HOUSE BILL NO. 1048  
(As Passed the House)

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

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

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

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

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

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

(2) If an agency enters into a revenue maximization contract with a person or entity after June 30, 2001, the contract must contain an indemnification provision that holds the person or entity liable to the state for reimbursement of the amount of federal funds that the state may be required to repay to the federal government as a result of any actions taken under the contract by the person or entity on behalf of the agency, or any actions taken by the agency as recommended by the person or entity, up to the amount that the person or entity received from the agency under the contract.

(3) If a revenue maximization contract entered into after June 30, 2001, does not contain the indemnification provision required by subsection (2) of this section, the indemnification...
SECTION 2. This act shall take effect and be in force from and after its passage.