provides that a corporation or other legal entity may register motor vehicles in a rental fleet on an annual basis

so that the registration of all motor vehicles in the fleet expires in the anniversary month established by the Commissioner of Revenue. A corporation or other legal entity desiring to register a rental fleet must apply for such registration with the Department of Revenue (DOR). The application must contain information necessary for DOR to determine whether the group of motor vehicles for which registration is sought meets the definition of the term "rental fleet" and must provide a list of all motor vehicles to be included in the fleet. Upon making an application, the applicant will pay a filing fee of \$100. The bill defines the term "rental fleet" to mean a group of 200 or more private carriers of passengers or light carriers of property, as defined in Section 27-51-101, trailers, semitrailers, or motor vehicles in excess of 10,000 pounds gross vehicle weight, except for those vehicles registered for interstate travel, owned or leased on a long-term basis by a corporation or other legal entity and exempt from ad valorem taxation under Section 27-51-41(2)(n).

Upon approval of the application for rental fleet registration and payment of all privilege taxes and fees on all motor vehicles in the fleet, DOR or the tax collector will issue a rental fleet registration card and license tag for each motor vehicle in the fleet.

A motor vehicle added to a rental fleet during the registration year for fleets must be registered as provided in the bill. To remove a motor vehicle from a rental fleet, the fleet registration card and the fleet license tag must be removed from the motor vehicle and, except as otherwise provided in the bill, surrendered to DOR or the tax collector, as the case may be. If the registration card or license tag is lost or stolen, the person registering the fleet must submit a sworn

statement giving the circumstances for the inability to surrender the card.

If a motor vehicle registered in a fleet is removed from the fleet, the rental fleet license tag removed from the motor vehicle may be transferred to and used on another motor vehicle that is added to the fleet during the registration year to replace the removed motor vehicle if: (a) the license tag is of the same tag series and vehicle type as that of a new license tag that would be required for the replacement motor vehicle, (b) the county in which the license tag was issued is the same as the county in which the replacement motor vehicle is to be registered, (c) the replacement motor vehicle is properly titled under Section 63-21-9 and (d) the corporation or other legal entity requesting to transfer the license tag pays a transfer fee in the amount of \$5 to be distributed to DOR or the tax collector, as the case may be. Before transferring a rental fleet license tag, a company owning or operating a rental fleet must notify DOR or the tax collector of its request to transfer the license tag to another motor vehicle registered in the fleet during the registration year and provide information necessary to identify the motor vehicle that was removed from a fleet and from which the license tag was removed and to identify the replacement motor vehicle in the fleet for which the company requests to have the license tag transferred and used. A license tag may not be transferred to a replacement motor vehicle, and the motor vehicle may not be operated with the license tag on the roads of this state, until DOR's motor vehicle registration system has been updated to indicate that the transferred license tag is assigned to and identified with the replacement motor vehicle in the rental fleet.

If a motor vehicle registered in a rental fleet is removed from the fleet and the rental fleet license tag is removed from

the motor vehicle and transferred to and used on another motor vehicle that is added to the fleet during the registration year to replace the removed motor vehicle, the remaining portion of privilege tax paid on the removed motor vehicle for the registration year will be transferred to the replacement motor vehicle, and there will be no other privilege tax liability for the replacement motor vehicle for the remaining portion of the registration year.

**HB 1354.** Effective 7/1/24. Signed 5/13/24.

HB 1354 amends Section 7, Chapter 483, Laws of 2022, to increase, from \$55,000,000 to \$95,000,000, the amount of state revenue bonds that may be issued to provide funds for the ABC Warehouse Construction Fund to assist in paying the costs associated with land acquisition for, and the design, construction, furnishing and equipping of, a new warehouse for the Department of Revenue's Alcoholic Beverage Control Division. It also amends Section 27-71-11 to increase, from \$1 to \$1.50, the amount of the bailment fee charged by the Department of Revenue on cases of stored alcoholic beverages for the purpose of providing funds for the payment of the debt service on such bonds.

The bill also amends Section 67-1-203 to provide that a contract for warehouse construction shall be entered into not later than October 1, 2024.

**HB 1378.** Effective 7/1/24. Signed 4/25/24.

HB 1378 amends Section 27-33-75 to provide that a qualified homeowner who is an honorably discharged American veteran, and who has reached 90 years of age on or before January 1 of the year for which homestead exemption is claimed, will be allowed an exemption from all ad valorem taxes on the assessed value of the homestead property.

**HB 1417.** Effective 7/1/24. Signed 5/13/24.

HB 1417 amends Section 57-117-5 to expand the radius within which a health care industry facility must be located from certain facilities in order for the area to qualify for certification as a health care industry zone by the Mississippi Development Authority under the Mississippi Health Care Industry Zone Act. The bill expands the radius to from five to eight miles.

**HB 1525.** Effective 7/1/24. Signed 4/17/24.

HB 1525 amends Sections 67-1-37 and 67-1-51 to revise certain provisions regarding the issuance of on-premises retailer's permits in qualified resort areas by the Alcoholic Beverage Control Division of the Department of Revenue. It also provides restrictions on the manufacturing, sale or storage of intoxicating liquors within certain distances of churches, schools and funeral homes, but not including community colleges, junior colleges, colleges or universities. It also removes the prohibition against the Alcoholic Beverage Control Division issuing an on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any community or junior college, college or university.

**HB 1589.** Effective 1/1/25. Signed 5/10/24.

HB 1589 amends Section 63-21-16 to provide that a lienholder with a federal Employer Identification Number (EIN) must electronically transmit the satisfaction and release and discharge of a lien on a motor vehicle to the Department of Revenue not later than 14 days after the date of satisfaction of the lien. The failure of a lienholder to comply with this requirement will be a violation of the Mississippi Motor Vehicle and Manufactured Housing Title Law. A lienholder who knowingly and willfully fails to comply with this requirement will also be

subject to a civil penalty of up to \$250 per violation, which will be in addition to any other penalty provided in the Mississippi Motor Vehicle and Manufactured Housing Title Law. The lienholder also will be liable for any attorney's fees, legal fees and/or other fees and costs incurred by a person in any action necessary to discharge and/or release a lien or otherwise affecting a lien for which the lienholder failed to transmit the required information. If a lien on a motor vehicle is older than eight years from the date the lien was placed on the motor vehicle, the lien will be recorded by the Department of Revenue in the automated statewide motor vehicle registration system as having been satisfied and released and discharged, unless annually recertified by the lienholder by utilizing the format and transmitting the data required by the department.

The bill amends Sections 63-21-18 and 63-21-39 to provide that, before a used motor vehicle parts dealer or scrap metal processor may purchase or receive a motor vehicle from the owner or authorized agent of the owner of the motor vehicle for the purpose of scrapping, dismantling or destroying the motor vehicle, the used motor vehicle parts dealer or scrap metal processor must use the Department of Revenue's automated statewide motor vehicle registration system to verify the absence of any lien on the motor vehicle. If a lien exists on the motor vehicle, the used motor vehicle parts dealer or scrap metal processor may not purchase or receive the motor vehicle for the purpose of scrapping, dismantling or destroying the vehicle, and may not purchase or receive the motor vehicle for such purposes during any time for which a lien exists on the motor vehicle.



**HB 1617.** Effective on passage. Signed 4/20/24.

HB 1617 authorizes certain industrial development authorities and economic development districts (defined in the bill as an "authority") to:

- Acquire by gift, purchase or otherwise, and to own, hold, maintain, control and develop real estate situated within the county and/or any interests therein for the purposes of undertaking a megasite project;

- Acquire by gift, purchase or otherwise, and to own, hold, repair, maintain, control and develop any facilities related to a megasite;

- Sell, lease, sublease, sub-sub lease, sell and leaseback, lease and sublease-back, trade, exchange or otherwise convey or dispose of a megasite project or any portions thereof or any interests therein to individuals, firms or business enterprises, public or private, in each of the above instances for such consideration and with such safeguards as are determined by the authority will best promote and protect the public interest, convenience and necessity, and enter into and execute purchase options, purchase agreements, deeds, leases, subleases, development agreements and other contracts, easements and other legal instruments necessary or convenient therefor. An authority also may undertake any of the preceding authorized transactions, and enter into and execute any contract, agreement or instruments with respect thereto on the basis of negotiation with the authority without the necessity of any appraisal, advertisement for proposals, bids or offers, or of any other public procurement or sale requirements.

The county board of supervisors of any county in which an authority is created pursuant to Section 57-31-1 et seq., is authorized to:

(a) (i) Incur bonded and floating indebtedness by issuing general obligation bonds, revenue bonds or special assessment bonds as authorized by any statute authorizing the issuance of such bonds,

(ii) Accept and borrow any loan from the federal government, its agencies and instrumentalities, and/or

(iii) Incur any other indebtedness in any manner for which it is authorized by law to incur debt;

(b) Appropriate funds for the purposes and in the manner prescribed by law; and

(c) Accept and utilize grants, donations or contributions from any source, whether public or private, to fund any costs of a megasite project.

Some of the terms defined in the bill are:

- "Authority" means an industrial development authority created pursuant to Section 57-31-1 et seq., or an economic development district created pursuant to Section 19-5-99 of any county in which an industrial development authority is created pursuant to Section 57-31-1 et seq.

- "Megasite" means any single tract or combination of contiguous tracts, excluding intervening roadways, railways, waterways or utility-ways, of at least 800 acres acquired or otherwise under the control of an authority for the purposes of undertaking a megasite project on all or a portion thereof; provided that, in the event a megasite initially contains at least 800 acres, the term "megasite" shall also include any adjoining real property tracts that are subsequently acquired or otherwise brought under the control of such authority.

- "Megasite project" means the acquisition and development of a megasite by an authority created pursuant to Section 57-31-1 et seq., for purposes of establishing a new industrial

park or a single or multiple parcel industrial development zone to attract significant single- or multi-use industrial development projects, together with, as applicable, any industrial project undertaken on a megasite and/or any facilities related to a megasite.

**HB 1638.** Effective 7/1/24. Signed 4/20/24.

HB 1638 provides procedures for the Department of Revenue (DOR) to set off a taxpayer's debt owed to the Mississippi Department of Human Services (MDHS) against the taxpayer's income tax refund. The bill defines the term "debt" to mean any sum due and owing MDHS for any overpayment under the Supplemental Nutrition Assistance Program, the Temporary Assistance to Needy Families Program and the Child Care and Development Fund Program.

MDHS may submit debts in excess of \$125 owed to it to DOR for collection through setoff, except in cases where the validity of the debt is legitimately in dispute, an alternate means of collection is pending and believed to be adequate, or such collection would result in a loss of federal funds or federal assistance. Upon the request of MDHS, DOR will set off any refund against the sum certified by MDHS under the bill.

Within the time frame specified by DOR, MDHS must supply the information necessary to identify a debtor whose refund is sought to be set off and certify the amount of debt owed by the debtor. If DOR determines that a debtor identified by MDHS is entitled to a refund of at least \$25, DOR will transfer an amount equal to the refund owed, not to exceed the amount of the claimed debt certified, to MDHS. DOR will send the excess amount to the debtor within a reasonable time after such excess is determined.

At the time of the transfer of funds to MDHS, DOR will notify the taxpayer whose refund is sought to be set off that the transfer has been made. The notice will clearly set forth the name of the debtor, the manner in which the debt arose, the amount of the claimed debt, the transfer of funds to MDHS and the intention to set off the refund against the debt, the amount of the refund in excess of the claimed debt, the taxpayer's opportunity to give written notice to contest the setoff within 30 days of the date of mailing of the notice, the name and mailing address of MDHS to which the application for such a hearing must be sent, and the fact that the failure to apply for such a hearing, in writing, within the thirty-day period will be deemed a waiver of the opportunity to contest the setoff. The failure of a taxpayer to apply in writing for a hearing within such time will constitute a waiver of the opportunity to contest the setoff.

MDHS will pay DOR a fee, not to exceed \$17, in each case in which a tax refund is identified as being available for setoff by DOR. The fee will be deposited by DOR into a special fund created in the State Treasury, out of which the Legislature will appropriate monies to defray expenses of DOR in employing personnel to administer the provisions of the bill.

When MDHS receives a protest or an application in writing from a taxpayer within 30 days of the notice issued by DOR, MDHS will set a date to hear the protest and give notice to the taxpayer through the United States Postal Service or electronic digital transfer of the date so set. The time and place of the hearing will be designated in the notice, and the date will be not less than 15 days from the date of the notice. If, at the hearing, the sum asserted as due and owing is found not to be correct, an adjustment to the claim may be made. MDHS will give notice to the debtor of its final determination. If a debtor is

dissatisfied with the final determination made at the hearing by MDHS, he or she may appeal the final determination to the circuit court of the county in which the main office of MDHS is located by filing notice of appeal, within 30 days of the date the notice of final determination was given by MDHS, with the administrative head of MDHS and with the clerk of the circuit court of the county in which the appeal shall be taken.

Upon final determination of the amount of the debt due and owing by means of hearing or by the taxpayer's default through failure to submit a timely request for review, MDHS will irreversibly recoup the amount of the debt due and owing and will credit such amount to the debtor's obligation.

DOR may provide to MDHS information that is necessary to carry out the purposes of the bill. The information obtained by MDHS from DOR will retain its confidentiality and may only be used by MDHS in the pursuit of its debt collection duties and practices under the bill.

**HB 1647.** Effective on passage. Law without Governor's signature 5/14/24.

HB 1647 authorizes the Commissioner of Insurance to:

- Establish any program, promulgate any rule, policy, guideline or plan, or change any program, rule, policy or guideline to implement, establish, create, administer or otherwise operate an exchange;
- Apply for, accept or expend federal monies related to the creation, implementation or operation of an exchange;
- Establish any advisory board or committee the commissioner deems necessary for providing recommendations on the creation, implementation or operation of an exchange;
- Use the services and funds of the Comprehensive Health Insurance Risk Pool Association and the Comprehensive Health

Insurance Risk Pool Board to fulfill the purposes of the bill;  
and

- Engage such actuarial and other assistance as necessary to carry out the duties of the Insurance Department under the bill. The engagement of such services will not be subject to the procurement provisions of Section 31-7-13.

The bill defines the term "exchange" to mean a state, federal, or partnership exchange or marketplace operating in Mississippi pursuant to Section 1311 of the Federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and regulations and guidance issued under those acts.

The bill creates the "Mississippi Health Insurance State Exchange Trust Fund" as a special fund in the State Treasury and authorizes the Commissioner of Insurance to expend monies from the fund for the payment of the expenses incurred in the creation, implementation or operation of an exchange. The amount to be contributed annually to the special fund will be fixed each year by the Commissioner of Insurance as a percentage of fees assessed on the gross premiums charged on all policies sold on the exchange. This percentage may not be more than 3.5%, unless otherwise approved by the Legislature.

The bill also authorizes the Comprehensive Health Insurance Risk Pool Association to develop and fund an online portal that will be available to all Mississippians to assist consumers in the selection of a health plan. This program will have the capacity to aggregate information regarding providers, drug coverage and pricing that would allow consumers to make informed decisions in selecting a health plan.

**HB 1764.** Effective 7/1/24. Signed 5/8/24.

HB 1764 amends Sections 27-65-17 and 27-65-23 to provide that sales of equipment and materials used, and income from services performed, in connection with geophysical surveying, exploring, developing, drilling, redrilling, completing, working over, producing, distributing or testing of oil, gas and other mineral resources will be taxed at the rate of 4.5%. Operators that rebill sales of equipment and materials to nonoperating working interest owners on behalf of a joint account through the joint interest billing (JIB), where the sales tax has been paid or accrued by the operator, will not be charged a sales tax on the JIB as services income.

The bill also amends Section 27-65-21 to remove from the contractor's tax contracts exceeding \$10,000 for the redrilling, or working over, or of drilling or completing an oil well or a gas well.

**HB 1855.** Effective on passage. Signed 4/25/24.

HB 1855 amends Section 27-65-101 to exempt from sales taxation sales, leases or other retail transfers of fixed-wing aircraft to, or to be used by, certified common carriers in the transport of persons or property in interstate, intrastate or foreign commerce, and engines, accessories and spare parts for such fixed-wing aircraft.

**HB 1983.** Section 19 effective on passage, remaining sections effective 7/1/24. Signed 5/13/24.

HB 1983:

- Authorizes the issuance of state general obligation bonds to provide funds for various Mississippi Development Authority programs as follows:

- ▶ \$20,000,000 for the ACE Fund.

▶ Amends Sections 57-61-25 and 57-61-36 to increase by \$5,000,000 the amount of state general obligation bonds that may be issued under the Mississippi Business Investment Act and increase by \$5,000,000 the amount of such bond proceeds that the Mississippi Development Authority may utilize to make grants or loans to counties and municipalities through an equipment and public facilities grant and loan fund to aid in infrastructure-related improvements, the purchase of equipment and the purchase, construction or repair and renovation of facilities.

▶ Amends Section 57-75-15 to increase by \$5,000,000 the amount of state general obligation bonds that may be issued under the Mississippi Major Economic Impact Act for projects designed to enhance facilities that are at risk for closure pursuant to the Base Closure and Realignment Act of 1990 or other applicable federal law.

▶ Amends Section 65-4-25 to increase by \$5,000,000 the amount of state general obligation bonds that may be issued under the Economic Development Highway Act.

▶ Amends Section 25, Chapter 533, Laws of 2010, as last amended by Section 14, Chapter 480, Laws of 2021, to increase by \$10,000,000 the amount of state general obligation bonds that may be issued for the Mississippi Industry Incentive Financing Revolving Fund.

The bill amends Section 57-75-15 to reduce by \$60,000,000 and \$5,000,000 the amounts of state general obligation bonds authorized to be issued for projects defined in subparagraphs (xxviii) and (xxx), respectively, of Section 57-75-5(f), and it removes the amount of state general obligation bonds authorized to be issued for projects defined in subparagraph (xxvi) of Section 57-75-5(f). It also amends Section 57-71-25 to reduce



by \$50,000,000 the amount of state general obligation bonds authorized to be issued under the Mississippi Small Enterprise Development Finance Act.

- Amends Section 1, Chapter 492, Laws Of 2020, as amended by Section 4, Chapter 480, Laws of 2021, to revise the purposes for which the proceeds of bonds authorized to be issued for a capital project at the University of Southern Mississippi may be used. It also amends Section 1, Chapter 480, Laws Of 2021, as last amended by Section 32, Chapter 549, Laws Of 2023, for the same purpose.

- Amends Section 10, Chapter 567, Laws of 2013, as last amended by Section 1, Chapter 372, Laws of 2022, to reduce by \$3,000,000 the amount of state general obligation bonds authorized to be issued for the Hinds County Development Project Loan Fund.

- Authorizes the issuance of \$3,000,000 of state general obligation bonds to provide funds to assist Hinds County in paying costs associated with roof repairs and other repairs and renovations of and upgrades and improvements to the Hinds County Courthouse in Jackson (\$2,000,000) and improvements to a portion of Siwell Road extending from Oak Leaf Drive to Raymond Road in Hinds County (\$1,000,000).

- Amends Section 23, Chapter 492, Laws of 2020, which authorizes the issuance of state general obligation bonds to provide funds for the Mississippi Community Heritage Preservation Grant Fund, to extend the time within which the bonds may be issued.

- Amends Section 80, Chapter 492, Laws of 2020, to revise the purposes for which the proceeds of bonds authorized to be issued to assist the Mississippi Transportation Commission and the Mississippi Department of Transportation in paying the costs

associated with a certain road project in Oxford may be used. The bill provides that the proceeds of the bonds may be used to assist in paying the costs associated with extending and connecting Commonwealth Boulevard and Pegues Road in Oxford.

- Provides that the Mississippi Development Authority shall establish a program to provide grants to assist eligible applicants in paying costs associated with research and development to expand small unmanned aircraft systems manufacturing capabilities in Mississippi. It creates the Small Unmanned Aircraft System Manufacturer Grant Fund as a special fund in the State Treasury and provides that monies in the fund will be disbursed, upon appropriation by the Legislature, in the discretion of the Mississippi Development Authority, to provide grants authorized in the bill. The bill defines the term "eligible applicant" to mean any Mississippi-based small Unmanned Aircraft Systems (sUAS) manufacturer of which a majority of ownership is by residents of the State of Mississippi and which will provide a capital investment from private sources of not less than \$1,000,000 for the purposes for which a grant is requested. The bill also transfers \$500,000 from the 2023 Local Improvements Projects Fund to the Small Unmanned Aircraft System Manufacturer Grant Fund.

- Amends Section 124, Chapter 480, Laws of 2021, to revise the purposes for which the proceeds of bonds authorized to be issued to assist the City of Starkville with certain road projects may be used, to provide that the proceeds of the bonds may be used to assist the City of Starkville in paying costs associated with repairs, upgrades and improvements to the city's Ernest E. Jones Wastewater Treatment Plant and related infrastructure and facilities.

- Authorizes the issuance of \$13,900,000 state general obligation bonds to provide funds for the 2024 Gulf Coast Passenger Rail Restoration Match Fund, which is created in the bill. Monies in the fund will be used to pay the State of Mississippi's share of matching funds for any Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant for the payment of costs associated with improvements to track, siding, switches, interlocking, yards, grade crossings and other capital improvements and related administrative and contingency costs necessary to restore passenger rail service along the Mississippi Gulf Coast in Mississippi in Hancock, Harrison and Jackson Counties. The total amount of bonds that may be issued will be reduced by the amount of any other funds authorized by the Legislature specifically for these purposes.

- Amends Section 15, Chapter 492, Laws of 2020, as amended by Section 5, Chapter 480, Laws of 2021, to extend the period of time within which state general obligation bonds may be issued for the 2020 Chickasaw Heritage Center Fund.

- Transfers \$12,000,000 from the State General Fund to the Mississippi Outdoor Stewardship Trust Fund.

- Creates the Secretary of State Land Improvement Fund as a special fund within the State Treasury and provides that monies in the fund will be disbursed by the Secretary of State, as the state land commissioner, as a grant for use for the purposes described in Section 27-104-371(2) (vvvvvvvvvvvv). The bill also transfers \$13,000,000 from the Capital Expense Fund to the Secretary of State Land Improvement Fund.

- Provides that the Legislature finds:

- ▶ That certain property was conveyed by the State Mineral Lease Commission to the City of Jackson, Mississippi, by a deed executed May 4, 1944, and filed in the land records of

the Office of the Chancery Clerk of Hinds County, Mississippi, First Judicial District, and later amended and corrected by a 1947 deed recorded in the land records of the Office of the Chancery Clerk of Hinds County, Mississippi, First Judicial District;

▶ The conveyance of property was made subject to, among other things, the condition that the property shall be used by the City of Jackson only for park purposes and purposes incident thereto, and when the same shall cease to be used for such purposes, said property shall revert to and become the property of the State of Mississippi; and

▶ That of the property conveyed to the City of Jackson, the subject property as defined in the bill is not being used by the city in compliance with such condition, and therefore, the property must revert to and become the property of the State of Mississippi.

The term "subject property" is defined to mean a parcel of land located in the South 1/2 of the Northwest 1/4 of Section 25, Township 6 North, Range 1 East, Jackson, Hinds County, Mississippi, said property being the property of the City of Jackson as conveyed from the State of Mississippi in 1944 and being more particularly identified as a portion of Hinds County Tax Parcel 444-2.

The bill provides that the Attorney General shall take all actions necessary to enforce the terms of the instrument conveying the property and to have the subject property revert to and become the property of the State of Mississippi.

- Transfers \$200,000 from the Capital Expense Fund to the 2024 Local Improvements Projects Fund created in Senate Bill

No. 2468, and provides that such monies will be used to assist Marine Corps League Detachment 1073 in paying costs associated with renovation at the existing facility at 660 Weathersby Road.

- Transfers \$200,000 from the Capital Expense Fund to the 2024 Local Improvements Projects Fund created in Senate Bill No. 2468, and provides that such monies shall be used to assist in paying costs associated with the Mississippi Reading Clinic.

**HB 1984.** Effective 1/1/24. Signed 4/29/24.

HB 1984 authorizes an ad valorem tax credit for a person, firm or corporation operating a refinery for the refining of oil, gas or petroleum products and owning oil, gas or petroleum products, whether produced within or without the state, which (a) are located at such a refinery prior to being refined, (b) are in the process of being refined at such a refinery, or (c) have been refined at such a refinery and are stored at such a refinery, and which are subject to ad valorem taxes levied or hereafter levied by any county, municipality, levee district, school district or any other taxing authority of the state or a political subdivision thereof. The tax credit will be allowed for the amount of all ad valorem taxes payable by the person, firm or corporation that are attributable to such oil, gas or petroleum products. The tax credit may be applied against other ad valorem taxes payable on other taxable refinery property of such person, firm or corporation by the same county, municipality, levee district, school district or any other taxing authority of the state or a political subdivision thereof. The amount of credit that may be utilized during a taxable year cannot exceed the ad valorem tax liability of the person, firm or corporation on such other property for the taxable year. The tax credit will also extend to ad valorem taxes payable that are attributable to such

oil, gas and petroleum products owned by any corporation controlled by or under common control with, or controlling such refiner. However, the tax credit will not extend to those finished petroleum products no longer at the refinery incident to regular, normal and customary marketing operations held in temporary storage at marketing bulk plants outside refinery property, including storage facilities from which a finished product is marketed in the state and from which a finished product is shipped out of the state for marketing, or at retail service stations.

The administration of the tax credit will be performed by the tax assessor and/or tax collector of the county in which each refinery is located, and may include a credit applied by the tax assessor against the assessed value of other taxable property, or a credit applied by the tax collector against taxes on other taxable property which have been determined but not yet billed.

Any amount of ad valorem taxes applied and used as an ad valorem tax credit under the bill may not be applied and used as an income tax credit under Section 27-7-22.5. In addition, any amount of ad valorem taxes applied and used as an income tax credit under Section 27-7-22.5 may not be applied and used as an ad valorem tax credit under the bill.

The bill also amends Section 27-31-19, which provides an ad valorem tax exemption for oil, gas and petroleum products owned by a person, firm or corporation operating a refinery in the state, which are in transit to or situated at such a refinery for refining thereat, are in the process of being refined at such a refinery, or have been refined at such a refinery and are still owned by or in the hands of the refiner, to clarify that the exemption does not extend to finished petroleum products in temporary storage outside the refinery property.

## FORESTRY

**SB 2059.** Effective 7/1/24. Signed 3/22/24.

SB 2059 defines biomass as bioenergy feedstocks from forest products manufacturing. The bill further outlines what constitutes forest product manufacturing, which includes forest products manufacturing residuals, harvest residuals, downed wood due to extreme weather events, nonhazardous landscaping, invasive and noxious plant species control and removal, biowaste, forest biomass produced as a byproduct of timber harvesting, forest management activities, biomass materials as described by the United States Environmental Protection Agency as fuels under 40 CFR Statute 241.1 et seq., as it existed on January 1, 2023, and other used wood products. The bill also defines bioenergy with carbon capture and storage as the process of capturing and permanently storing carbon dioxide from biomass energy generation.

Lastly, SB 2059 provides that bioenergy produced from biomass is considered renewable and carbon neutral. When the bioenergy produced from biomass is paired with bioenergy with carbon capture and storage, the bioenergy is carbon negative. When bioenergy is produced from agricultural harvesting, it is considered renewable and carbon neutral. When the bioenergy produced from agricultural harvesting is paired with bioenergy with carbon capture and storage, the bioenergy is carbon negative.

**HB 299.** Effective 7/1/24. Signed 4/20/24.

HB 299 authorizes the State Forestry Commission, and county foresters who are employed by the commission, to electronically accept bids for timber sales.

It also provides that with regard to the sale of timber or other forest products under the control of a school board on sixteenth section lands or lieu lands, the board, in addition to publishing notice of a sale in a newspaper, may publish additional notices at school offices, in trade publications, or at any other location, in any other media, or by any other means it finds likely to result in competitive bids. The board also may allow for submission of electronic bids.



## GOVERNMENT STRUCTURE

**SB 2283.** See summary under Energy heading.

**SB 2454.** See summary under Energy heading.

**SB 2486.** Effective 7/1/24. Signed 4/30/24.

SB 2486 simplifies the receipt and registration process for proposals and requests for qualifications for public purchases. The bill also provides that where any public body is preparing or conducting a competitive procurement, the time limitations for production shall be tolled until the public body determines it will not issue the procurement, cancels the procurement or issues a notice naming its intended awardee. SB 2486 also allows purchases made by state agencies related to museum exhibits to qualify for a fabrication of exhibits exemption when certain listed procedures are followed. Lastly, the bill allows any person or professional service contracts entered into by an agency for the design, operation or maintenance of museum exhibits to qualify for an exhibit design exemption when certain listed procedures are followed.

**SB 2514.** Effective 7/1/24. Signed 4/15/24.

SB 2514 revises the composition of the State Veterans Affairs Board. From and after July 1, 2024, the State Veterans Affairs Board shall be continued and reconstituted and shall consist of seven members, to be appointed by the Governor, with the advice and consent of the Senate. One member shall be appointed from each of the current Congressional districts at the time of the appointment, and the remainder of the members shall be appointed from the state at large. Members serving on or before July 1, 2024, will continue to serve in accordance with their term and when such a member's term ends, the seat

will be filled by appointment of the Governor, with the advice and consent of the Senate, from the appropriate Congressional district or the state at large, as the case may be. All members appointed after July 1, 2024, shall serve for terms of five years each. In the event of death, resignation or removal of a member of the board, the vacancy shall be filled by appointment of the Governor, with the advice and consent of the Senate, from the Congressional district or the state at large in which the vacancy occurs, as the case may be, for the length of the unexpired term only. Members of the board shall be honorably discharged or released veterans of any war or police action in which the Armed Forces of the United States have been, are or shall be committed for action.

**SB 2788.** See summary under Business and Financial Institutions heading.

**SB 2799.** Effective 7/1/24; Section 12 upon passage. Signed 5/8/24.

This bill is intended to standardize the appointment procedures and terms of office for board/commission members as well as agency directors. The bill revises Section 7-1-35 which establishes the Senate confirmation process and most revisions and prospective to January 1, 2028, to allow time for future legislative revisions.

- The Secretary of State shall be the records repository for all appointments to boards, commissions, executive directors and agency directors. Appointing authorities shall notify the Secretary of State prior to submitting the appointment to the Senate. The Secretary of State shall send a list of the required appointments to boards, commissions, executive directors and agency directors whose terms are expiring or have been vacated prior to the next legislative session to the

appointing authorities by December 15th the preceding the legislative session. The Secretary of State shall also compile and issue a report to the Governor, Lieutenant Governor and Speaker of the House annually, detailing the number of official meetings each board and commission has held in the previous years.

- From and after January 1, 2028, the following provisions apply:

- ▶ Unless otherwise provided by law, all appointments to agencies, boards, commissions, director or executive director positions whose terms are expiring shall serve until their successors are appointed and qualified, but in no event shall they serve past the July 1st occurring after the end of their term, unless they shall be reappointed by the Governor or other appointing authority.

- ▶ If, for any cause, a vacancy occurs in the office of an appointed agency, board, or commission member, executive director or director position, the appointing authority shall make an appointment to fill the vacancy for the unexpired term within 180 days of the date the vacancy occurs.

- ▶ Interim appointments shall be allowed to serve for no more than nine months. No interim appointee may serve consecutive interim terms. If an appointment occurs in vacation of the legislative session, it shall be considered an interim appointment until confirmed by the Senate.

- ▶ Unless otherwise provided by law, an appointed agency, board or commission member may be removed by the Governor or other appointing authority for chronic absenteeism, which shall consist of more than three unexcused absences in any one year, and such person shall not be reappointed until his or her original term has expired. This provision is not applicable

to meetings where a designee has attended in place of the agency, board or commission member if the attendance by a designee is authorized by law.

▶ All appointments to an agency, board, commission or director position made in vacation of the legislative session shall be reported to the Senate within 10 days after the commencement of the next regular session of that body for its advice and consent to the appointment. Any vacancy to an agency, board, commission, executive director or director position shall not be filled if caused by the Senate's refusal to confirm or the Senate's inaction on the nomination, unless the vacancy occurs during the last five days of the session. Any appointment in vacation of the Senate to which the Senate shall refuse to consent or takes no action shall be thereby annulled from the date of sine die adjournment, but the acts of the appointee prior thereto shall not be affected thereby.

▶ Unless otherwise provided by law, all appointment procedures, term of office provisions, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35 shall be fully applicable to the appointment of agency directors by the Governor or by the respective board or commission.

• The following state agency code sections are amended to conform to the revisions to Section 7-1-35 effective January 1, 2028:

- ▶ Section 73-4-7, Auctioneer Commission;
- ▶ Section 73-4-11, Auctioneer Commission ED;
- ▶ Section 37-155-7, MPACT (College Savings Board);
- ▶ Section 37-4-3, MCCB and Director;
- ▶ Section 49-2-4, MDEQ Director;

- ▶ Section 49-2-5, MS Commission on Environmental Quality;
- ▶ Section 41-4-3, State Board of Mental Health;
- ▶ Section 41-4-7, State Board of Mental Health ED;
- ▶ Section 73-19-7, State Board of Optometry;
- ▶ Section 73-19-9, State Board of Optometry ED;
- ▶ Section 73-35-5, MREC and ED (upon passage language for this MREC section);
- ▶ Section 35-7-7, Veteran's Home Purchase Board and ED;
- ▶ Section 49-4-4, MDWPF;
- ▶ Section 49-4-6, MDWPF ED;
- ▶ Section 47-5-8, Commissioner of Corrections;
- ▶ Section 25-4-5, MS Ethics Commission (upon effective date of 7/1/24);
- ▶ Section 47-7-5, State Parole Board.

- The Commissioner of Corrections is subject to advice and consent not less than every four years, effective in 2028.

- The Ethics Commission removed proposed advice and consent of commission members after consultation with Director of the Ethics Commission; but has language prohibiting active and recent registered lobbyists being eligible to serve on the Ethics Committee for potential conflicts of interest.

- The State Parole Board is subject to advice and consent not less than every four years, effective in 2028.

## HIGHWAYS AND TRANSPORTATION

**SB 2060.** Effective 7/1/24. Signed 4/30/24.

SB 2060 dedicates the Little Biloxi Bridge located on U.S. Highway 49 in Harrison County, Mississippi, as the "Willie E. King Memorial Bridge."

**SB 2509.** Effective 6/30/24. Signed 4/15/24.

SB 2509 extends the repealer of the Motor Carrier Regulatory Laws concerning the commercial motor vehicle voluntary inspection program to July 1, 2026.

**SB 2634.** Effective 7/1/24. Signed 5/8/24.

SB 2634 designates a segment of Mississippi Highway 446 in Bolivar County, Mississippi, as the "H.M. 'Mack' Grimmett Memorial Highway." The bill also designates a segment of Highway 28 in Jones County, Mississippi, as the "Paul Holifield Memorial Highway."

**SB 2635.** Effective 7/1/24. Signed 4/19/24.

SB 2635 establishes regulations for the nonconsensual towing of commercial motor vehicles. The bill creates the Commercial Vehicle Towing Advisory Committee, which shall operate within the Department of Public Safety, Public Commercial Transportation Enforcement Division. The committee shall consist of seven members, and their responsibilities shall be to establish regulations for towing and recovery service providers, establish a resolution process for commercial motor vehicle owners who dispute towing and recovery charges and fees, set towing rates based on preestablished standards, and to provide disciplinary action against towing and recovery service providers for violations of nonconsensual towing policies.

The bill outlines procedures for what a towing and recovery service company must follow before performing a nonconsensual tow. SB 2635 also requires that when a towing and recovery service performs a nonconsensual tow on a commercial motor vehicle, it must store the vehicle within the State of Mississippi and allow the vehicle owner, or their agent, reasonable time to access the vehicle to collect personal property. SB 2635 also requires that private property owners display appropriate signage to warn vehicle operators of the potential of being towed.

Additionally, SB 2635 provides that there shall be a tow list of approved towing companies that may be utilized by law enforcement officers, and as authorized by the Department of Public Safety to perform police-initiated towing services of disabled or abandoned commercial vehicles. There will be guidance on how a police officer may utilize a tow list, and how users of the tow list may not receive a benefit for doing so. Lastly, the bill prohibits the use of vehicle immobilization devices, except when directed by law enforcement.

**SB 2643.** Effective on passage. Signed 4/15/24.

SB 2643 dedicates a segment of Mississippi Highway 8 in Grenada County, Mississippi, as the "William Winter Memorial Highway."

**SB 2644.** Effective 7/1/24. Signed 4/15/24.

SB 2644 amends Section 27-19-77, Mississippi Code of 1972, to extend the weight category for harvest permit license tag holders. This weight category increase conforms to other code sections concerning previously increased harvest permit licenses.

**SB 2645.** Effective 7/1/24. Signed 4/19/24.

SB 2645 amends Section 65-1-85, Mississippi Code of 1972, to update the publication and bid award requirements for the Mississippi Transportation Commission. The commission may now post advertisements for bids on a designated website for a period of 14 to 60 days, as well as in any metropolitan paper, national trade publication or any other location that may increase competitive bidding.

The bill further revises the requirements for design-build projects for the Transportation Commission, by allowing the commission to utilize federally approved alternative contracting methods. The approved methods include design-build, progressive design-build, construction manager/general contractor, any hybrid, combination or derivative of the Nonexperimental Alternative Contracting Methods as may be allowed by the United States Department of Transportation, and any additional Nonexperimental Alternative Contracting Method as may become approved and operational by the United States Department of Transportation. The commission shall have all the powers necessary to implement and administer alternative methods of awarding contracts as the commission determines what is in the best interest of the public and is otherwise in accordance with state law.

**HB 74.** Effective 7/1/24. Signed 4/17/24.

HB 74 designates a segment of U.S. Highway 45 located in Noxubee County, Mississippi, as the "Chief Petty Officer Andrew Triplett Memorial Highway."

**HB 75.** Effective 7/1/24. Signed 4/17/24.

HB 75 designates a segment of U.S. Highway 45 located within the incorporated city limits of Macon, Noxubee County, Mississippi, which is to be specified by the mayor and the board



of aldermen for the City of Macon, as the "Sergeant Travis S. Cooper Memorial Highway."

**HB 120.** Effective 7/1/24. Signed 4/25/24.

HB 120 designates a segment of Mississippi Highway U.S. Highway 278, also known as Noah Curtis Street, located in Shannon, Lee County, Mississippi, as the "Johnny R. Patterson Memorial Highway."

The bill also designates a segment of Mississippi Highway 25 located in Tishomingo County, Mississippi, as the "Dr. Kelly S. Segars, Sr., and Martha Segars Memorial Highway."

**HB 349.** Effective 7/1/24. Signed 4/25/24.

HB 349 defines a "squatted vehicle" as a vehicle whose front fenders have been raised four or more inches greater than the rear fenders, which makes the vehicle appear to be "squatting" on its back tires. This bill makes it unlawful for a person to drive a passenger motor vehicle on the streets or highway of this state if such vehicle is modified in a squatted position. Motor vehicles that are equipped with high clearance fenders to allow for increased front suspension articulation are exempt from the rules and penalties of this bill.

A person who violates this act shall be guilty of a misdemeanor and, upon conviction, shall be subject to fines which are tiered as follows: \$100 for the first offense, \$200 for the second offense, and \$300 and a license suspension for 12 months for a third or subsequent offense. Only offenses within five years of each other shall constitute a prior offense. HB 349 shall take effect July 1, 2024; however, for the first 180 days, law enforcement shall only issue warnings for squatted vehicle violations. After 180 days, the penalties of this section shall take effect. Fines assessed and collected as a result of violating HB 349 shall be deposited into the State

General Fund and used in their entirety to aid in funding Secondary School Drivers Education and Training Programs, as established by SB 2695, 2024 Regular Session.

**HB 619.** Effective 7/1/24. Signed 4/17/24.

HB 619 designates a segment of Mississippi Highway 15 located in Jasper County, Mississippi, as the "Major Samuel S. (Coach) King Memorial Highway."

**HB 697.** Effective 7/1/24. Signed 4/20/24.

HB 697 creates the "Mississippi Aviation Safety Act," which, beginning July 1, 2024, requires any entity owning an existing or newly constructed covered meteorological evaluation tower (MET), self-standing tower, real-time kinematic tower or tower supported by guy wires and ground anchors, which are 10 feet or less in diameter, at least 50 feet above the ground, but not more than 200 feet above the ground at its highest point, has accessory facilities upon which certain equipment is mounted, and is located in a rural area or land used for agricultural purposes, to electronically disclose the dimensions, precise location of latitudinal and longitudinal coordinates and the type of obstruction marking or lighting to the appropriate entities, who are required to keep the databases for which they are responsible for maintaining, and ensure that any proprietary information in the database is protected from disclosure in accordance with law.

**HB 751.** Effective 7/1/24. Signed 4/17/24.

HB 751 amends Section 77-7-345, to extend the date of repeal on the authority granted to the Commissioner of Public Safety to create a voluntary program for inspection of commercial motor vehicles, until July 1, 2027.

**HB 823.** Effective 7/1/24. Signed 4/17/24.

HB 823 designates the north bridge located on Mississippi Highway 309, recorded as MDOT Bridge No. 16764, located in North Byhalia, Marshall County, Mississippi, as the "Hubert Ingram Memorial Bridge."

**HB 1216.** Effective 7/1/24. Signed 4/17/24.

HB 1216 designates a segment of Mississippi Highway 35 North, located in Marion County, Mississippi, as the "Sheriff J.V. Polk Memorial Highway."

**HB 1287.** Effective 7/1/24. Signed 4/17/24.

HB 1287 designates a segment of Mississippi Highway 30 located in Prentiss County, Mississippi, as the "Jamie Neal Guin, PCEPA Lineman, Memorial Highway."

**HB 1288.** Effective 7/1/24. Signed 4/20/24.

HB 1288 amends Sections 65-3-71.359, 65-3-71.360 and 65-3-71.361, which are previously designated memorial highways to reflect the official military rank of the military service members for whom they are named, respectively segments of: Mississippi Highway 365 located in Prentiss County, as the "PFC Howard Tillman Bobo Memorial Highway"; Mississippi Highway 364 located in Prentiss County, as the "B1C James Millard Jourdan Memorial Highway"; and Mississippi Highway 365 located in Prentiss County, as the "PFC Leland L. Holland Memorial Highway."

**HB 1463.** Effective 7/1/24. Signed 4/17/24.

HB 1463 amends Section 65-3-71.341, to specify the parameters of the one mile segment of Mississippi Highway 28 in Copiah County that is to be designated as the "Carroll V. Hood Memorial Highway."

**HB 1681.** Effective 7/1/24. Signed 5/10/24.

HB 1681 makes several designations of various segments of public roadway in the State of Mississippi as memorial highways, including the following:

- A segment of Mississippi Highway 513 South located in Stonewall, Clarke County, Mississippi, as the "Lance Corporal Mac Hamburg, USMC, Memorial Highway."
- A segment of Mississippi Highway 15 South located in Walnut, Tippah County, Mississippi, as the "Maj. Gen. Alben "Al" Norris Hopkins, Sr., Memorial Highway."
- A segment of U.S. Highway 72 South located in Slayden, Marshall County, Mississippi, as the "Eddie Dixon Memorial Highway."
- A segment of Mississippi Highway 311 South located in Holly Springs, Marshall County, Mississippi, as the "Charles W. and Juanita Thomas Memorial Highway."
- A segment of Mississippi Highway 30 located in Prentiss County, Mississippi, as the "J.P. Davis Memorial Highway."
- A segment of Mississippi Highway 9 located in Webster County, Mississippi, as the "CW2 William H. "Bill" Seaborn, Jr. Memorial Highway."
- A segment of Highway 39 located in the City of Meridian, Lauderdale County, Mississippi, as the "Cheri M. Barry Memorial Highway."
- A segment of Mississippi Highway 15 located in Pontotoc County, Mississippi, as the "Judge Fred Wicker Memorial Highway."
- A segment of Mississippi Highway 7 located in Lafayette County, Mississippi, as the "Johnny Morgan Memorial Highway."

- A segment of Mississippi Highway 57 located in Greene County, Mississippi, as the "Purple Heart Highway."
- A segment of U.S. Highway 98 South located in George County, Mississippi, as the "Deputy Jeremy Malone Memorial Highway."
- A segment of U.S. Interstate 269 located in DeSoto County, Mississippi, as the "Mason Wilbanks Memorial Highway."

## INSURANCE

**SB 2125.** Effective 7/1/2024. Signed 4/19/2024.

SB 2125 amends Section 83-62-5 to provide that the State and School Employees Health Insurance Management Board shall allow state employees to participate in a health savings account program, provided that the employee pays the full cost of such program and consents to a payroll deduction.

**SB 2140.** Effective 7/1/2024. Signed 2/29/2024.

SB 2140 creates the Mississippi Prior Authorization Reform Act, and provides that the act shall apply to all health benefit plans, including Medicaid fee-for-service program and any managed care program, coordinated care program, coordinated care organization program or health maintenance organization program, except those that fall under ERISA or the Worker's Compensation Act.

The bill requires the Department of Insurance to administer many of the act's requirements. Section 5 of the bill requires health insurance issuers to maintain a complete list of services for which prior authorization is required. This section also requires health insurance issuers to make any current prior authorization requirements and restrictions, including the written clinical review criteria, readily accessible and conspicuously posted on its website to enrollees, health care professionals and health care providers. This section also requires that the health insurance issuers provide certain information for each service subject to prior authorization, such as the effective dates for when the PA was removed.

The act establishes that, among other requirements, the clinical review criteria must be based on nationally recognized, generally accepted standards except where state law provides its

own standard; be developed in accordance with the current standards of a national medical accreditation entity; ensure quality of care and access to needed health care services; and be evaluated and updated at least annually.

Subsections (4) and (5) of Section 5 place certain prohibitions on issuers denying claims where the prior authorization was not in effect on the date of service or where the health care services are routinely used as part of an associated health care service that has already received a PA. Subsection (6) requires that if a health insurance issuer intends to implement a new PA restriction or amend an existing one, it must provide written notice no less than 60 days before the requirement is to be implemented. Subsection (7) requires health insurance issuers to publish on their website certain statistics related to PAs.

Section 6 requires health insurance issuers to make available a standard electronic PA request process on their website by 2025. This section also requires all health care professionals and health care providers to use a standardized electronic prior authorization request transaction process by January 1, 2027.

Section 7 sets requirements for prior authorizations in nonurgent circumstances. Importantly, the issuer must make an approval or adverse determination and notify the enrollee, the enrollee's health care professional, and the enrollee's health care provider of the approval or adverse determination as expeditiously as the enrollee's condition requires but no later than seven calendar days after obtaining all necessary information to make the approval or adverse determination, unless a longer minimum time frame is required under federal law for the health insurance issuer and the health care service at

issue. This section maintains the two business day requirement for pharmaceutical services.

Section 8 sets requirements for prior authorizations in urgent circumstances. The section provides that if requested by a treating health care provider or health care professional for an enrollee, a health insurance issuer must render an approval or adverse determination concerning urgent health care services and notify the enrollee, the enrollee's health care professional and the enrollee's health care provider of that approval or adverse determination as expeditiously as the enrollee's condition requires but no later than forty-eight hours after receiving all information needed to complete the review of the requested health care services, unless a longer minimum time frame is required under federal law for the health insurance issuer and the urgent health care service at issue.

This section also requires issuers to ensure health care professionals have access to appropriately trained and licensed clinical personnel who have access to physicians for consultation, designated by the plan to make such determinations for prior authorization concerning urgent care services.

Section 9 requires health insurance issuers to include certain information in their notification for adverse determination to an enrollee or their provider. Section 10 sets the qualifications for personnel to make adverse determinations. Importantly, it requires that all adverse determinations be made by a physician when the request is made by a physician. The physician must possess a valid license in the United States and have experience treating and managing patients with the medical condition or disease for which the health care service is being requested, and certified within the relevant specialty.



Section 11 requires issuers to periodically review its prior authorization requirements and consider removal of these requirements in certain circumstances. Section 12 sets the process by which an issuer may revoke or further limit a prior authorization. These revocations include: where a provider performs services without first obtaining a PA when the provider knew it required a PA; the services were not performed or were contrary to instruction; or the approval was based on a material misrepresentation.

Section 13 provides that a prior authorization approval shall be valid for the lesser of six months after the date the health care professional or health care provider receives the prior authorization approval, provided that the insurer and enrollee may extend this approval for a longer period by agreement. This section does not apply to certain schedule II narcotics. Section 14 provides that the approvals for chronic conditions or long-term condition, including chemotherapy for the treatment of cancer, shall remain valid for 12 months.

Section 15 provides that on receipt of information documenting a prior authorization approval from the enrollee or from the enrollee's health care professional or health care provider, a health insurance issuer shall honor a prior authorization granted to an enrollee from a previous health insurance issuer for at least the initial 90 days. This section also provides certain other protections for enrollees.

Section 16 establishes 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. Section 17 provides the enforcement and administration of the act. Importantly, it authorizes the

department to fine an issuer \$10,000 per violation. It sets the process by which a violation may be reported.

Section 18 provides the reports that the health insurance issuer must provide to the department by June 1 of every year, including the number of PA requests denied, received and reversed on appeal. Section 19 provides that if a health insurance issuer has clear and convincing evidence that a health care professional or health care provider has knowingly and willingly submitted false or fraudulent requests for prior authorization to the health insurance issuer, the issuer shall notify the Commissioner of Insurance. The commissioner shall then forward these reports to the Board of Medical Licensure or such other licensing agency with oversight of the health care provider.

Sections 20-38 amend existing code sections to conform, primarily to ensure that the functions of the act will be administered by the Department of Insurance.

**SB 2530.** Effective 1/18/2025. Signed 4/22/2024.

SB 2530 establishes the Peer-to-Peer Car Sharing Program Act to authorize vehicle owners and drivers to use a business platform for the sharing of vehicles for financial consideration.

- Section 2 provides certain definitions related to the act.
- Section 3 provides that a peer-to-peer car sharing program shall assume liability of a shared vehicle owner for bodily injury or property damage to third parties during the car-sharing period in an amount stated in the peer-to-peer car sharing program agreement, which cannot be less than our state's minimum limits of liability set forth in Section 63-15-43. However, the assumption of liability required by the act does not apply to any shared vehicle owner when a shared vehicle

owner makes an intentional or fraudulent material misrepresentation or when the owner acts in concert with a driver to fail to return the vehicle.

This section also requires that peer-to-peer sharing programs ensure that a shared vehicle owner and driver are insured under a policy that (a) recognizes that the shared vehicle insured under the policy is made available and used through a peer-to-peer car sharing program, and (b) does not exclude the use of a shared vehicle by a shared vehicle driver.

The section also authorizes certain individuals to satisfy this insurance requirement, including the owner, driver, peer-to-peer car sharing program, or two of any of those together. This section also requires this insurance to be primary during each car sharing period.

Subsection (7) requires the individual/entity that obtained coverage to assume primary liability for a claim when:

(a) A dispute exists as to who was in control of the shared motor vehicle at the time of the loss and the peer-to-peer car sharing program does not have available, did not retain or fails to provide certain information required by the act; or

(b) A dispute exists as to whether the shared vehicle was returned to the alternatively agreed upon location.

Subsection (8) requires that if insurance maintained by a shared vehicle owner or shared vehicle driver has lapsed or does not provide the required coverage, insurance maintained by a peer-to-peer car sharing program shall provide the required coverage beginning with the first dollar of a claim and have the duty to defend such claim except under circumstances as set forth in the act. Subsection (9) also provides that coverage under a policy maintained by the program shall not be dependent on another automobile insurer first denying a claim nor shall

another automobile insurance policy be required to first deny a claim.

Subsection (10) provides that nothing in this act:

(a) Limits the liability of the peer-to-peer car sharing program for any act or omission of the peer-to-peer car sharing program itself that results in injury to any person as a result of the use of a shared vehicle through a peer-to-peer car sharing program; or

(b) Limits the ability of the peer-to-peer car sharing program to, by contract, seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss sustained by the peer-to-peer car sharing program resulting from a breach of the terms and conditions of the car sharing program agreement.

- Section 4 provides that at the time a vehicle owner registers as a shared owner on a program and before the owner makes his or her car available on the program, the program must notify the owner that, if the owner has a lien on the car, the use of the car on the program may violate the terms of the contract with the lienholder.

- Section 5 authorizes an authorized insurer to exclude any and all coverage and the duty to defend or indemnify for any claim afforded under a shared vehicle owner's motor vehicle liability insurance policy.

- Section 6 requires a peer-to-peer car sharing program to collect and verify records pertaining to the use of a vehicle, pick-up and drop-off locations, fees paid and revenues received by a shared vehicle owner.

- Section 7 exempts peer-to-peer car sharing programs and a shared vehicle owner from vicarious liability consistent with

federal law and under any state or local law that imposes liability solely based on vehicle ownership.

- Section 8 provides that an insurer that defends or indemnifies a claim against a shared vehicle that is excluded under the terms of its policy shall have the right to seek recovery or contribution if certain factors are met.

- Section 9 establishes that a peer-to-peer car sharing program shall have an insurable interest in a shared vehicle during the car sharing period.

- Section 10 requires each car sharing program agreement to disclose to the shared vehicle owner and driver certain rights and exclusions.

- Section 11 prohibits a peer-to-peer car sharing program from entering into an agreement with a driver unless the driver has a valid driver's license or is otherwise specifically authorized under existing law. It also requires the program to keep a record of the drivers.

- Section 12 provides that a peer-to-peer car sharing program shall have sole responsibility for any equipment, such as a GPS system or other special equipment that is put in or on the vehicle to monitor or facilitate the car sharing transaction, and shall agree to indemnify and hold harmless the vehicle owner for any damage to or theft of such equipment.

- Section 13 requires a peer-to-peer car sharing program to verify that the shared vehicle does not have any safety recalls on the vehicle which repairs have not been made.

- Section 14 authorizes the Commissioner of Insurance to promulgate rules and regulations that are necessary to administer and enforce the provisions of this act provided that such rules and regulations are not inconsistent with the provisions of this act.

- Section 15 amends existing law to exempt individuals engaging in the program from being able to get temporary car tags. Section 16 amends existing law to exempt individuals engaging in the program from being subject to certain provisions related to renting vehicles through traditional means. Sections 17, 18 and 19 amend existing law to exempt individuals engaging in the program from being subject to provisions related to a transportation network or prearranged ride, and certain fees applied to taxicabs.

**SB 2740.** Effective 7/1/24. Signed 4/15/24.

SB 2740 amend Sections 19-7-7, 21-37-45 and 37-7-303 to authorize counties, municipalities, school districts and political subdivisions to pool their risks and negotiate for the purchase of property insurance, or the establishment of a self-insurance fund or self-insurance reserves, or any combination thereof. The governmental entities are authorized under this act to expend funds from any available source for the purpose of obtaining and maintaining that property insurance. Further, the bill provides that the administration and service of any such self-insurance program shall be contracted to a third party and approved by the Commissioner of Insurance.

**SB 2851.** Effective 7/1/24. Signed 4/17/2024.

SB 2851 creates new Section 83-1-111 to exempt nonprofit agricultural membership organizations from insurance regulation. The bill defines the term "nonprofit agricultural membership organization (NAMO)" and provides that healthcare benefits or services covered by such organizations must be provided, under a self-funded arrangement, hereinafter referred to as a "NAMO Plan," and administered by an entity that holds a certificate of authority as a third-party administrator in this state.

Further, the bill requires that a NAMO have a designated individual who, in consultation with the State Insurance Department, operates as an ombudsman to address concerns from NAMO Plan members pursuant to a complaint policy and procedure to be created by the NAMO that is materially similar to the policy and procedure used by the State Insurance Department. The Department of Insurance shall have the authority to review and comment on any complaint, but all complaints shall be investigated and resolved solely by the ombudsman and NAMO or its designee.

SB 2851 also authorizes the reinsurance of any risk of loss arising out of a contract for coverage for healthcare benefits or services between a member of a NAMO and a NAMO, or its affiliate. The bill also establishes certain requirements for coverage and the application for coverage under this section. Last, the bill requires that that healthcare benefits or services be sold or solicited only by an insurance producer who is both appointed by an organization meeting the requirements of this act and licensed as an insurance producer to sell or solicit accident and health insurance in this state.

**HB 819.** Effective 7/1/24. Signed 4/30/24.

HB 819 amends Sections 83-11-17 and 83-11-19 to remove the requirement of a \$15 filing fee in automobile cancellation or nonrenewal appeals. It also amends Section 83-17-251 to exempt from prelicensing requirements individuals seeking licensure in the life line of authority only. The bill amends Section 83-17-523 to clarify the compensation of a public adjuster and to provide that a public adjuster shall not participate in the reconstruction, repair or restoration of damaged property that is the subject of a claim adjusted by the adjuster. The bill also provides that a public adjuster shall not engage in any

activities that may be reasonably construed as a conflict of interest, and that a public adjuster shall not have a financial interest in any salvage, repair or any other business entity that obtains business in connection with any claim that the public adjuster has a contract to adjust. The bill also provides that no public adjuster shall be entitled to any payment, commission, fee or other thing of value of any insurance settlement or agreed settlement that was made between the insured and the insurance company before the public adjuster and the insured entered into a contract for service, and it provides that if an insurance company extends a written settlement offer to the insured before the insured enters into a contract with a public adjuster for services, then a public adjuster may only be entitled to an amount that is no more than 10% of the settlement amount that is in excess of the amount that was offered in writing to the insured prior to entering into the contract with a public adjuster. The bill also creates a new section of law that authorizes the Comprehensive Health Insurance Risk Pool Association to establish an online portal to assist Mississippians in selecting a health plan.

**HB 871.** Effective 7/1/24. Signed 4/17/24.

HB 871 amends Section 83-9-5 to provide that for purposes of the balance billing prohibition, a licensed health care provider rendering hospital, nursing, medical or surgical services shall not include those in the practice of dentistry.

**HB 1079.** Effective on passage. Signed 4/17/24.

HB 1079 amends Section 83-9-5 to clarify requirements for a clean claim by providing that, upon request, the insurer shall provide the insured or the provider submitting a claim a written list of the information required and the documentation required for the insurer to deem a claim to be clean, and the insurer



shall then be bound to such list. The bill also provides that the Commissioner of Insurance may adopt rules and regulations necessary to ensure compliance with this section.

**HB 1143.** Effective 7/1/24. Signed 4/18/24.

HB 1143 provides that a health benefit plan providing coverage for advanced, metastatic cancer and associated conditions may not require, before the health benefit plan provides coverage of a prescription drug approved by the United States Food and Drug Administration, that the enrollee:

- Fail to successfully respond to a different drug; or
- Prove a history of failure of a different drug.

This provision applies only to a drug the use of which is:

- Consistent with best practices for the treatment of advanced, metastatic cancer or an associated condition;
  - Supported by peer-reviewed, evidence-based literature;
- and
- Approved by the United States Food and Drug Administration.

Section 83-9-36 is amended to conform.

**HB 1213.** Effective 7/1/24. Signed 4/17/24.

HB 1213 creates the "Living Donor Protection Act" to prohibit an insurer of a life, disability or long-term care insurance policy from declining or limiting coverage of a person under any policy or otherwise discriminating against such person solely due to the status of such person as a living organ donor. The bill authorizes the Mississippi State Department of Health to make any material it receives related to living organ donation from a recognized living organ donation organization available to the public.

**HB 1410.** Effective 7/1/24. Signed 4/17/24.

HB 1410 requires any insurer, subcontractor, third party administrator or other payor that administers a health benefit policy issued in another state that covers a person in this state to reimburse providers at the reimbursement rate as provided in the state of issuance, if that reimbursement rate is higher than the reimbursement rate in this state and if the premium for such policy was based on certain benefits and provider network reimbursements in the issuing state. The bill also provides that if a benefit is provided in the issuing state, that benefit must be provided to covered persons in this state. ERISA and self-funded plans are exempt from these provisions.

**HB 1489.** Effective 7/1/24. Signed 5/2/24.

HB 1489 creates the Mississippi Triage, Treat and Transport to Alternative Destination Act and provides that health benefit plans shall provide coverage for an ambulance service to treat or assess an enrollee in place, or triage or triage and transport an enrollee to an alternative destination, or an encounter between an ambulance service and enrollee that results without transport of the enrollee under the plan. The bill provides that the coverage required under this section is subject to the initiation of ambulance service treatment as a result of a 911 call that is documented in the records of the ambulance service and subject to deductibles or co-payment requirements of the plan, and does not diminish or limit benefits otherwise allowable under the plan. Additionally, the bill provides that the reimbursement rate for an ambulance service provider whose operators assess, triage, treat or transport an enrollee to an alternative destination shall be not less than the minimum allowable reimbursement for advanced life

support rate with mileage to the scene, and the minimum allowable reimbursement rate under any policy of accident and sickness insurance to an out-of-network ambulance service provider shall be rates contracted between an ambulance service provider and a county, municipality or special purpose district or authority, or otherwise approved or established by ordinance or regulation enacted by any such county, municipality or special purpose district or authority. The bill provides that in the absence of such rates, the minimum allowable reimbursement rate shall be the greater of 325% of the reimbursement allowed by Medicare for services originating in rural areas or the ambulance service provider's billed charges. The bill also provides a date of repeal on such provisions of June 30, 2028.

**JUDICIARY, DIVISION A**

**SB 2130.** Effective 7/1/24. Signed 5/13/24.

SB 2130 prohibits an insurer from canceling a policy, canceling a binder, or denying coverage solely because of the age of the roof of a residential structure where an insurer has issued to an insured a policy that provides coverage or a binder that binds coverage of a residential structure.

**SB 2262.** Effective on passage. Signed 4/15/24.

SB 2262 amends Section 43-19-34, which provides for stipulated agreements for modification of child support, to mirror current agency policy and federal law. The bill provides that a modification to an order of support for minor children shall not be retroactive except from the date that notice of such petition to modify has been given, either directly or through the appropriate agent, to the obligee or to the obligor where the obligee is the petitioner.

**SB 2519.** Effective 7/1/24. Signed 4/15/24.

SB 2519 enacts the Mississippi Foreign Land Ownership Act to limit the ability of nonresident aliens to maintain ownership of Mississippi agricultural and forestry land if they are from a country that is considered a foreign adversary by the United States Secretary of Commerce.

Under the bill, a nonresident alien means an individual who is domiciled in a country whose government is designated as a foreign adversary by the United States Secretary of Commerce and is neither a citizen of the United States nor a resident of the United States. The term also includes a business entity that is (1) domiciled in a country whose government is designated as a foreign adversary by the United States Secretary of Commerce or (2) domiciled within the United States but wholly or in the

majority part owned by any business entity domiciled in a country whose government is designated as a foreign adversary by the United States Secretary of Commerce.

The bill authorizes nonresident aliens to acquire a possessory interest in forest or agricultural land but requires the nonresident alien to dispose of the interest within two years for interests acquired in the collection of debts or lien enforcement and within one year for all other interests. If a nonresident alien fails to comply with this act, the Secretary of State shall issue a formal demand. If the nonresident alien does not comply with the demand, the Secretary of State shall request the Attorney General to enforce the act.

Upon notice to the Attorney General, the nonresident alien shall be issued the following fines:

- First Offense . . . . . \$ 100,000 - \$ 250,000;
  - Second Offense . . . . . \$ 250,000 - \$ 750,000;
- and
- Third and Subsequent Offense . . \$ 750,000 - \$ 5,000,000

Fines shall be payable within 30 days, and the Attorney General shall file to civilly take the property if the fines are not paid. The entry of civil forfeiture shall extinguish the lien of the fine on the property but shall not extinguish the fine as against the nonresident alien. Other mortgages, liens, and interests shall be unaffected by the civil taking.

Last, the bill provides that no attorney, title insurer, title insurance producer, title insurance agency producer, lender, mortgage loan servicer, notary public, real estate agent, real estate broker, seller or lessor shall have a duty to make any investigation as to whether a party to a transaction involving immovable property is a foreign adversary, nor shall

any such person be liable for failing to identify that a party to a transaction involving immovable property is a foreign adversary.

**SB 2530.** See summary under Insurance heading.

**SB 2753.** Effective on passage. Signed 5/13/24.

SB 2753 creates a new code Section 1-3-83 to define the terms "female," "male" and "sex." It also creates new Sections 29-18-1 through 29-18-19 to enact the "Securing Areas for Females Effectively and Responsibly Act" or the "SAFER Act" to regulate governmental buildings.

Section 1-3-83 defines "female" as an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces eggs. It also defines "male" as an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces sperm. Further, it defines "sex," when used to classify a natural person, as the biological indication of male or female as observed or clinically verified at birth, without regard to a person's psychological, chosen, or subjective experience, feelings, actions, or sense of self. Last, Section 1-3-83 provides that:

- There are only two sexes, and every individual is either male or female.
- "Sex" is objective and fixed.
- Persons with "DSD conditions" (sometimes referred to as "differences in sex development", "disorders of sex development", or "intersex conditions") are not members of a third sex.

- The foregoing definition of "sex," for purposes of state law, neither requires nor precludes the accommodation of persons with a congenital and physically verifiable diagnosis of "DSD condition" (sometimes referred to as "differences in sex development", "disorders of sex development", or "intersex conditions"); however, such accommodation may be required by federal law.

Section 29-18-3 states certain legislative findings and provides that policies and laws that distinguish between the sexes are subject to intermediate constitutional scrutiny, which forbids unfair discrimination against similarly situated males and females but allows the law to distinguish between the sexes where such distinctions are substantially related to important governmental objectives.

Section 29-18-5 defines the terms "changing facility," "single-sex educational housing space," "public education building," "restroom," "single-sex or family use changing facility" and "single-sex or family-use restroom." Of note, "public education building" means any building, facility or space owned, operated, rented or leased by, or rented or leased to any public school, public university, public community or junior college and the institutions of higher learning.

Sections 29-18-7 and 29-18-9 require any public education building that maintains a restroom or changing facility to, at a minimum, have:

- A restroom or changing facility designated for exclusive use by females and a restroom or changing facility designated for exclusive use by males; or
- A single-sex or family-use restroom or changing facility.

Section 29-18-11 provides the right to any student required to reside in housing at an educational institution to be housed

in a single-sex educational housing space with persons of the same sex. Section 29-18-13 also requires social fraternities and sororities at educational institutions that have and operate single-sex housing facilities located on public land to comply with the definitions contained within Section 1-3-83 for purposes of maintaining such facilities as single-sex only.

Section 29-18-15 prohibits a person from entering a restroom, changing facility, or single-sex educational housing space, designated for the opposite sex, except under the following circumstances:

- To assist or chaperone a child under the age of 12, a vulnerable person as defined in Section 43-47-5, or a person with a disability as defined in Section 43-6-203(b), with such child, vulnerable person, or person with a disability also allowed to enter, with a parent, guardian or caregiver, the restroom or changing room designated for the sex of their parent, guardian or caregiver;
- For law enforcement, fire protection or response, or other public safety purposes;
- For governmental purposes, including employees or contractors of governmental entities acting within the scope of their employment or contract;
- For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;
- For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use;
- If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex; or



- In single-sex educational housing spaces as authorized by educational institutions for moving, visiting, administrative, health, or other authorized purposes.

Section 29-18-17 provides for private enforcement of the act, authorizing a person to assert a violation of this act as a claim or defense in a judicial or administrative proceeding. The section, though, provides that no private cause of action against a public school, state agency, public university, public community college or junior college, or the institutions of higher learning is authorized by this act. Finally, Section 29-18-19 requires the Attorney General to bring an action to enforce compliance with this act.

**SB 2764.** Effective on passage. Signed 5/8/24.

SB 2764 creates a new code Section 63-21-28 to require the Department of Revenue to issue a certificate of title pursuant to a filed affidavit of ownership substantially similar to the affidavit provided in Section 63-21-30(22) for a manufactured home or a mobile home that is manufactured before July 1, 1999.

It also amends Section 63-21-29 to authorize the Department of Revenue to issue a distinctive certificate of title of the vehicle if the department is not satisfied that there are no undisclosed security interests created before July 1, 1999, in a previously registered manufactured home or mobile home.

Last, the bill amends Section 63-21-30 to allow the owner of a manufactured home or mobile home to file an affidavit of ownership attached to an affidavit of affixation in order to retire the certificate of title to the manufactured home or mobile home. It also provides a statutory form for the affidavit of ownership to be filed with the department of revenue.

**SB 2776.** Effective on passage. Signed 4/19/24.

SB 2776 amends Section 11-27-81 to authorize any public agency as defined by Section 57-75-37(7)(a)(ii) to exercise the right of immediate possession in connection with a data processing project as defined in Section 57-75-5(f)(xxxiii). The use of immediate possession may only be for the purpose of acquiring land, property or interests therein, including, but not limited to, easements or rights-of-way for public highways and roads, and for public water utilities, public wastewater and wastewater treatment utilities, public drainage utilities and other public utility purposes in connection with the project.

**SB 2792.** Effective 7/1/24. Signed 5/13/24.

SB 2792 makes several amendments to the general laws of Mississippi pursuant to the report and recommendations of the Task Force on Foster Care and Adoption and Other Related Matters created by Senate Bill No. 2384, 2023 Regular Session. It also amends the liability of recreational landowners in relation to cycling.

First, SB 2792 amends Section 25-7-9 to waive the adoption filing fee in chancery court for cases involving the Department of Child Protection Services.

Second, the bill makes a number of amendments to Section 93-15-107. It requires summons to be issued and served on a child who is 12 years of age or older in an involuntary termination of parental rights proceeding and provides that the minor child shall be represented by counsel throughout the proceedings. The bill also requires the court to consider the child's preferences, if any, if the child is 14 years of age or older at the time of the hearing. Further, the amendments to the section provide that the style of the case shall not include the child's name, shall require a court to hold a hearing on the

petition within 90 calendar days of the date the petition is filed, and authorizes the court to continue the hearing under certain extraordinary circumstances. The bill also amends Section 43-21-613 to require the youth court to conduct a permanency hearing for children who have been adjudicated abused or neglected within 120 days of certain dates or every 60 days for children under three years of age.

Third, SB 2792 amends Section 93-15-111 to require a chancery court to accept a parent's written voluntary release terminating parental rights if certain requirements are met.

Fourth, the bill makes several changes to Section 43-21-201. It requires a youth court judge to appoint counsel for an indigent custodial parent or guardian who is a party in an abuse, neglect or termination of parental rights proceeding. It also authorizes a youth court judge to appoint counsel for an indigent noncustodial parent if the youth court judge determines that the parent has demonstrated a significant custodial relationship with the child. Further, the section now requires a financially able parent to pay for court-appointed representation or some portion thereof and provides for the monies collected to be deposited into a special fund to be known as the "Juvenile Court Representation Fund," which may be used by the court to cover the costs of counsel in indigent cases. Also of note, the section now provides that the Department of Child Protection Services shall have the right to hire agency counsel to represent the department and be represented by counsel from the Attorney General's Office at all stages of the proceedings involving a child for whom the department has custody of or may be awarded custody of.

Fifth, the bill amends Section 43-21-105 to revise the definition of "neglected child" and "reasonable efforts." The bill further amends Section 97-5-39 to define "torture" for the

purpose of felony child abuse. It also amends Section 43-21-151 to provide that jurisdiction of the youth court shall attach at the time of the offense, or at the time of the allegation of abuse, neglect or exploitation.

Sixth, SB 2792 creates a new code section to provide a noncomprehensive list of reasons that would constitute compelling and extraordinary reasons why termination of parental rights would not be in the child's best interests.

Seventh, the bill amends Section 43-21-651 to provide that appeals may be taken from final orders or decrees of the youth court to the Supreme Court of Mississippi pursuant to the Rules of Appellate Procedure. The section includes examples of a final order and provides that all factual findings, legal determinations, and adjudication of issues by the youth court prior to the time the final order is entered be preserved for appellate review. The bill specifically abrogates any common law to the contrary. It also provides that any matters adjudicated by the youth court through interim orders such as adjudication/disposition orders, or permanency review orders, may be only appealed through the interlocutory appeal process provided by the Rules of Appellate Procedure.

Eighth, SB 2792 amends Sections 43-21-351 and 43-21-801 to require youth court intake officers to receive training on MYCIDS and youth court judges to receive at least one hour of annual continuing education concerning oversight of youth court intake officers and MYCIDS.

Lastly, the bill amends Sections 89-2-3 and 89-2-25 to add cycling to the activities exempt from liability for recreational landowners.

**HB 325.** Effective 7/1/24. Signed 4/20/24.

HB 325 extinguishes a right of first refusal in real property granted through a contractual agreement or any other written instrument of conveyance upon the death of the grantee right-holder unless the contractual agreement or instrument of conveyance, or a memorandum of the contractual agreement or instrument of conveyance, is filed for recording in the land records of the county in which the real property lies and unambiguously states that upon the death of the grantee right-holder, the right of first refusal shall be binding upon and inure to the benefit of the heirs and assigns of the grantee right-holder.

**HB 846.** Effective 7/1/24. Signed 4/20/24.

HB 846 amends Section 25-7-21 to conform the fees charged by chancery clerks for filing and recording deeds to land sold for taxes and for recording redemption of lands sold for taxes to those fees set in Section 25-7-9(1)(b).

**HB 1088.** Effective 7/1/24. Signed 5/8/24.

HB 1088 authorizes the circuit court to retain jurisdiction and proceed with civil commitment procedures in the same manner as otherwise provided by law for chancery court civil commitments. The order of the circuit court finding that the person is incompetent to stand trial and is not restorable to competency in the foreseeable future shall be in lieu of the affidavit for commitment provided for in Section 41-21-65. Additionally, if the finding of the circuit court is based on the report and/or testimony of a physician or psychologist that has examined the person, the provisions of Section 41-21-67 for psychiatric examinations shall not apply.

**HB 1102.** Effective 7/1/24. Signed 4/20/24.

HB 1102 amends Section 43-19-48 to authorize the Department of Human Services to send notice of certain encumbrances initiated by the department by other approved types of communication as allowed by the financial institution in addition to notice by certified mail.

**HB 1126.** See summary under Judiciary, Division B heading.

**HB 1137.** Effective on passage. Signed 5/8/24.

HB 1137 revises the Emergency Response and Overdose Prevention Act to allow community organizations and high-risk opioid overdose touchpoints to store, distribute and administer opioid antagonists to persons at risk of experiencing an opioid-related overdose. An opioid antagonist is any drug that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors and that is approved by the federal Food and Drug Administration for the treatment of an opioid-related overdose.

More specifically, the bill does the following:

- Defines "community organization" as an organization aimed at making desired improvements to a community's social health, well-being, and overall functioning, and may include organizations that participate in social work, and that are related to the organized development of community social welfare through coordination of public and private agencies.

- Defines "high-risk opioid overdose touchpoint" as a health care entity, public health program, criminal justice system or hospitality industry that may interact with individuals that are considered high risk of experiencing or witnessing an opioid overdose, or deliver harm-reduction services, or engage in treatment of substance use disorders.

- Authorizes a health care practitioner acting in good faith to directly, or by standing order, prescribe an opioid antagonist to a community organization.

- Authorizes a person acting in good faith and with reasonable care to administer an opioid antagonist that was distributed by a community organization or high-risk opioid overdose touchpoint to another person whom he or she believes to be experiencing an opioid-related overdose.

- Authorizes a community organization or high-risk opioid overdose touchpoint to store and distribute an opioid antagonist.

- Authorizes a member of a community organization or high-risk opioid overdose touchpoint to administer an opioid antagonist to another person.

- Authorizes the State Department of Health to distribute an opioid antagonist to any member of a community organization or high-risk opioid overdose touchpoint upon a request made in writing by the community organization or high-risk opioid overdose touchpoint.

- Authorizes a person to store an opioid antagonist that is distributed by a community organization or high-risk opioid overdose touchpoint.

- Provides certain criminal and civil liability protection to a community organization or high-risk opioid overdose touchpoint and members and personnel of such organization.

**HB 1315.** Effective on passage. Signed 5/8/24.

HB 1315 requires the Administrative Director Of Courts to audit the Mississippi Youth Court Information System (MYCIDS). It also revises the manner in which the circuit judges, chancellors and county court judges establish the office of

court administrator. The Administrative Office of Courts is also required to determine if a prospective court administrator meets the minimum requirements before the person is hired.

The bill requires circuit judges and chancellors desiring to employ support staff to have candidates approved by the Administrative Office Of Courts before filling the position. A repealer for July 1, 2026, is added. It authorizes chancellors and circuit judges to obtain continuing legal education outside of the state contingent upon the approval from the Chief Justice of the Supreme Court. The support staff allotment for circuit and chancery judges was increased also.

**HB 1343.** Effective 7/1/24. Signed 4/17/24.

HB 1343 amends Section 89-5-8 to authorize attorneys who have retired from the practice of law to correct a scrivener's error made by the attorney while still practicing law if the retired lawyer was in good standing with The Mississippi Bar when the document was recorded, was licensed to practice law in the State of Mississippi when the document was recorded, and is retired from the practice of law at the time of verification or affirmation.

**HB 1542.** Effective on passage. Signed 5/13/24.

HB 1542 enacts the Chris McDill law to create a process for intestate succession for an assisted reproduction birth. If the decedent dies before the start of a pregnancy by assisted reproduction resulting in the birth of an individual who lives at least 120 hours after birth, that individual is deemed to be living at the time of the decedent's death under certain conditions. It also creates a procedure for the descent and distribution of a portion of the decedent's personal property.



**HB 1624.** Effective 7/1/24. Signed 5/13/24.

HB 1624 establishes state standards and operating procedures for local Court-Appointed Special Advocate (CASA) programs. It defines certain terms and authorizes a youth court judge to establish a local CASA program governed by a local board of directors and prescribes the board's powers. It requires the state CASA association to provide support services to local CASA programs and establishes minimum requirements for local CASA volunteers. Each clerk of court is required to perform certain duties in relation to CASA volunteers appointed to a court case. The bill prescribes the duties of a CASA volunteer assigned to a case.

It also creates a state court-appointed special advocate (CASA) association; prescribes the state association's duties and authorizes the board of directors of the association to employ a director and to establish qualifications for the director. The Administrative Office of Courts is authorized to provide secretarial and support services to the association. Local CASA programs are required to submit specified data to the association. The Administrative Office of Courts is required to administer the Mississippi Foster Care Fund and prescribe the purposes for which monies in the fund may be expended.

**JUDICIARY, DIVISION B**

**SB 2022.** Effective 7/1/24. Signed 5/13/24.

SB 2022 amends Section 97-3-21 to create a sentencing procedure for juvenile offenders who are convicted of either first-degree murder or capital murder in compliance with the United States Supreme Court holding in the case of *Miller v. Alabama*.

For first-degree murder after July 1, 2024, a juvenile offender may be sentenced to life imprisonment in the custody of the Department of Corrections if the punishment is so fixed by the jury. If the jury fails to fix the penalty at life imprisonment, the court shall fix the penalty at not less than 20 nor more than 40 years in the custody of the Department of Corrections.

For capital murder after July 1, 2024, a juvenile offender may be sentenced to life imprisonment in the custody of the Department of Corrections or life imprisonment without eligibility for parole in the custody of the Department of Corrections if the punishment is so fixed by the jury. If the jury fails to fix the penalty at life imprisonment or life imprisonment without parole, the court shall fix the penalty at not less than 25 nor more than 50 years in the custody of the Department of Corrections.

For either first-degree murder or capital murder prior to July 1, 2024, the judge who presided over the trial, or a judge appointed by the senior circuit judge, if the presiding judge is unavailable, shall fix the penalty if the juvenile offender is entitled to a hearing under this subsection.

The bill also amends Section 99-19-101 to prohibit the imposition of the death penalty for a defendant who was under the age of 18 in compliance with the United States Supreme Court holding in the case of *Roper v. Evans*.

Last, the bill amends Section 25-31-21 to provide procedures for recusal by attorneys for purposes of impaneling a grand jury, including which judicial district shall bear the costs when an appointed attorney is required to travel beyond the limits of the judicial district in which he or she is normally employed.

**SB 2174.** Effective 7/1/24. Signed 5/8/24.

SB 2174 amends Section 97-17-42 to provide that the crime of motor vehicle theft shall be a felony.

For a first offense, the crime is punishable by a fine of not more than \$10,000, or imprisonment in the custody of the Department of Corrections for a term not to exceed 15 years, or both.

For a second offense, the crime is punishable by a fine of not more than \$20,000, or imprisonment in the custody of the Department of Corrections for a term of not less than five years but not to exceed 20 years, or both.

The bill also provides that notwithstanding the penalties authorized in this section, the crime is punishable by a fine of not more than \$20,000 or imprisonment in the custody of the Department of Corrections for a term of not less than 10 years but not to exceed 30 years, or both where a person is convicted of an offense under this section where the motor vehicle was in the possession of a commercial entity in the business of buying, selling, leasing, renting, storing or transporting motor vehicles.

Last, the bill provides that a motor vehicle includes every self-propelled device in, upon or by which any person or property is or may be transported or drawn upon a highway and shall also include any and all other land-based, self-propelled devices which are not designed for use upon a highway, including, but not limited to, farm machinery, construction equipment, all-terrain vehicles and off-road vehicles.

**SB 2179.** Effective on passage. Signed 4/30/24.

SB 2179 amends Section 45-1-3 to authorize the Commissioner of Public Safety to enter into a lease or sublease agreement for space in the Department of Public Safety headquarters building with a third party for the purpose of providing services and assistance to the department and its employees upon the written approval from the Executive Director of the Department of Finance and Administration. The proceeds received from the lease shall be paid to the State Treasurer for deposit into the General Fund.

The bill also amends Sections 45-3-51 and 45-9-131 to authorize all law enforcement officers of the Mississippi Department of Public Safety to retain his or her sidearm upon retirement. And the bill authorizes a beneficiary of a law enforcement officer of the Mississippi Department of Public Safety to retain the sidearm of an officer or agent who is killed in the line of duty. Previously, this procedure was only authorized for Highway Patrol Officers and agents of the Mississippi Bureau of Narcotics.

Last, the bill amends Section 41-61-55 and creates a new code section to repeal the State Medical Advisory Council and replace it with the State Medical Examiner Task Force. The Task Force is composed of nine members, including the State Health Officer, the Commissioner of Public Safety, and the Attorney

General. It is required to meet at least once annually and submit a report to the Legislature on December 31. The report must include:

- Identification of needs and means to improve the investigation of deaths affecting the public interest while using best practices;
- Identification of State Medical Examiner resources; and
- Recommendations to enhance the efficiency of the Mississippi State Medical Examiner's Office.

**SB 2577.** See summary under Elections heading.

**HB 292.** Effective 7/1/24. Law without Governor's signature 5/14/24.

HB 292, first, amends Sections 63-11-23 and 63-11-30 to provide a timeline for counting the 120-day suspension for DUI violations. Second, it amends Section 63-11-30 to provide an aggravated DUI penalty for persons who are under the legal age for purchasing alcoholic beverages. This amendment resolves an equal protection issue by applying the same evidentiary standard to any person who commits an aggravated DUI. Before the amendment, persons who were under the legal age for purchasing alcohol were convicted under a lesser evidentiary standard for an aggravated DUI.

**HB 295.** Effective 7/1/24. Signed 5/8/24.

HB 295 authorizes the use of electronic warrant applications, electronic signatures for the applications and electronic versions of written records of the warrants. Before an electronic felony warrant is issued, the applicant shall be required to meet with a judge. The meeting may be held through the use of video or teleconference devices.

**HB 438.** Effective 7/1/24. Signed 5/8/24.

HB 438 amends Section 97-23-93 to revise the penalties for shoplifting by enhancing the penalty for any person who is convicted of shoplifting merchandise, acting in concert with, aiding, abetting, or encouraging one or more persons to commit such crime, regardless of whether such others are prosecuted for such crime. The bill also deletes the requirement that a court find substantial and compelling reasons why an offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety before imposing a term of imprisonment.

**HB 634.** Effective on passage. Signed 4/25/24.

HB 634 amends Section 45-9-131 to authorize the governmental agency of certain law enforcement officers to determine the amount to be paid for a sidearm of retired law enforcement officers who retire under any state retirement system or leave such employment after being employed for 10 continuous years of service.

**HB 691.** Effective 7/1/24. Signed 5/8/24.

HB 691 revises the composition of the Board on Law Enforcement Officer Standards and Training. It also authorizes the board to establish a hearing panel for the purpose of providing a hearing to any law enforcement officer for whom the board believes there is a basis for reprimand, suspension, cancellation of, or recalling the certification of a law enforcement officer. The hearing panel shall provide its written findings and recommendations to the board. It also requires continuing education for any law enforcement officer of any state agency, county, municipality, public two-year or

four-year college or university and any extension thereof in the State of Mississippi, and the Pearl River Valley Water Supply District.

**HB 873.** Effective 7/1/24. Signed 4/20/24.

HB 873 establishes the purple alert for persons with a mental or cognitive disability that is not Alzheimer's disease or a dementia-related disorder. It authorizes a local law enforcement agency to activate a purple alert, notwithstanding the existence of an active silver alert or amber alert, for missing persons who have a cognitive disability that is not dementia-related.

**HB 903.** Effective 7/1/24. Signed 4/30/24.

HB 903 enacts the Jeremy Todd Malone Law to provide that any person who manufactures, possesses, or uses a machine gun conversion device and who is not otherwise authorized by federal law to manufacture, possess or use a machine gun conversion device shall be guilty of a felony. It also creates a definition for "machine gun conversion."

**HB 1004.** Effective 7/1/24. Signed 5/13/24.

HB 1004 amends Sections 45-33-23 and 45-33-25 to revise the definition for the provisions of law that regulates the sex offender registry. The term "permanent residence" is revised to include aggregate days in a six-month period.

The bill also authorizes a not-for-profit organization responsible for recovering organs from donors for transplantation in all or a portion of the state to establish an organ procurement organization PEER review committee. The functions of an organ procurement organization PEER review committee include, but are not limited to: evaluating and improving the quality of services rendered by the state

organization; evaluating the competence or practice of employees and staff of the state organization; and determining if services rendered by the organization were professionally performed in compliance with the applicable standard of care. The records and proceedings of an organ procurement organization PEER review committee are confidential and not discoverable in a civil action. It also describes the functions of PEER review committees and excludes persons providing information to members of a PEER review committee from liability for actions taken by the committee. It prohibits a PEER review committee and its members from revealing the identity of organ donors and recipients.

Last, the bill amends Section 47-7-47 to increase the jurisdictional time period for a court's authority to revise a defendant's sentence.

**HB 1015.** Effective 7/1/24. Signed 4/20/24.

HB 1015 authorizes the Department of Public Safety inspectors to assist other officers and adds commercial motor carrier inspectors to the list of persons authorized to give DUI breath tests. It also authorizes all inspectors to have the authority to purchase and use speed detection equipment on commercial vehicles that they are authorized to inspect.

**HB 1023.** Effective 7/1/24. Signed 4/20/24.

HB 1023 excludes motor vehicles owned or leased by the Department of Human Services and/or the Office of Inspector General from the requirement of being marked with a state decal.

**HB 1024.** Effective 7/1/24. Signed 4/17/24.

HB 1024 authorizes the Department of Human Services, Office of Inspector General and the Fraud Investigative Unit to recover investigative costs from a defendant.



**HB 1126.** Effective 7/1/24. Signed 4/30/24.

HB 1126 establishes the "Walker Montgomery Protecting Children Online Act," which places requirements upon digital service providers that allow users to socially interact with other users on the digital service through the creation of profiles for the purpose of signing into the digital service platform and creating or posting content to be viewed by other users, to safeguard minors by making commercially reasonable efforts to develop and implement strategies to prevent or mitigate the known minor's exposure to harmful material and other content that promotes or facilitates harm to minors.

To ensure the most sound safeguards to protect minors, digital service providers may not enter into an agreement with a person to create an account with a digital service unless the person has registered his or her age with the provider who, in turn, must make commercially reasonable efforts to verify the age of the person creating an account. The provider is prohibited from permitting a known minor to be an account holder unless the known minor has the express consent from a parent or guardian, which may be provided during the verification using a prescribed form to be signed and returned to the provider, toll-free telephone consent, coordinated video conferencing, information related to government-issued identification known to the parent or guardian, email confirmed consent and other reasonable method of obtaining consent.

The bill limits digital service provider's ability to collect a known minor's personal identifying information and the purposes for which such information may be used. Further, the provider may not use the service it provides to collect a minor's precise geolocation, to display targeted advertising or harmful material, or share, disclose or sell the minor's personal identifying information for purposes that are not

consistent with a legal litigation, governmental purpose, law enforcement investigation, for preventing criminal activity or blocking/filtering spam.

The bill also provides parents with grounds to commence a cause of action against any digital service provider who violates this act, seeking a declaratory judgment or an injunction.

The bill amends Section 75-24-5 to provide that violations of the Walker Montgomery Children Online Protection Act is deemed an unfair and deceptive trade practice enforceable by the Attorney General.

Lastly, the bill amends Section 97-5-31, to provide that altered or morphed images depicting minor children in an explicit nature shall constitute the crime of child exploitation. The section further defines the terms "morphed image" and "identifiable child."

**HB 1196.** Effective 7/1/24. Signed 4/25/24.

HB 1196 enacts Walker's Law to create the offense of sexual extortion and aggravated sexual extortion. It categorizes penalties based on whether the victim is a minor or vulnerable person, and the person convicted of sexual extortion is an adult. The youth court may order behavioral health counseling as a condition of sentencing for any juvenile adjudicated under this act.

**HB 1208.** See summary under Wildlife, Fisheries and Parks heading.

**HB 1323.** Effective 7/1/24. Signed 5/13/24.

HB 1323 amends Section 99-1-5 to remove the statute of limitations for prosecuting the crimes of felonious abuse of vulnerable persons, as described in Section 43-47-18, sexual

battery as described in Section 97-3-95(1) (a) or (b) when the identity of the accused is later discovered due to results of DNA testing of biological evidence.

## MEDICAID

**HB 539.** Effective 7/1/24. Signed 3/12/24.

HB 539 provides for presumptive Medicaid eligibility for pregnant women as follows:

- Pregnant women will be deemed to be presumptively eligible for ambulatory prenatal care under Medicaid for up to 60 days if a qualified provider determines, on the basis of preliminary information, that the total countable net family income of the woman does not exceed the income limits for eligibility of pregnant women, which is currently 194% of the federal poverty level.

- Pregnant women must provide proof of pregnancy and documentation of monthly family income when seeking a determination of presumptive eligibility.

- Qualified providers are those that meet the federal definition of qualified provider and includes county health departments, federally qualified health centers (FQHCs), and other entities approved and designated by the Division of Medicaid to conduct presumptive eligibility determinations for pregnant women.

- Pregnant women who are determined to be presumptively eligible for Medicaid are required to make application for Medicaid by not later than the last day of the month following the month during which the determination is made.

**HB 970.** Effective 7/1/24. Signed 3/12/24.

HB 970 extends to July 1, 2028, the date of the repealers on the services and managed care provisions in the Medicaid program (Section 43-13-117) and the Medicaid provider assessment provisions (Section 43-13-145).

## MUNICIPALITIES

**SB 2707.** Effective 7/1/24. Signed 4/17/24.

SB 2707 amends the Business Improvement District Act to allow modification of the process for plan amendments during the ten-year plan period and provides for disbursement of the collected district funds.

- Once the ten-year period has commenced, the district shall hold an annual meeting for the purpose of reporting its plan activities to the district property owners.

- The district plan improvements may be amended during any of the annual meetings. Notice of intent to amend the plan shall be provided to the property owners as an addendum to a notice of the annual meeting which shall be provided not less than 20 days prior to the meeting.

- Approval of the plan will be validated by a vote of 50% of the annual meeting participating property owners. Ballots shall be provided by the district prior to the commencement of the meeting.

- All district property owners shall be notified of the voting results of a proposed amended plan.

- The tax collector works directly with the district, and the city's fiscal year is no longer required. The calendar year may be utilized. Cooperation is required of the city in providing information on tax payments.

- The proceeds of any assessment imposed pursuant to an approved district plan shall be disbursed by the tax collector to the designated district management group on an agreed to scheduled basis. A business improvement district may operate on the calendar year or on the same fiscal year as that of the municipality. None of the proceeds collected shall be used for

any purposes other than those set forth in the initially approved or amended district plan. Improvements provided by a district using district funds may be undertaken only when the service, events, project or activity undertaken is not for the sole benefit of any particular property owner or other private party. At such time of any disbursement, the tax collector shall provide a listing of the property owners and payment amounts, including the date paid. The tax collector shall provide information upon request by the district related to any unpaid or sold parcels.

**PORTS AND MARINE RESOURCES**

**SB 2648.** Effective 7/1/24. Signed 5/13/24.

SB 2648 provides technical revisions to the powers and duties of the Mississippi Department of Marine Resources relating to oyster cultivation leases, the Seafood Fund, the Oyster Production Preserve Account and the Coastal Preserve Account.

- The Department of Marine Resources shall establish a system to determine qualifications of applicants. The department shall prioritize applications based on the following criteria, each of which shall be weighted equally:

- (a) Experience in oyster reef development;
- (b) Experience in oyster cultivation and harvesting;
- (c) Whether lease applicant is registered with the U.S. Food & Drug Administration Interstate Certified Shellfish Shippers List for Mississippi, and the length of time the applicant has been registered;
- (d) Amount of acreage to be leased; and
- (e) Evidence of applicant's financial ability to perform cultivation and propagation requirements.

The department shall then order an examination to determine whether the water bottoms applied for are leasable.

- If the applicant is found to be qualified and the area is found to be leasable, the department shall determine the acreage upon which the rent shall be fixed and enter into a lease with the applicant, who shall pay the prorated annual rent in advance for the remainder of the calendar year. If the applicant is not eligible for a lease, the department shall issue a written notice declining the application with specific reasons for same.

- The department has the authority to lease an area to an applicant who has no experience in oyster cultivation as long as the applicant can demonstrate their financial stability and the area applied for has not been requested by another applicant with demonstrated experience.

- The department has the authority to reconfigure the lease areas from that requested by the applicant in the manner that promotes maximum utilization of the state's resources. In the event the area requested by the applicant has to be reconfigured, the applicant has the right to refuse the reconfigured area and withdraw their application and receive a refund of their application fee.

- The department shall require that the bottoms of water areas to be leased be as definable as possible, taking into consideration such factors as the shape of the body of water, permitted areas, and the condition of the bottom as to hardness or softness which would render it desirable or undesirable for the purpose of oyster cultivation.

- A lease applicant may withdraw a lease application and receive a full refund from the department of all application fees, by submitting a written request for withdrawal to the department within 90 days after the department received the application.

- 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.



- Funds received from the shell retention fee shall be paid into the Oyster Production Preserve Account within the Seafood Fund for use by the department to further oyster production in this state, which includes plantings of oysters and/or cultch materials.

- Any person, firm or corporation violating the provisions of the Oyster Cultivation law, shall, on conviction, be fined not less than \$5,000, and the license of the convicted party shall be revoked for one year. For conviction of a second offense, the fine shall be not less than \$10,000, and the license of the convicted party shall be revoked for two years. For a conviction of a third offense, the fine shall be not less than \$100,000, and the license of the convicted party shall be permanently revoked.

- The Lower Pearl River Restoration Project ("project") is contingent upon the development of an agreement, or an amendment to the existing agreement, between the Mississippi Department of Environmental Quality ("MDEQ"), the Department of Wildlife, Fisheries and Parks ("DWFP") and the Pearl River Development District, removing the district from the agreement, and possibly adding a new cooperating partner or partners and possibly removing the MDEQ and/or the DWFP from the agreement.

**HB 652.** Effective 7/01/24. Signed 4/30/24.

HB 652 amends Section 59-5-37 to extend the repealer on the provision of law which authorizes the State Port Authority and other ports and port commissions to use the design-build method of contracting for certain projects.

**HB 1006.** Effective 7/1/24. Signed 4/17/24.

HB 1006 amends Section 49-15-84 to limit recreation crab licenses to license holders rather than households so recreational crabbers may use no more than six crab traps per license holder instead of per household.

**HB 1007.** Effective 7/1/24. Signed 4/17/24.

HB 1007 amends Section 49-15-46 to provide that oyster tags may be issued by the department or printed by the catcher in compliance with procedures and regulations adopted by the department. Under current law, the tags must be printed by the department.

**HB 1279.** Effective 7/1/24. Signed 4/20/24.

HB 1279 amends Section 49-15-64.1 to provide that certain waters that are protective and staging areas for young shrimp shall be permanently closed to commercial and recreational shrimp trawling activities.

**HB 1439.** Effective 7/1/24. Signed 4/20/24.

HB 1439 amends Section 49-15-9 to provide that the sole right of planting, cultivating in racks or other structures, and gathering oysters and erecting bathhouses and other structures in front of any land bordering on the Gulf of Mexico or Mississippi Sound or waters tributary thereto belongs to the riparian owner. HB 1439 provides an exception to that right for state-owned lands along the Hancock County shoreline from Bayou Caddy to the Mississippi-Louisiana state boundary, which shall not extend out further than 300 yards from the average low watermark.

**PUBLIC HEALTH AND WELFARE**

**SB 2072.** Effective 7/1/24. Signed 4/8/24.

SB 2072 amends Section 73-23-35 to provide that a physical therapist licensed or privileged to practice may perform certain acts without a prescription or referral including an initial evaluation or consultation of a screening nature to determine the need for physical therapy. Additionally, the bill provides that for the treatment of a condition within the scope of physical therapy, a physical therapist licensed or privileged to practice may implement physical therapy treatment with or without a prescription or referral from a person licensed as a physician, dentist, osteopath, podiatrist, chiropractor, physician assistant or nurse practitioner if the physical therapist has a doctorate degree in physical therapy from an accredited institution; or the physical therapist has five years of licensed clinical practice experience. The bill also provides that if the patient has not made measurable or functional improvement after 30 calendar days of implementing physical therapy treatment, the physical therapist shall refer the patient to an appropriate health care provider, provided that the board shall take appropriate disciplinary action against any physical therapist who fails to refer a patient as required under the act.

The bill also amends Sections 73-23-41 and 73-23-59 to make certain nonsubstantive changes to modernize statutory references.

**SB 2156.** Effective 7/1/24. Signed 4/8/24.

SB 2156 provides that the Mississippi Rare Disease Advisory Council is established at the University of Mississippi Medical Center for the purpose of advising the Legislature and other governmental agencies, departments, commissions and authorities on the needs of individuals living in Mississippi with a rare disease. The bill provides for the board of directors, terms and membership of the council and requires the initial meeting of the council to occur before October 1, 2024.

SB 2156 requires the council to perform various duties, including convening public hearings, consulting with experts, researching and making policy recommendations to the Legislature on access to insurance, specialists and other needed services for patients with rare diseases. It also requires the council to submit an annual report on its activities to the Governor and Legislature before July 1 of each year. The bill also provides that the council will be under the direction of an executive director, who will be appointed by the board of directors.

**SB 2157.** Effective on passage. Signed 4/8/24.

SB 2157 enacts the Psychology Interjurisdictional Compact to provide that the State of Mississippi enters into the Compact with other states that join in the Compact. The act provides various provisions related to the Compact, including definitions, home state licensure, reciprocity, Compact privilege to practice telepsychology, Compact temporary authorization to practice, and conditions of telepsychology practice in a receiving state. It also amends existing law in Sections 73-31-7, 73-31-13, 73-31-14, 73-31-15, 73-31-21 and 73-31-23 make various revisions to conform to the Compact, including that the Mississippi Board of Psychology may grant to persons who are licensed in another state or jurisdiction the

authority to practice interjurisdictional telepsychology or the temporary authorization to practice, and regulate the practice of those persons in Mississippi, in accordance with the Psychology Interjurisdictional Compact.

**SB 2159.** Effective 7/1/24. Signed 4/15/24.

SB 2159 amends Section 73-54-17 to revise 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) and to reduce the hour requirements needed to receive a license.

**SB 2340.** Effective 7/1/24. Signed 4/8/24.

SB 2340 amends Section 41-29-136 to extend the date of the repealer on Harper Grace's Law, which authorizes research and the dispensing, possession and use of cannabidiol (CBD oil) for medical purposes.

**SB 2727.** Effective on passage. Signed 4/22/24.

SB 2727 establishes the Mississippi K-12 and Postsecondary Mental Health Task Force to address growing concerns related to student mental health. The bill provides that the goal of the Task Force is to draw on available data to determine challenges in Mississippi as it relates to the mental health of students ranging from K-12 through the community college and university systems; assessing public and private resources currently available to students who need help managing mental health issues; assessing training and procedures in place for teachers, school district personnel and community college and university personnel; and determining where gaps exist in training and resources; exploring partnerships across communities to better serve students; and examining successful programs in Mississippi

and across the nation. The bill requires the task force to develop recommendations to the Legislature on changes to policy and laws in Mississippi with a goal of better identifying students at all levels struggling with mental health issues; training school, community college and university personnel related to student mental health, and thus improving health outcomes and the probability of student success.

The bill sets the members of the Task Force and requires the Task Force to meet within 45 days of the effective date of the act. It requires the Task Force to collect and analyze publicly available data and statistics related to the current state of student mental health, K-12 through the community college and university level; explore the impact of trauma and mental health issues on student behavior, dropout and graduation rates, academic achievement, employment and related issues; and evaluate currently available resources for addressing student mental health.

The bill also reconstitutes the Early Intervention Task Force that was created in the 2023 Session in order to complete the work of the Task Force in assisting the state agency coordinating Part C of IDEA in implementing a new service delivery model. It provides the members of the Task Force and the goals of the Task Force.

**SB 2857.** Effective 7/1/24. Signed 5/8/24.

SB 2857 amends Section 41-137-39 to require the Department of Health to obtain criminal records background checks on all persons applying to become a licensee, an agent, or representative of a medical cannabis establishment. This also must include performing criminal records background checks on all potential employees, current employees, or representatives/agents of the MDOH Medical Cannabis Program.

The required criminal history background check includes information provided by the Federal Bureau of Investigation. The bill also sets certain application procedures and provides the requisite considerations for who may be considered an agent and officer of a medical cannabis entity. The bill provides that any person seeking to become an agent/representative of a medical cannabis establishment shall authorize the release of such criminal background checks to the MDOH and shall be responsible for the payment of any fee that the Mississippi Justice Information Center of the Department of Public Safety or the MDOH charges to process fingerprint-based state and national criminal background checks. The bill authorizes the Department of Public Safety and that the Mississippi Department of Health may charge and retain a fee not to exceed \$60.00 for each applicant.

The bill deletes the weekly limit of allowable amount of medical cannabis. It also amends Section 41-137-47 to provide additional measures related to investigation procedures by licensing agencies under the Medical Cannabis Act; sets certain administrative hearing procedures; and authorizes the licensing agency to recoup any fee associated with the investigation or hearing process.

**SB 2858.** Effective 7/1/24. Signed 4/22/24.

SB 2858 provides that a manufacturer operating within an eligible facility and pursuant to all applicable laws and regulations may make available an individualized investigative treatment, and an eligible patient may request an individualized investigational drug, biological product or device from an eligible facility or manufacturer operating within an eligible facility under the act. The bill provides that an individualized investigational treatment shall be considered

drugs, biological products, or devices that are unique to and produced exclusively for use for an individual patient, based on their own genetic profile, or long-acting injectable antiretroviral drugs for the treatment of patients with HIV.

The bill provides that a health plan, third-party administrator, or governmental agency may, but is not required to, provide coverage for the cost of an individualized investigational drug, biological product, or device, or the cost of services related to the use of an individualized investigational drug, biological product, or device under this act. The bill provides various exemptions to the applicability of the act.

Additionally, the bill provides that if a patient's death is proximately caused by treatment with an individualized investigational drug, biological product, or device, the patient's estate, heirs, or devisees are not liable for any debt remaining after payment by insurance for charges directly incurred for said treatment. Additionally, the bill prohibits a licensing board or disciplinary subcommittee from revoking, failing to renew, suspending, or taking any action against a health care provider's license, and based solely on the health care provider's recommendations to an eligible patient regarding access to or treatment with an individualized investigational drug, biological product or device.

The bill does not create a private cause of action against a manufacturer of an individualized investigational drug, biological product, or device or against any other person or entity involved in the care of an eligible patient using the individualized investigational drug, biological product, or device for any harm done to the eligible patient resulting from the individualized investigational drug, biological product, or device, if the manufacturer or other person or entity is



complying in good faith with the terms of this act and has exercised reasonable care. The bill also provides a severability section.

The bill prohibits group health plans and health insurance issuers that provide benefits with respect to screening, diagnostic breast examinations and supplemental breast examinations furnished to individuals enrolled under such plans from imposing any cost-sharing requirements for those services. The bill also amends Section 83-9-108 to conform to the provisions of the act.

**SB 2862.** Effective 7/1/24. Signed 4/19/24.

SB 2862 amends Section 45-14-31 to authorize the State Board of Health to collect licensing and administration fees for certain radiological health services in congruence with federal regulations. The board and the State Department of Health are authorized to increase the amount of any fee charged by the board or the department, respectively, for providing radiation health services, including the issuance and renewal of licenses and registrations, not more than twice from July 1, 2024, through June 30, 2028, with the percentage of each increase being not more than 25% of the amount of the fee in effect at the time of the increase.

**SB 2873.** Effective on passage. Signed 5/13/24.

SB 2873 amends Sections 41-9-69, 73-9-13 and 73-43-11 to require that hospital records, dental records and physician practice records shall be retained in their original, microfilmed, or similarly reproduced form for a minimum period of ten years from the date a patient is discharged. The bill also provides that graphic matter, images, X-ray films, and like matter that were necessary to produce a diagnostic or therapeutic report shall be retained, preserved and properly

stored by a dentist, physician or hospital, as applicable, in the original microfilmed or similarly reproduced form for a minimum period of three years from the date a patient is last treated. Such graphic matter, images, X-ray film, and like matter shall be retained for a longer period when requested in writing by the patient.

The bill also provides that such records in their original, microfilmed, or similarly reproduced form shall be provided upon request to a parent or guardian of an unemancipated minor under eighteen without the permission of such unemancipated minor.

**SB 2888.** Effective 7/1/24. Signed 4/8/24.

SB 2888 establishes the Mississippi Medical Cannabis Research Program at the National Center for Cannabis Research and Education at the University of Mississippi. It requires the program to perform various duties and responsibilities, including that the program shall facilitate and support funding for research related to the health effects, including the potential risks or side effects, of the use of cannabis products.

The bill also establishes the Medical Cannabis Research Advisory Board, which shall be the board that is required to advise and review research about medical cannabis and cannabinoid research activities, status of research plans and research budget, and research findings of the Mississippi Medical Cannabis Research Program at the National Center for Cannabis Research and Education at the University of Mississippi. It sets the membership of the advisory board and the duties and responsibilities of the board. The bill requires that by the November interim meeting each year beginning in 2024, the department shall report to the Public Health and Welfare Committees of the Mississippi State Senate and the House

of Representatives on information provided by the Medical Cannabis Research Program described in the bill.

**HB 313.** Sections 1 and 27 effective on passage,  
remaining sections effective 1/1/25.

Signed 4/25/24.

HB 313 merges the State Board of Cosmetology and the State Board of Barber Examiners into the State Board of Cosmetology and Barbering (Board) which will be composed of seven members, with six members to be appointed by the Governor, with the advice and consent of the Senate, and the State Health Officer or his or her designee. Of the appointed members, three members will be from the cosmetology professions and three members will be from the barbering profession. No more than two members will be appointed from each Supreme Court district as such district existed on July 1, 2024, and one member from each district will be a barber. The initial term of office for the two members appointed from the First Supreme Court District will be two years and thereafter, will be six years from the expiration date of the previous term; the initial term of office for the two members appointed from the Second Supreme Court District will be three years and thereafter, will be six years from the expiration date of the previous term; and the initial term of office for the two members appointed from the Third Supreme Court District will be four years and thereafter, will be six years from the expiration date of the previous term. No member may serve more than three consecutive terms. The initial appointments must be made before August 1, 2024. If appointments are not made by August 1, 2024, the State Board of Cosmetology and the State Board of Barber Examiners will continue to operate in their separate capacities until the board is appointed.

The bill revises various licensing requirements for cosmetologists including lowering the minimum age to 16 (17 under the prior law) for a person to be eligible to apply for a license examination, and providing that as an alternative to the requirement that a person have successfully completed no less than 1500 hours over a period of no less than nine months in a licensed school of cosmetology, a person may have successfully completed no less than 3,000 hours in an apprenticeship program certified by the board.

The bill revises various licensing requirements for barbers including lowering the minimum age to 16 (18 under the prior law) for a person to be eligible to apply for a license examination, and providing that as an alternative to the requirement that a person have successfully completed no less than 1500 hours at a barbering school, a person may have successfully completed no less than 3,000 hours of board-approved apprenticeship training.

The bill establishes requirements for schools for professions regulated by the board as follows:

- Any school applying for a license shall not be transferable for any cause and shall include a surety bond in the penal sum of \$50,000 in favor of the board on a bond form completed by an insurance company or agency. The applicant may file in lieu of the bond, cash or a certificate of deposit or government bonds in the amount of \$50,000.

- The school applicant must maintain a professional liability insurance policy covering any aspect of the facility, personnel and/or students.

- The school must meet all applicable health and safety standards that may be required by local, state and federal agencies.

- Private business and vocational schools that have obtained national accreditation from an accrediting agency designated by the United States Department of Education must submit evidence of current accreditation.

- The course content and length of instruction must be of such nature and quality as to assure that the students will adequately develop the job skills and knowledge necessary for passing any and all examinations required for licensure.

- Schools must provide favorable conditions for effective classroom instruction. A total pattern of successful instruction includes (a) well-defined instructional objectives, (b) systematic planning, (c) selection and use of varied types of learning materials and experiences, (d) adaptation of organization and instructional procedures to student needs, (e) use of varied evaluation instruments and procedures, and (f) good student and teacher morale.

- Each board-approved school of cosmetology, barbering, esthetics or nail technology must provide proof to the board of an annual pass rate that meets or exceeds the current minimum standard as established by the board.

- The board will evaluate school curriculum for conformance with educational requirements set forth in the bill.

- There will be no automatic renewal of school licenses, and each licensee will be audited for conformity before the issuance of a new license. Before the issuance of any license, the board will inspect the premises to determine if it conforms to the law.

- If a school closes a facility, the licensee must notify the board within 60 days before closing and provide proof of the reason for the closure; proof of method developed to assist students with the completion of their program of study and

individual courses; proof of notice sent to all currently enrolled students, notifying them of the closure; proof of notice given to students indicating where they may obtain any of their records; proof of disposition of student records with a contact person, complete address, and telephone number and how students' information may be obtained; proof of notice sent to all students who have paid for any tuition and/or fees for future enrollment in a program of study or individual course informing them of the closure, and refund information; proof of certified transcripts for each currently enrolled student who has paid for and completed coursework in lieu of receiving a full or partial refund. If a school files a bankruptcy petition, a certified copy must be filed with the board.

- School licenses may be issued, as follows:

- ▶ Temporary licenses may be issued only for a one-year period. These licenses are issued to new schools with less than two graduating classes. Annual reports are required and are due by July 16 of each year unless otherwise specified. Prospective students before enrolling and enrolled students must be notified in writing of the school's temporary status;

- ▶ Probationary licenses indicate warning status and may be issued only for a one-year period. These licenses are issued to new schools with less than two graduating classes and with any significant violation or violations in the most recent year. Annual reports are required and are due by July 16 of each year unless otherwise specified. Prospective students and enrolled students must be notified in writing of the school's probationary status;

- ▶ Conditional licenses may be issued to schools for only a one-year period. Conditional license status for schools that previously held a nonconditional license cannot exceed two

years. Annual reports are required and are due by July 16 of each year unless otherwise specified. Prospective students and enrolled students must be notified in writing of the school's conditional status. These licenses will be issued to schools with two or more graduating classes and with any of the following:

- ◆ Any significant violation or violations in the most recent year; and

- ◆ Either the school's annual pass rate or the school's comprehensive pass rate does not meet or exceed the board's current minimum standard;

- ▶ Nonconditional licenses may be issued for only a two-year period. Annual reports are required and are due July 16 of each year unless otherwise specified. These licenses will be issued to schools with two or more graduating classes and with all of the following:

- ◆ No significant violation or violations in the most recent year; and

- ◆ Either the school's annual pass rate or the school's comprehensive pass rate meets or exceeds the board's current minimum standard.

- The combined temporary, probationary and/or conditional license status for schools cannot exceed a five-year consecutive period before moving to a nonconditional license status.

- No license issued by the board may be renewed until all monetary fines and penalties assessed by the board to the licensee are paid in full.

- School owners, instructors, and/or employees or contractors of the school must adhere to the board's statutes and rules and regulations and must regard students with the same care and consideration as clients.

**HB 315.** Effective on passage. Signed 5/8/24.

HB 315 modernizes the terminology that is used in several state statutes to refer to persons with an intellectual disability by replacing the term "mentally retarded" with "intellectual disability."

**HB 317.** Effective 7/1/24. Signed 4/17/24.

HB 317 directs the State Department of Health to design and cause to be constructed and maintained an emergency medical services memorial to honor those emergency medical services personnel who have given their lives in the performance of their official duties and those who have made a dramatic impact on or a substantial contribution to emergency medical services in Mississippi.

The bill also directs the department to form, establish and/or collaborate with a private foundation or nonprofit corporation to maintain the memorial in perpetuity and determine the eligibility of those persons to be included on the memorial. The foundation or nonprofit corporation is directed to solicit and receive funds from public and private sources and donations to carry out its responsibilities under the bill.

**HB 728.** Effective 7/1/24. Signed 4/12/24.

HB 728 creates the Defending Affordable Prescription Drug Costs Act, which prohibits health insurance issuers, pharmacy benefit managers and other third-party payors and drug manufacturers and distributors from engaging in certain discriminatory actions relating to entities that are participating, or authorized to participate in, the federal 340B drug discount program.



**HB 760.** Effective 7/1/24. Signed 4/17/24.

HB 760 extends to July 1, 2027, the date by which the State Department of Health may award grants to Mississippi qualified health centers for purposes of increasing access to services for uninsured and medically indigent patients and providing a one-time salary supplement to primary care physicians being recruited.

**HB 764.** Effective on passage. Signed 5/8/24.

HB 764 extends to July 1, 2029, the date of the repealer on the sections of law that create the State Board of Health, establish the position of Executive Officer of the State Department of Health and establish the State Department of Health and prescribe its powers and duties. In addition, the bill does the following:

- Revises the appointments to the State Board of Health to provide that all members will be appointed by the Governor for terms of six years.

- Provides that for all appointments made from and after June 1, 2024, the Governor must ensure that the board will always have two members from each of the state's congressional districts as they exist at the time of the appointment.

- Provides that in submitting the appointments for confirmation, the Governor must include a statement that he or she has ascertained the current domicile of each of the board members, and that the appointments comply with the geographical requirements.

- Directs the State Board of Health and the State Health Officer to study the status of health care throughout the state.

- ▶ The study should include challenges such as access to care; the cost of care; indigent care; providing health care to the incarcerated; the availability of health care workers,

paraprofessionals, and professionals; the effects of unhealthy lifestyle choices; the consequences of health care facilities located in affluent and urban areas to the detriment of less affluent areas, small towns, and rural areas; and negative trends which may cause ill effects if they continue.

▶ The study will also include opportunities to improve health care, such as greater coordination among state agencies, local governments, and other entities that provide various types of health care; methods of increasing the health care workforce; and methods to increase the location of health care facilities in distressed areas, rural areas and small towns.

**HB 1030.** Effective 7/1/24. Signed 4/17/24.

HB 1030 authorizes the Executive Director of Human Services to appoint a nonresident of the county to serve as the county director of human services in cases of emergency or unavailability of a county resident suitable for the position as determined by the executive director.

In addition, the bill authorizes the Department of Human Services to enter into a lease with the board of supervisors in each county where a local office is located to allow the department to maximize the availability of federal funds.

▶ Fair market value for the county-furnished building must be established by consultation between the department and each county board of supervisors, and the department must pay the federal share for the rent to the county.

▶ All maintenance and repairs of the local office required to keep it in an adequate and habitable condition for use by the department will be the responsibility of the county.

**HB 1068.** Effective 7/1/24. Signed 4/25/24.

HB 1068 does the following:

- Adds the death of any person under the age of 18 to the list of deaths categorized as "affecting public interest," which is required to be reported to the state or county medical examiner.
- Requires county medical examiners to enter electronically the information for all deaths, and all associated toxicology reports, that occur in the examiner's county in a manner prescribed by the State Medical Examiner.
- Creates an evidentiary presumption of death to be known as the "Zeb Hughes Law" whenever uncontradicted sworn testimony and evidence support a determination of the death of a missing person who has undergone a catastrophic event that exposed the person to imminent peril.
- Requires the State Registrar of Vital Statistics to prepare a death certificate for a missing person legally presumed to be dead upon receipt of a proper court order.

**HB 1129.** Effective 7/1/24. Signed 4/17/24.

HB 1129 transfers the Office of Mississippi Physician Workforce from the University of Mississippi Medical Center to the State Department of Health; revises the makeup of the Mississippi Physician Workforce Advisory Board; and provides that fellowships will be eligible for financial support from the office in addition to residencies.

**HB 1376.** Effective 7/1/24. Signed 4/17/24.

HB 1376 establishes qualified residential treatment programs (QRTPs) as alternative placements for children and youth who are in the custody of the Department of Child Protection Services, provides the duties of a qualified assessor as it relates to QRTP placement of a child, and provides certain duties of the court after a child is placed in QRTP placement.

- "Qualified residential treatment program" is defined as a licensed and accredited program that has a trauma-informed treatment model that is designed to address the needs, including clinical needs as appropriate, of children with serious emotional or behavioral disorders or disturbances and, with respect to a child, is able to implement the treatment identified for the child by the assessment of the child.

- "Qualified assessor" is defined as a trained professional or licensed clinician who is not an employee of the Department of Child Protection Services and who is not connected to, or affiliated with, any placement setting in which children are placed by the department.

**HB 1640.** Effective 7/1/24. Signed 5/8/24.

HB 1640 revises procedures for screening, evaluation and commitments for persons with mental health issues.

Specifically, the bill provides the following:

- Community mental health centers are required to submit a written quarterly report to the board of supervisors of each county in their region, and provide the Department of Mental Health, local sheriffs and chancery court judges with a copy of the report.

- ▶ The report must contain the following information:  
(a) the number of occupancy percentages reported by the crisis stabilization unit in the region; (b) the number of individuals

held in jail after the commitment process has been initiated and the number of individuals the community mental health center provided treatment to while they were in jail; (c) the number of pre-affidavit screenings conducted; and (d) the number of individuals diverted to a lesser restrictive alternative from commitment.

- The Department of Mental Health is required to provide annual training to chancery and circuit court clerks to inform them about statutory procedures for civil commitments.

- If a person is alleged to be in need of treatment, any relative of the person or any interested person may file an affidavit with the chancery clerk for the county in which the person alleged to be in need of treatment resides.

- ▶ The affidavit must state specifically that a less restrictive alternative treatment was considered and specify why treatment less restrictive than involuntary commitment is not appropriate.

- ▶ The affidavit must state whether the affiant has received notice of the pre-affidavit screening from a community mental health center determining whether the alleged acts by the proposed respondent warrant commitment in lieu of other less-restrictive treatment options.

- Before filing an affidavit for commitment of an individual, the relative or interested person must be connected with the community mental health center in the county of financial responsibility or the county where the proposed patient is present for a pre-affidavit screening, which is a preliminary investigation to determine the need to file an affidavit for involuntary commitment.

▶ A pre-affidavit screening is mandatory and must be completed before any affidavit for commitment is filed, except when the person is actively violent or refuses to participate in the pre-affidavit screening and the screening cannot be completed.

▶ If the community mental health center is unavailable, any reputable licensed physician, psychologist, nurse practitioner or physician assistant, as allowed in the discretion of the court, may conduct the pre-affidavit screening and examination.

▶ The pre-affidavit screening must be completed within 24 hours of the community mental health center being notified.

▶ The community mental health center shall provide the pre-affidavit screening report to the chancery clerk for the county in which the petition is to be filed upon completion.

▶ The community mental health center shall appoint a pre-affidavit screener to conduct an investigation, who may not be the prospective petitioner.

▶ The investigation must include:

- ◆ An interview with the proposed patient and other individuals who appear to have knowledge of the condition of the proposed patient, if practicable. If the proposed patient is not interviewed, specific reasons must be documented;

- ◆ Identification and investigation of specific alleged conduct that is the basis for application;

- ◆ Identification, exploration and listing of the specific reasons for rejecting or recommending alternatives to involuntary commitment; and

- ◆ In the case of a commitment based on mental illness, information relevant to treatment.

▶ In conducting the investigation, the screener will have access to all relevant medical records of proposed patients currently in treatment facilities, state-operated treatment programs, or community-based treatment programs.

- ◆ Data collected pursuant to the investigation is considered private data on individuals.

- ◆ The pre-affidavit screening report is not admissible as evidence in court except by agreement of counsel or as permitted by the rules of court and is not admissible in any court proceedings unrelated to the commitment proceedings.

▶ When the pre-affidavit screener recommends commitment, a written report shall be sent to the chancery clerk for the county in which the petition is to be filed.

- ◆ The statement of facts contained in the written report must contain all of the information required to be included in the affidavit, specifically certifying that a less restrictive alternative treatment was considered and specifying why treatment less restrictive than involuntary commitment is not appropriate.

▶ The pre-affidavit screener shall refuse to support the filing of an affidavit if the investigation does not disclose evidence sufficient to support commitment.

- ◆ Notice of the pre-affidavit screener's decision shall be provided to the prospective petitioner and the court.

- ◆ If a commitment is not recommended, the pre-affidavit screener shall provide the prospective petitioner with connection to other alternative services and resources available and offered, if appropriate.

▶ If the interested person wishes to proceed with a petition contrary to the recommendation of the pre-affidavit screener, application may be made directly to the chancellor, who shall determine whether or not to proceed with the petition.

◆ Notice of the chancellor's determination shall be provided to the interested party.

• After a pre-affidavit screener has attempted to complete an in-person screening, if a person is actively violent or refuses to participate in the pre-affidavit screening and the screening cannot be completed, then upon recommendation of the community mental health center, the affidavit may be filed and a writ issued for a sheriff to intervene.

▶ The pre-affidavit screener shall document why the pre-affidavit screening could not be completed.

• After completing the pre-affidavit screening, receiving the written report from the pre-affidavit screener, and upon filing of an affidavit of commitment, the chancery clerk, upon direction of the court, shall issue a writ directed to the sheriff of the proper county to take into custody the person alleged to be in need of treatment and to take the person for physical and mental examination and treatment by the appropriate community mental health center.

▶ The community mental health center will be designated as the first point of entry for pre-affidavit screening and treatment.

▶ The writ may provide where the person shall be held before being taken for examination and treatment, which shall include any licensed medical facility or crisis stabilization unit.



- Upon receiving the pre-affidavit screening and filing of an affidavit of commitment, the chancellor shall immediately appoint and summon two physicians or one physician and another health care provider to conduct a physical and mental examination of the person at a place to be designated by the chancery clerk or chancellor and to report their findings to the clerk or chancellor.

- ▶ However, if the pre-affidavit screening recommends against commitment, the chancellor may refuse to appoint two physicians to conduct a physical and mental examination.

- If the chancellor determines that there is probable cause to believe that the respondent has a mental illness and that there is no reasonable alternative to detention, the chancellor may order that the respondent be retained as an emergency patient at any licensed medical facility, crisis stabilization unit, or any other available suitable location for evaluation and that a peace officer transport the respondent to the specified facility, unit or location.

- If the person evaluating the respondent finds that the respondent has a mental illness and is in need of treatment, the chancellor may order that the respondent be retained at the licensed medical facility, crisis stabilization unit, or any other available suitable location as the court may so designate pending an admission hearing.

- ▶ If necessary, the chancellor may order a peace officer or other person to transport the respondent to that facility, or unit or suitable location.

- A jail or other detention center may not be used for custody unless the community mental health center has explored and exhausted the availability of other appropriate facilities, such as the crisis stabilization unit, the local hospital and

any Department of Mental Health certified location; the chancellor specifically authorizes it; and the respondent is actively violent.

▶ The county of residence of any such person shall pay the cost of such interim treatment.

▶ The community mental health center shall provide documentation of the person's violent behavior and that no other appropriate facilities are available to the chancellor.

▶ Under these circumstances, no person may remain in a jail for longer than 24 hours unless the community mental health center requests an additional 24 hours from the chancellor.

▶ The community mental health center shall provide treatment during this timeframe pending placement at an appropriate facility.

• If the chancellor or chancery clerk finds, based upon the appointed examiners' certificates and any other relevant evidence, that the respondent is in need of treatment and the certificates are filed with the chancery clerk within 48 hours after the order for examination, or extension of that time as allowed, the clerk shall immediately set the matter for a hearing.

▶ The hearing shall be set within three days of the filing of the certificates unless an extension is requested by the respondent's attorney.

▶ However, the hearing shall not be more than five days after the filing of the certificates, unless the court orders to extend the hearing date, which shall not exceed five additional days.

**PUBLIC PROPERTY**

**SB 2276.** Effective on passage. Signed 2/28/24.

SB 2276 authorized the Department of Public Safety to purchase for fair market value certain real property and any improvements to the property in Oxford, Mississippi. The property, formerly known as "Rayner Eye Clinic," is one parcel of land located at 1308 Belk Boulevard, Oxford, Mississippi. Further, the bill authorized the Department of Public Safety to negotiate any and all closing costs related to the acquisition of the property and to correct any discrepancies in the legal descriptions of the property. Finally, the bill required that the real property and improvements acquired be used exclusively for state office space and parking purposes.

**HB 974.** Effective on passage. Signed 4/20/24.

HB 974 authorizes DFA, acting on behalf of the State Board of Mental Health to sell and convey, to the City of Water Valley, the site of the former Water Valley High School, acquired through the board's purchase on or about May 16, 2003, from the nonprofit entity, Yalobusha County Economic Development Foundation, Inc., which initially purchased the property from the Water Valley School District on or about April 21, 2003. The State of Mississippi shall retain all mineral rights in the property, and DFA is further authorized to correct any discrepancies in any legal description.

**HB 1123.** Effective on passage. Signed 5/8/24.

HB 1123 authorizes the Mississippi Transportation Commission, acting on behalf of MDOT, to transfer and convey a certain parcel of land situated in Greene County, where the Chickasawhay River Bridge was once located, to the Board of Supervisors of Greene County, for the purpose of declaring the tract of land surplus property and restoring it to the local tax rolls. The board of supervisors is required to allow the existing utilities on the property to remain thereon at the discretion of the utility owners, and the utilities would not be required to be relocated except by agreement with the utility owner. The State of Mississippi shall retain all mineral rights to the real property, and MDOT is authorized to correct any discrepancies in the legal description of the property.

The bill also authorizes the Mississippi Transportation Commission, acting on behalf of MDOT, to transfer and convey a certain parcel of land situated in Marks, Mississippi, known as the "Marks Community Park," to the City of Marks, in exchange for fair market value of the property. The City of Marks is required to allow the existing utilities on the property to remain thereon at the discretion of the utility owners, and the utilities would not be required to be relocated except by agreement with the utility owner. The State of Mississippi shall retain all mineral rights to the real property, and MDOT is authorized to correct any discrepancies in the legal description of the property. Additionally, any expenses incurred in conducting a survey of the property shall be paid for by the City of Marks.

**HB 1207.** Effective 7/1/24. Signed 4/20/24.

HB 1207 authorizes the naming of the Alcorn State University Extension and Research Complex, located at 1000 ASU Drive 479 in Lorman, Jefferson County, Mississippi, as the "Dr. Jesse Harness, Sr., Extension and Research Center," subject to approval by the Institutions of Higher Learning.

## RULES

**HB 124.** Effective on passage. Signed 3/19/24.

HB 124 designates the fourth Thursday of March as Tuskegee Airmen Day in Mississippi as a day of recognition and observation.

**HB 365.** Effective on passage. Signed 3/19/24.

HB 365 recognizes and observes the month of March as "Mississippi Musicians Month" to celebrate the state's rich musical heritage and to encourage the world to join Mississippi in honoring our musicians and their contributions.

## TECHNOLOGY

**SB 2698.** Effective 7/1/24. Signed 4/8/24.

SB 2698 creates the Cyber Security Review Board, which is responsible for ensuring that a collaborative effort is made to address cybersecurity threats posed to Mississippi. The bill names the voting and ex officio nonvoting members of the board and allows the board to add further ex officio nonvoting members as necessary. Further, the board is permitted to adopt rules which govern the time and place of meetings, as well as the manner of conducting the business of the board. The bill requires the board to produce a cybersecurity report and present it to the Governor, Lieutenant Governor, Speaker of the House, and the chairmen of the Technology Committees of the Mississippi Senate and House of Representatives. Additionally, the board is tasked with producing a list of best cybersecurity practices for distribution across the state. Finally, the bill creates the Cyber Security Board Fund to fund the board, to be administered by the Commissioner of the Department of Public Safety out of the department's regular support appropriation.

**HB 297.** Effective 7/1/24. Signed 5/8/24.

HB 297 requires the Department of Finance and Administration to develop and implement a process that creates a preferred vendor list for disaster debris removal and monitoring. It also excludes small unmanned aircraft systems manufactured in the People's Republic Of China and purchased prior to January 1, 2025, from the requirement that state purchased drones be exclusively purchased from a domestic manufacturer.

## TOURISM

**SB 2142.** Effective 7/1/24. Signed 4/22/24.

SB 2142 designates the American Quarter Horse as the official state horse, and the Kemp's Ridley sea turtle as the official state turtle of Mississippi.

**SB 2696.** Effective 7/1/24. Signed 5/8/24.

SB 2696 amends the Mississippi Main Street Grant program created in the 2023 Regular Legislative Session. The bill expands eligibility for the grant to include Main Street Designated Communities or local Main Street programs that have achieved and maintained Designated Community Status by the Mississippi Main Street Association (MMSA), that are good standing members of the MMSA, have obtained 501(c)(3) tax-exempt status or Section 501(c)(6) tax-exempt status from the Internal Revenue Service; Main Street Network Communities; Main Street Associate Communities; or cities or business improvement districts located in Mississippi that otherwise meet the requirements of the bill.

The bill also adds a provision that provides that applicants who did not receive a grant the prior year shall receive priority for a grant the following year. Lastly, SB 2696 further elaborates on local cash match requirements for grant recipients and relaxes the previous easement requirements to now only require grant recipients to comply with applicable property laws, regulations of the Mississippi Department of Archives and History, and any other agency or department related to the property.



## UNIVERSITIES AND COLLEGES

**SB 2408.** Effective 7/1/24. Signed 5/8/24.

SB 2408 amends Section 37-101-15 to provide that the Board of Trustees of State Institutions of Higher Learning shall require all on-campus faculty and staff employed by, and all students attending, any of the state institutions of higher learning identified to be issued an identification badge in physical or electronic format. The bill requires that any identification card issued or renewed, whether physical or in an electronic format, shall include the words "Crisis Lifeline - Dial or Text 988, or chat 988lifeline.org" or like language for formatting purposes.

**SB 2417.** Effective on passage. Signed 4/18/24.

SB 2417 amends existing law that established the Mississippi Intercollegiate Athletics Compensation Rights Act to provide a new statutory framework related to a student-athlete's name, image, likeness and publicity rights.

Section 1 provides that the article shall be known as the Mississippi Intercollegiate Athletics Compensation and Publicity Rights Act.

Section 2 amends various definitions in Section 37-97-103 including "compensation," "publicity rights," and "student-athlete."

Section 3 amends Section 37-97-105 to provide that a postsecondary educational institution or any officer, trustee, or employee, of a postsecondary educational institution, shall have the right to, directly or through an agreement with a third party, identify, create, solicit, facilitate, negotiate, support, assist and otherwise enable opportunities for a student-athlete to earn or attempt to earn compensation for the

use of the student-athlete's publicity rights. Such right shall include, without limitation, the right to discuss with a student-athlete the potential to earn compensation for his or her publicity rights if he or she attends the postsecondary educational institution.

The bill provides that a third party shall have the right to compensate a student-athlete for the use of the student-athlete's publicity rights. This shall include the right to compensate the student-athlete for the use of the student-athlete's publicity rights in connection with the promotion of an athletic event in which the student-athlete may participate, the promotion of the postsecondary educational institution the student-athlete attends, and the promotion of the institution's athletics program.

The bill authorizes a postsecondary institution to require a student-athlete enrolled at the institution or who has announced an intention to attend the institution, to disclose the publicity rights agreements. This section also provides that student-athlete agreements, proposed agreements and any documents that compile, summarize or disclose any of the terms of such agreements shall be exempt from the Mississippi Public Records Act.

Section 4 amends Section 37-97-107 to provide that a publicity rights agreement may be terminated either by the student-athlete or any other party to the agreement when the student-athlete's participation in the sport at the institution ends. It also provides that an institution may impose reasonable limitations on the dates and time that a student-athlete may participate in publicity rights activities. This section provides that institutions may still restrict the use of its marks or logos or otherwise determine a student-athlete's

apparel, gear or other wearables while participating in an intercollegiate athletics program activity.

This section also prohibits student-athletes from entering into agreements with a third party for the endorsement or promotion of brands, products, or services involving gambling, sports betting, controlled substances, marijuana, tobacco, alternative or electronic nicotine product or delivery system, alcohol, adult entertainment or any other brand, product or service that is reasonably considered to be inconsistent with the values or mission of a postsecondary educational institution. Additionally, this section provides that nothing in the chapter shall be construed to qualify a student-athlete as an employee of an institution. It also prohibits institutions from using funds appropriated from the State General Fund to compensate a student-athlete for his or her publicity rights.

Section 5 amends Section 37-97-109 to provide certain prohibitions against a national association, a conference or any other group or organization that promotes or regulates collegiate athletics at a postsecondary educational institution from preventing or penalizing an institution for establishing agreements with a third-party entity to act on the institution's behalf to identify, create, solicit, facilitate, negotiate, support, assist, and otherwise enable opportunities for a student-athlete to earn compensation from his or her publicity rights. It also prohibits a person or entity, regardless of residence, from giving or promising compensation for the use of publicity rights of a student-athlete that is currently enrolled in or has signed a National Letter of Intent or other written agreement to enroll in a postsecondary educational institution within the State of Mississippi with the purpose of recruiting

or inducing the student-athlete to enroll at another postsecondary educational institution.

The bill also amends Sections 74-42-3, 73-42-5, 73-42-11, 73-42-13, 73-42-19, 73-42-21, 73-42-31, 73-42-34 and 93-19-17, which provide the Uniform Athlete Agents Act, to revise the statutory framework from "name, image or likeness" to "publicity rights" as it relates to student-athletes.

**SB 2557.** Effective 7/1/24. Signed 4/8/24.

SB 2557 amends Section 37-113-21 to authorize the Board of Trustees of State Institutions Of Higher Learning, upon recommendation of the Director of the Agricultural and Forestry Experimental Station at the Mississippi State University of Agriculture and Applied Science or the Dean of the College of Agriculture and Applied Sciences at Alcorn State University, to enter into contracts, leases and other arrangements for terms not to exceed 30 years, with the option for two ten-year lease extensions, with any persons or business entity for the development of a solar installation at any branch research station operated by the Mississippi Agricultural and Forestry Experimental Station or the Alcorn State University College of Agriculture Extension and Research Centers, as applicable.

The bill provides that all proceeds derived or received from the agreements and leases entered into under the act shall be deposited into a special fund to be expended only for the use and benefit of Mississippi State University or into a special fund to be expended only for the use and benefit of Alcorn State University, respectively. The bill requires that at the end of the lease term, the property leased shall revert to Mississippi State University or Alcorn State University, respectively. It also requires that the State of Mississippi shall retain all mineral rights to the real property leased under the act.

The bill also requires that at the termination or expiration of the lease, and/or abandonment of the project, as applicable, the lessee shall remove all leasehold improvements from the property and be obligated to pay all costs to return the property to its same or similar condition at the time of lease execution.

**SB 2727.** See summary under Public Health and Welfare heading.

**SB 2729.** Effective 7/1/24. Signed 5/8/24.

SB 2729 amends Sections 37-144-1, 37-144-3, 37-144-5, 37-144-7, 37-144-13 and 37-144-17, which provide for the Mississippi Rural Physician Scholarship Program, to make certain technical amendments, including authorizing students from all areas of the state to be approved for the program. The bill adds a physician appointed by the Mississippi Psychiatric Association as a member of the Scholarship Commission. It requires the commission to produce an annual report to the Legislature that provides certain data and statistics. The bill also includes child psychiatry students in the residency program.

SB 2729 amends Sections 37-146-1, 37-146-5 and 37-146-11 to revise provisions related to the Mississippi Rural Dentists Scholarship Program to allow students from all areas of the state. It also provides that such program shall be known and may be cited as the Dr. G. Norris Howell Rural Dentists Scholarship Program. Additionally, it requires the Rural Dentists Scholarship Commission to produce annual reports to the Legislature that provide various statistics.

**HB 939.** Effective 7/1/24. Signed 4/20/24.

HB 939 amends Section 37-147-7, to revise and clarify the composition of the Mississippi University Research Authority to reflect that the authority shall be composed of an odd number of members to be appointed from amongst the research officers of the eight institutions of higher learning and the University of Mississippi Medical Center. The bill further updates the references to reflect the Mississippi Development Authority instead of the former entity known as the Department of Economic and Community Development, as well as removing references automatically placed on the board of a representative of the Mississippi Resource Development Corporation, which no longer exists.

**HB 1163.** Effective 7/1/24. Signed 5/13/24.

HB 1163 amends Section 21-25-23, to authorize the boards of trustees of community and junior college districts to petition the local governing authority to create a fire district encompassing the area in which all or part of the community or junior college is located, and thereafter authority to contract for the laying of necessary water mains, pipes and connections to existing water mains to be used in the fire district.

Section 37-29-231 is amended to provide the board of trustees of community and junior colleges with the authority to, in its discretion, enter into contract with a municipality as authorized under Section 21-25-23, or into an interlocal agreement with the county governing authority of the county wherein the community or junior college is located if situated outside of the incorporated limits of any city or municipality therein, to provide fire protection and first responder services to the main campus of the community or junior college, which include law enforcement services and emergency medical

transportation services. Upon entering the contract or interlocal agreement the board is given the discretion to assess a fee not to exceed \$5 each semester to offset the cost associated with the services provided, which shall be allocated by the board of trustees to the local governing authority providing first responder services. The discretion to assess the fee is subject to repeal on July 1, 2027.

The bill amends Section 37-29-141, to include the discretionary fee assessed by the board of trustees upon students enrolled at the community or junior college as a component of the tuition charged for attendance, for the purpose of offsetting the cost of first responder services provided to the main campus of the community or junior college.

**HB 1568.** Effective on passage. Signed 4/20/24.

HB 1568 authorizes the Department of Finance and Administration, in consultation with the Board of Trustees of State Institutions of Higher Learning, and acting on behalf of Jackson State University, to expand the legal physical boundaries of the flagship campus of Jackson State University, located at 1400 John R. Lynch Street, in the City of Jackson, Hinds County, Mississippi, beginning at the intersection of Dalton Street with its point of connection at the southernmost boundary of Dr. Robert Smith, Sr., Parkway and traversing in a southerly direction to the point where Dalton Street intersects with the southernmost boundary of Morehouse Street.

Upon the completion of all transactions to facilitate the acquisition and transfer, any property encompassed within the property description, upon verification by a licensed professional surveyor, shall become a part of Jackson State University, with all recorded instruments reflecting the same, and shall be deemed "educational property" within the meaning

prescribed under Section 97-37-17, which would place any weapons violations occurring on such property as felonious criminal offenses.

The City of Jackson shall retain responsibility for maintenance, repair and upkeep of all roadways and underlying water and sewer service utility lines of the property transferred.



**VETERANS AND MILITARY AFFAIRS**

**SB 2514.** See summary under Government Structure heading.

**HB 978.** Effective 7/1/24. Signed 4/17/24.

HB 978 provides that the State Veterans Affairs Board shall have 30 days after receiving written notice of a claim on behalf of a veteran through power of attorney in order to process the claim. If the appeal time is less than 30 days, the board may only advise the veteran with the claim.

**HB 1001.** Effective 7/1/24. Signed 4/17/24.

HB 1001 authorizes the State Veterans Affairs Board to provide interments in the veterans cemeteries under the federal Burial Equity for Guards and Reserves Act. All costs associated with the interment will be paid by the individual or individuals submitting an application unless federal or state aid is specifically provided. Applications for interment in the cemeteries will be processed in accordance with rules and regulations promulgated by the board. Individuals who are eligible for internment include:

- Any member of a reserve component of the Armed Forces who was discharged or released from service under conditions other than dishonorable or whose death occurs under conditions other than dishonorable while a member of the reserve component;
- Any member of the Army National Guard or the Air National Guard who was discharged or released from service under conditions other than dishonorable while a member of the Army National Guard or the Air National Guard;
- Any member of the Reserve Officers' Training Corps (ROTC) of the Army, Navy or Air Force whose death occurs under conditions other than dishonorable while a member of the ROTC;

- Any spouse of any member described above; and
- Any minor child or unmarried adult child, as defined in 38 USC Section 2402(a)(5), of the individuals described above.

**WILDLIFE, FISHERIES AND PARKS**

**HB 526.** Effective 7/1/24. Signed 3/19/24.

HB 526 amends Sections 49-7-31.1 and 49-7-31.5 to authorize hunters to wear solid unbroken fluorescent pink as an alternative to solid unbroken fluorescent orange when hunting deer and wild hogs during any gun season on deer.

**HB 1206.** Effective on passage. Signed 4/23/24.

HB 1206 amends Section 41-7-31.4 to correct a discrepancy in the dates that mark the end of open season on fur-bearing animals and hunting opossums, racoons and bobcats. Senate Bill No. 2143, 2014 Regular Session, extended the dates that mark the end of open season on fur-bearing animals from March 1 to March 15, and hunting opossums, racoons and bobcats from February 28 to March 15. However, Senate Bill No. 2723, 2020 Regular Session, deleted the March 15 dates for the end of open season, and reverted the dates back to March 1 and February 28, as they were before the 2014 Regular Session amendments.

The bill corrects this discrepancy, and places the dates back as they were passed by the Legislature in 2014:

- November 1 - March 15: Open season on fur-bearing animals.
- October 1 - March 15: Open season on opossums, racoons and bobcats.

The bill also amends Section 49-7-31.1 to exempt deer hunters from the requirement to wear solid unbroken fluorescent orange or pink when hunting from a deer stand that is elevated 12 feet or more above the ground, or when hunting in a fully enclosed blind.

**HB 1208.** Effective 7/1/24. Signed 5/13/24.

HB 1208 amends Section 49-7-79 to prohibit any person from knowingly entering the lands of another without the permission of, or without being accompanied by, the landowner or the lessee of the land, or the agent of such landowner or lessee, to hunt, fish, shoot, or trap on the lands or leases of another. A violation is a misdemeanor punishable for the first offense by a fine between \$500 and \$1,000. A second or subsequent offense within five years of the last offense is punishable by a fine between \$1,000 and \$1,500, together with forfeiture of all hunting, trapping, and fishing privileges for one year, which privileges may only be restored upon payment of a \$500 reinstatement fee. Any animal, bird, fish, or part thereof taken or possessed in violation of this prohibition shall be seized by a law enforcement officer and disposed of by or under the direction of the Department of Wildlife, Fisheries, and Parks. In addition to other fines and penalties, a violator shall pay restitution to the landowner between \$100 and \$250 for each animal, bird, fish, or part thereof, taken or possessed in violation of the prohibition, but not to exceed \$1,500 in the aggregate, regardless of the number of animals unlawfully taken or possessed.

Section 97-17-85 is amended to authorize a fine of no more than \$50 for a trespass offense under Section 49-7-79.