

By: Senator(s) Sparks, Suber

To: Economic and Workforce  
Development

## SENATE BILL NO. 2285

1 AN ACT TO AMEND SECTION 71-5-146, MISSISSIPPI CODE OF 1972,  
2 TO ENSURE MDES BACKGROUND CHECK REGULATIONS ARE CONSISTENT WITH  
3 AND COMPLY WITH THE REQUIREMENTS OF THE INTERNAL REVENUE SERVICE  
4 FOR INDIVIDUALS WHO HAVE OR POTENTIALLY WILL HAVE ACCESS TO  
5 FEDERAL TAX INFORMATION; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 71-5-146, Mississippi Code of 1972, is  
8 amended as follows:

9 71-5-146. (1) For the purpose of establishing and ensuring  
10 that the Mississippi Department of Employment Security background  
11 investigation requirements are consistent and in compliance with  
12 the Internal Revenue Service background investigation requirements  
13 for those individuals with access to, or potential access to  
14 Federal Tax Information ("FTI"), including, but not limited to,  
15 IRS Publication 1075, the Mississippi Department of Employment  
16 Security ("MDES") shall have the authority to fingerprint and  
17 conduct a background investigation on \* \* \*:



(a) \* \* \* Any MDES employee, MDES contractor, or MDES subcontractor who is to be subjected to a national criminal history background check due to his or her access to FTI; and

(b) \* \* \* Any individual who applies to a position with MDES who is to be subjected to a national criminal history background due to required FTI access upon hire.

(2) The department shall have the authority to enact policies and procedures that allow designated department employees to:

(a) Access and review state and federal criminal history records;

(b) Fingerprint individuals identified in subsection (1) of this section;

(c) Submit said fingerprints to the state identification bureau for a check of state records;

(d) Forward the fingerprints to the Federal Bureau of Investigation (FBI) for a fingerprint-based national criminal history record check \* \* \*; and

( \* \* \*e) Develop additional background policies and procedures as required by state or federal law or regulations.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2025.

