

By: Representatives Gadd, Moak

To: Appropriations

HOUSE BILL NO. 1048

1 AN ACT TO AMEND SECTION 27-104-81, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY REIMBURSEMENT OF FEDERAL FUNDS UNDER REVENUE  
3 MAXIMIZATION CONTRACTS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 27-104-81, Mississippi Code of 1972, is  
6 amended as follows:

7 27-104-81. (1) For the purpose of this section:

8 (a) "Agency" means any agency, department, institution  
9 or officer of the State of Mississippi.

10 (b) "Revenue maximization contract" means a contract or  
11 other agreement between an agency and a person or entity under  
12 which the person or entity will seek to maximize federal funds for  
13 the use of the agency.

14 (2) If an agency enters into a revenue maximization contract  
15 with a person or entity after June 30, 2001, the contract must  
16 contain an indemnification provision that holds the person or  
17 entity liable to the state for reimbursement of that portion of  
18 its fee for the amount of federal funds that the state may be  
19 required to repay to the federal government as a result of any  
20 actions taken under the contract by the person or entity on behalf  
21 of the agency, or any actions taken by the agency as recommended  
22 by the person or entity.

23 (3) If a revenue maximization contract entered into after  
24 June 30, 2001, does not contain the indemnification provision  
25 required by subsection (2) of this section, the indemnification  
26 requirement of subsection (2) shall be considered to be part of  
27 the contract by operation of law.



28           **SECTION 2.** This act shall take effect and be in force from  
29 and after its passage.

