

By: Representatives Gadd, Moak

To: Appropriations

HOUSE BILL NO. 1048
(As Passed the House)

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 the amount of
18 federal funds that the state may be required to repay to the
19 federal government as a result of any actions taken under the
20 contract by the person or entity on behalf of the agency, or any
21 actions taken by the agency as recommended by the person or
22 entity, up to the amount that the person or entity received from
23 the agency under the contract.

24 (3) If a revenue maximization contract entered into after
25 June 30, 2001, does not contain the indemnification provision
26 required by subsection (2) of this section, the indemnification



27 requirement of subsection (2) shall be considered to be part of
28 the contract by operation of law.

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

