

By: Representatives Anderson (122nd), Waldo

To: Accountability,  
Efficiency, Transparency

HOUSE BILL NO. 180

1 AN ACT TO AMEND SECTION 17-13-11, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT WHEN AN INTERLOCAL AGREEMENT BETWEEN LOCAL  
3 GOVERNMENTAL UNITS PERTAINS TO THE PROVISION OF SERVICES OR  
4 FACILITIES BY CERTAIN COUNTY OFFICIALS, THEN SUCH AGREEMENT MUST  
5 BE APPROVED BY THE COUNTY OFFICIALS AND THE ATTORNEY GENERAL  
6 BEFORE THE AGREEMENT IS ENFORCED; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 17-13-11, Mississippi Code of 1972, is  
9 amended as follows:

10 17-13-11. (1) Every agreement made by a local governmental  
11 unit hereunder shall, prior to and as a condition precedent to its  
12 entry into force, be submitted to the Attorney General of this  
13 state who shall determine whether the agreement is in proper form  
14 and compatible with the laws of this state. No agreement may be  
15 considered that does not cite the specific authority under which  
16 each of the local governing units involved may exercise the powers  
17 necessary to fulfill the terms of the joint agreement. The  
18 Attorney General shall approve any such agreement submitted to him  
19 or her hereunder unless he or she shall find that it does not meet  
20 the conditions set forth herein and elsewhere in the laws of this



21 state and shall detail in writing, addressed to the governing  
22 bodies of the units concerned, the specific respects in which the  
23 proposed agreement fails to meet the requirements of law.

24 Failure to disapprove an agreement submitted hereunder within  
25 sixty (60) days of its submission shall constitute approval  
26 thereof.

27 (2) (a) In the event that an agreement made pursuant to  
28 this chapter shall deal in whole or in part with the provision of  
29 services or facilities with regard to which an officer, unit or  
30 agency of the state government has constitutional or statutory  
31 powers of control, the agreement shall, as a condition precedent  
32 to its being in force, be submitted to the state officer, unit or  
33 agency having such power of control and shall be approved or  
34 disapproved by him or her or it as to all matters within his or  
35 her or its jurisdiction in the same manner and subject to the same  
36 requirements governing action of the Attorney General pursuant to  
37 subsection (1) of this section.

38 (b) In the event that an agreement made pursuant to  
39 this chapter shall deal in whole or in part with the provision of  
40 services or facilities, provided by a county sheriff, clerk of the  
41 chancery court, clerk of the circuit court, the assessor of a  
42 county, or the tax collector of a county, the agreement shall, as  
43 a condition precedent to its being in force, be submitted to,  
44 approved, and executed by the respective county official whose  
45 services or facilities are being utilized by or pursuant to the



46 agreement and is subject to the same requirements governing action  
47 of the attorney general pursuant to subsection (1) of this  
48 section.

49 (3) Prior to its being in force, an agreement made pursuant  
50 to this chapter shall be filed with the chancery clerk of each of  
51 the counties wherein a participating local governmental unit is  
52 located and with the Secretary of State. The chancery clerk and  
53 the Secretary of State shall preserve such agreements as public  
54 records and index and docket the same separate and apart from all  
55 other records in his or her office.

56 **SECTION 2.** This act shall take effect and be in force from  
57 and after July 1, 2024.

